

COUNCIL

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON 21 SEPTEMBER 2017**

PRESENT: Councillor Brennan (in the Chair)

Councillors Ashton, Atkinson, David Barton, Jo Barton, Bennett, Bliss, Booth, Bradshaw, Brodie - Browne, Burns, Carr, Linda Cluskey, Cummins, Dams, Dawson, Dodd, Dutton, Fairclough, Friel, Grace, John Kelly, John Joseph Kelly, Lappin, Daniel Lewis, Dan T. Lewis, Maher, McCann, McGinnity, McGuire, McKinley, Murphy, O'Hanlon, Page, Pitt, Pullin, Roche, Roscoe, Sayers, Shaw, Spencer, Thomas, Anne Thompson, Lynne Thompson, Tweed, Veidman, Weavers, Webster, Bill Welsh and Marianne Welsh

37. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Byrom, Carragher, Kevin Cluskey, Gannon, Hands, Hardy, Jamieson, Jones, Keith, Moncur, Brenda O'Brien, Michael O'Brien, Owens, Preece and Robinson.

38. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declarations of personal interest were made and the Members concerned remained in the room during the consideration of the item:

Member	Minute No.	Nature of Interest
Councillor Dodd	47. Amendment to the Scheme of Members Allowances	By virtue of membership of the LCR Transport Committee
Councillor Friel	As Above	As Above
Councillor McKinley	As Above	As Above

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Councillor Atkinson	51. Motion submitted by Councillor Lappin	By virtue of employment with Mersytravel
Councillor Bennett	As Above	By virtue of employment of a family member with Sefton M.B.C.
