

COUNCIL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 20TH NOVEMBER, 2014**

PRESENT: The Mayor (Councillor Cluskey) in the Chair
The Deputy Chair (Councillor M. Fearn), Vice Chair

Councillors Ashton, Atkinson, Ball, Jo Barton,
Maria Bennett, Veronica Bennett, Booth, Brennan,
Brodie - Browne, Burns, Byrom, Carr, Crabtree,
Cummins, Cuthbertson, Dams, Dawson, Dodd,
Mark Dowd, Peter Dowd, Dutton, Fairclough,
Lord Fearn, Friel, Grace, Hardy, Hartill, Jones, Keith,
John Kelly, John Joseph Kelly, Kermode, Kerrigan,
Killen, Lappin, Lewis, P. Maguire, Maher, McGinnity,
S. McGuire, McKinley, Moncur, Murphy, Owens,
Page, Papworth, Preece, Robinson, Roche, Shaw,
Thompson, Tweed, Veidman, Weavers, Webster
and Welsh

49. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors David Barton,
Bradshaw, Gatherer, Hands, Mahon, O'Brien, Roberts and Robertson.

50. DECLARATIONS OF INTEREST

No declarations of interest were received.

51. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council Meeting held on 25 September 2014 be
approved as a correct record.

52. MAYOR'S COMMUNICATIONS

Death of former Councillor Sylvia Mainey and Gary Mahoney, Air Quality
Manager

The Mayor reported on the sad death of former Councillor Sylvia Mainey
on 11 November 2014. Sylvia had represented the Sudell Ward from May
1999 to May 2011 and was the Mayoress of Sefton in 2004/05 during the
year of office of her husband Cliff.

The Mayor indicated that he had attended Sylvia's funeral service at St.
George's Church, Maghull on 18 November 2014 along with many other

Members of the Council and extended sincere condolences to Cliff Mainey and all of his family and friends.

The Mayor also reported on the sad death of Gary Mahoney, Air Quality Manager, who passed away suddenly on 10 November 2014 after taking ill at work and he extended sincere condolences to all of Gary's family, friends and work colleagues.

The Council stood in silence for one minute as a mark of respect for Sylvia Mainey and Gary Mahoney.

53. MATTERS RAISED BY THE PUBLIC

The Mayor reported that a member of the public had submitted a question to the Cabinet Member – Communities and Environment, in accordance with the provisions in Chapter 4 of the Council Constitution.

Mrs. E. Langley of Southport put the following question to the Cabinet Member – Communities and Environment, Councillor Hardy.

“I am Elaine Langley, Secretary of the North Meols Library Association. For the last twelve months we have been working towards the creation of a volunteer run community library in the unused bowls pavilion in the Botanic Gardens, Churchtown.

As the relevant Cabinet Report clearly states there is no formal bid process in relation to applications to the Community Support Fund, we made contact with Sefton Council in June 2014 for advice on how we should proceed. Since then we have sent in a bid and supplementary information at our own instigation having received no guidance or assistance from the Council. On 24 October 2014, we were told we were being put 'on hold'. We haven't heard anything since.

What more do we, the North Meols Library Association, need to do to get a response from our Council, relating to our application to the Community Support Fund?”

Councillor Hardy gave the following response:

“I would like to apologise for the poor service and communication you have received from the Council in relation to the Community Support Fund (CSF) application. It's unacceptable to me that you have had to resort to a question in this environment to establish the progress of your application. The CSF has been set up to try and be a flexible and supportive mechanism for supporting projects to strengthen community resilience. Your application required some additional information to develop our understanding and sustainability of the project - it was not put on hold. As soon as I received your question I instructed the relevant officer to contact you. I understand you have spoken this week.

I have also asked the Director of Corporate Services to undertake an investigation into the poor communication you have received on this occasion.”

54. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Council considered a schedule setting out the written question submitted by Councillor Papworth to the Cabinet Member – Transportation (Councillor Fairclough) together with the response given.

55. THE IMPACT OF WELFARE REFORM IN SEFTON

Further to Minute No. 30 of the meeting of the Cabinet held on 9 October 2014, the Council considered the report of the Members Reference Group for Welfare Reform which incorporated the joint report of the Members Reference Group for Welfare Reform and the Welfare Reform Partners Group which provided a summary of the impact on people, services, housing and the economy for the first eighteen months of Welfare Reform in Sefton.

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED:

That:

- (1) the report of the Members Reference Group and the Welfare Reform Partners Group be received;
- (2) the future priorities of the Members Reference Group and the Welfare Reform Partnership Action Plan in the context of reducing resources as set out in paragraph 1.9 of the report be approved; and
- (3) the Council wishes to record its deep appreciation to our public sector partners and the Borough’s community, voluntary and faith organisations – and especially the volunteers – who have worked so tirelessly to support those in need in Sefton.

56. REFRESH OF THE HEALTH AND WELLBEING STRATEGY

Further to Minute No. 31 of the Cabinet meeting held on 9 October 2014, the Council considered the report of the Head of Business Intelligence and Performance which provided details of the refreshed versions of the Sefton Health and Wellbeing Strategy, the Sefton Strategic Needs Assessment and the draft Health and Wellbeing Board Annual Report.

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED:

That:

- (1) the revised draft iteration of the Health and Wellbeing Strategy be approved;
- (2) the content of the report and the context within which the refresh of the Strategy and the Strategic Needs Assessment took place be noted;
- (3) the process for further refreshing the Strategic Needs Assessment, as described in the report be endorsed, and approval be given to the publication of the full review of the Sefton Strategic Needs Assessment by December 2014; and
- (4) the final version of the Health and Wellbeing Board Annual Report be approved for publication during Autumn 2014 alongside the Health and Wellbeing Strategy.

57. MEMBERSHIP OF COMMITTEES 2014/15

It was proposed by Councillor Webster that:

- Councillor Grace be appointed as a Member of the Overview and Scrutiny Committee (Health and Social Care) in place of Councillor Robinson and Councillor Bradshaw be appointed as the Substitute Member.
- Councillor Dams be appointed as the Vice Chair of the Overview and Scrutiny Committee (Health and Social Care) in place of Councillor Robinson and Councillor P. Maguire be appointed as the Substitute Member.
- Councillor Roberts be appointed as one of the Council's representatives on the Sefton Council for Voluntary Service in place of Councillor Veidman.

RESOLVED:

That the changes to the membership of the Committee and the Council's representation on the Outside Body be approved.

58. MOTION SUBMITTED BY COUNCILLOR FRIEL

It was moved by Councillor Friel, seconded by Councillor M. Dowd:

Northern and Transpennine Express Rail Franchise Consultation

"This Council is concerned about the proposals for the Northern and Transpennine Express rail franchises.

We believe that if implemented the plan would result in cuts to funding, fare rises, service and timetable cuts and the loss of hundreds of essential rail jobs.

Not only will there be the loss of hundreds of decent, relatively well paid, skilled jobs in the North for this generation and the next but passenger service and safety will be worsened.

Specifically the introduction of driver only operation, the sacking of train guards/ conductors, station de-staffing and ticket office closures will negatively impact on the service with major safety implications.

Protecting and increasing staffing levels are the most effective way of improving security and safety on the rail network, and we note that evidence has consistently been provided to that effect.

We note that, broadly speaking, the Driver is responsible for the safe operation of the train and the Guard for the protection of the passengers. Currently the Guard is fully trained in operational safety and route knowledge, including being able to safely secure the doors, protecting the train and acting in emergencies such as driver incapacity, failure of the train safety systems and derailments. Specific areas of safety responsibility covered by the guard are outlined in the Rail Safety and Standards Board (RSSB) Rulebook and include: Train in Distress, Trains put in Danger, What to do after a Train Accident, Fire on a Train, Evacuating a Train, Accidental train division, Safety at Station Platforms, Train Dispatch amongst a total of thirty-five specific areas of safety responsibility.

In addition to the General Safety Responsibilities and Personal Track Safety for Non-Track Workers covered by the RSSB Rulebook, the station staff also have specific responsibilities in relation to Safety at Station Platforms and Train Dispatch (including the 'train safety check').

Furthermore, these types of cuts particularly impact on disabled, older and women passengers and go against the wishes of passengers who on the whole value proper staffing of trains and stations.

These cuts are a false economy and we believe that an expanding, affordable, accessible and properly staffed railway in the North is vital for economic growth, tackling social inequality, improving social mobility and protecting our environment.

We urge the Government and Rail North to protect the interests of passengers and the communities who rely on these rail services by withdrawing these proposals and instead to hold meaningful consultations to deliver properly funded, properly staffed and affordable railways in the North."

In accordance with Paragraph 59 (d) of Chapter 4 in the Council Constitution, it was moved by Councillor Shaw and seconded by Councillor Lewis:

“That, in view of the fact that the consultation period on the Northern/Transpennine Express Rail Franchise Stakeholder Consultation exercise expired in August 2014, and that Rail North are not due to publish their report summarising the stakeholder views on both franchises and their conclusions on them until December 2014, the motion be referred to the Overview and Scrutiny Committee (Regeneration and Environmental Services) for further consideration.”

Following debate thereon, on a show of hands, the Mayor declared that the procedural motion was lost by 35 votes to 20.

Thereafter, on a show of hands, the Mayor declared that the Original Motion was carried by 36 votes to 5 with 14 abstentions and it was

RESOLVED:

Northern and Transpennine Express Rail Franchise Consultation

This Council is concerned about the proposals for the Northern and Transpennine Express rail franchises.

We believe that if implemented the plan would result in cuts to funding, fare rises, service and timetable cuts and the loss of hundreds of essential rail jobs.

Not only will there be the loss of hundreds of decent, relatively well paid, skilled jobs in the North for this generation and the next but passenger service and safety will be worsened.

Specifically the introduction of driver only operation, the sacking of train guards/ conductors, station de-staffing and ticket office closures will negatively impact on the service with major safety implications.

Protecting and increasing staffing levels are the most effective way of improving security and safety on the rail network, and we note that evidence has consistently been provided to that effect.

We note that, broadly speaking, the Driver is responsible for the safe operation of the train and the Guard for the protection of the passengers. Currently the Guard is fully trained in operational safety and route knowledge, including being able to safely secure the doors, protecting the train and acting in emergencies such as driver incapacity, failure of the train safety systems and derailments. Specific areas of safety responsibility covered by the guard are outlined in the Rail Safety and Standards Board (RSSB) Rulebook and include: Train in Distress, Trains put in Danger, What to do after a Train Accident, Fire on a Train, Evacuating a Train, Accidental train division, Safety at Station Platforms, Train Dispatch amongst a total of thirty-five specific areas of safety responsibility.

In addition to the General Safety Responsibilities and Personal Track Safety for Non-Track Workers covered by the RSSB Rulebook, the station staff also have specific responsibilities in relation to Safety at Station Platforms and Train Dispatch (including the ‘train safety check’).

Furthermore, these types of cuts particularly impact on disabled, older and women passengers and go against the wishes of passengers who on the whole value proper staffing of trains and stations.

These cuts are a false economy and we believe that an expanding, affordable, accessible and properly staffed railway in the North is vital for economic growth, tackling social inequality, improving social mobility and protecting our environment.

We urge the Government and Rail North to protect the interests of passengers and the communities who rely on these rail services by withdrawing these proposals and instead to hold meaningful consultations to deliver properly funded, properly staffed and affordable railways in the North.

59. MOTION SUBMITTED BY COUNCILLOR S. MCGUIRE

It was moved by Councillor S. McGuire, seconded by Councillor Weavers:

“This Council is concerned that military veterans may be missing out on vital care and support because Governments of all colours have failed to keep track of them.

Having signed the Community Covenant, which offers veterans affordable housing, training courses, back-to-work programmes and school places for military children, we want to ensure that the Council and the agencies we work with across the Borough do all that is possible to support military veterans.

However, we also note that the Local Government Association say the impact of any help will be limited unless there is more accurate information on where veterans of all ages are living.

To this end, we call upon the Ministry of Defence to put in place a reliable data base of where veterans are living, whilst respecting the need for privacy and data protection laws, to ensure that funding, information and support follows our service personnel for the rest of their lives.”

An **amendment** was moved by Councillor Brennan, seconded by Councillor Byrom that the Motion be amended as follows:

Delete the text in Paragraph 1 and insert the following text:

“This Council reaffirms its commitment to our Armed Forces, Regular, Reserve and Cadet Services and the debt of gratitude the community owe them.”

Add in the following new paragraphs thereafter:

“This Council notes the quality work being undertaken via the Armed Forces/Community Covenant, the Sefton Veterans Centre and the recent conference held in Sefton to highlight and coordinate services to veterans,

with administration being provided by Sefton Council for Voluntary Service.”

“This Council notes the massive demobilisation that the coalition government has planned as part of its strategic defence and security review and the need to tailor services for all our returning service personnel with our overseas commitments in Germany etc. coming to an end.”

Amend Paragraph 2 to read as follows:

“Having signed the Armed Forces Community Covenant which offers veterans assistance with services such as housing, training courses, back to work programmes and school places for military children; we want to ensure that the Council and those agencies we work with across the Borough are provided with the appropriate financial resource to enable us to do all that is possible to support military veterans.”

Add in the following paragraphs thereafter:

“This Council calls on the Coalition Government to put its "money where its mouth is" and provide further funding for resettlement of service personnel. Sefton made several bids for funding, all where rejected due to the limited amount of funding, despite those bids being fully endorsed by the North West Brigade. The Military acknowledge that the North West, particularly Merseyside is one of the biggest recruitment areas and will suffer disproportionately in service personnel cuts.”

“A further round of funding would improve our future chances of success and enable the Authority to carry out a comprehensive mapping exercise of veterans within the Borough ensuring appropriate and responsive services to ensure that funding, information and support follows our service personnel for the rest of their lives.”

Amend Paragraph 3 to read as follows:

“The Council also notes that the Local Government Association say the impact of any help will be limited unless there is more accurate information on where veterans of all ages are living.”

Add in the following paragraph thereafter

“This Council recognises the current Ministry of Defence database for serving personnel, however this does not include those that served in World War 2, Korea, Suez, Aden, Borneo, Malaya to name but a few.”

Amend Paragraph 4 to read as follows:

“The Council call upon the Ministry of Defence to set up a National Military veterans register for all serving and former members of HM Armed Forces, many of whom will have already applied to the Ministry of Defence for their

veteran's badge. Any such register would need to respect privacy and data protection laws. The register should be used to ensure that funding, information and support follows service personnel for the rest of their lives."

During the debate thereon, Councillor Brennan agreed to amend the wording of his amendment in the proposed new paragraph which would follow-on after paragraph 2 to read as follows:

"This Council calls on this Government and all future Governments to provide further funding for resettlement of service personnel. Sefton made several bids for funding, all where rejected due to the limited amount of funding, despite those bids being fully endorsed by the North West Brigade. The Military acknowledge that the North West, particularly Merseyside is one of the biggest recruitment areas and will suffer disproportionately in service personnel cuts."

On a show of hands, the Mayor declared that the revised amendment was carried by 57 votes to none.

Thereafter, on a show of hands, the Mayor declared that the Substantive Motion was carried by 57 votes to none and it was

RESOLVED:

This Council reaffirms its commitment to our Armed Forces, Regular, Reserve and Cadet Services and the debt of gratitude the community owe them.

This Council notes the quality work being undertaken via the Armed Forces/Community Covenant, the Sefton Veterans Centre and the recent conference held in Sefton to highlight and coordinate services to veterans, with administration being provided by Sefton Council for Voluntary Service.

This Council notes the massive demobilisation that the coalition government has planned as part of its strategic defence and security review and the need to tailor services for all our returning service personnel with our overseas commitments in Germany etc. coming to an end.

Having signed the Armed Forces Community Covenant which offers veterans assistance with services such as housing, training courses, back to work programmes and school places for military children; we want to ensure that the Council and those agencies we work with across the Borough are provided with the appropriate financial resource to enable us to do all that is possible to support military veterans.

This Council calls on this Government and all future Governments to provide further funding for resettlement of service personnel. Sefton made several bids for funding, all where rejected due to the limited amount of funding, despite those bids being fully endorsed by the North West

Brigade. The Military acknowledge that the North West, particularly Merseyside is one of the biggest recruitment areas and will suffer disproportionately in service personnel cuts.

A further round of funding would improve our future chances of success and enable the Authority to carry out a comprehensive mapping exercise of veterans within the Borough ensuring appropriate and responsive services to ensure that funding, information and support follows our service personnel for the rest of their lives.

The Council also notes that the Local Government Association say the impact of any help will be limited unless there is more accurate information on where veterans of all ages are living.

This Council recognises the current Ministry of Defence database for serving personnel, however this does not include those that served in World War 2, Korea, Suez, Aden, Borneo, Malaya to name but a few.

The Council call upon the Ministry of Defence to set up a National Military veterans register for all serving and former members of HM Armed Forces, many of whom will have already applied to the Ministry of Defence for their veteran's badge. Any such register would need to respect privacy and data protection laws. The register should be used to ensure that funding, information and support follows service personnel for the rest of their lives.

60. MOTION SUBMITTED BY COUNCILLOR BRODIE - BROWNE

It was moved by Councillor Brodie – Browne, seconded by Councillor Dawson:

“This Council believes that there should be no elected Mayors imposed upon communities such as the Borough of Sefton without the clear consent for such a constitutional change being agreed by the votes of the communities concerned.

The Council is concerned to avoid a piecemeal approach being adopted to the subject of devolution of government power to the North West Region and calls for the early establishment of a North West Constitutional Convention.”

Following the debate, the requisite number of Members having signified their wish that the voting on the Motion should be recorded in accordance with Rule 92 of Chapter 4 in the Council Constitution, the voting was duly recorded and the Members of the Council present at the time, voted as follows:

FOR THE MOTION:

Councillors Ball, Jo Barton, Maria Bennett, Booth, Brodie-Browne, Cuthbertson, Dawson, Dodd, Dutton, Lord Fearn, Maureen Fearn, Hartill, Keith, Lewis, S. McGuire, Papworth, Preece, Shaw, Weavers and Welsh.

AGAINST THE MOTION:

Councillors Atkinson, Veronica Bennett, Brennan, Burns, Byrom, Carr, Crabtree, Cummins, Dams, M. Dowd, P. Dowd, Fairclough, Friel, Grace, Hardy, John Kelly, John Joseph Kelly, Kermode, Kerrigan, Killen, Lappin, P. Maguire, Maher, McGinnity, McKinley, Moncur, Murphy, Owens, Page, Robinson, Roche, Thompson, Tweed, Veidman, Webster and the Mayor (Councillor Cluskey).

The Mayor declared that the **Motion was lost** by 36 votes to 20 and it was

RESOLVED:

That no action be taken.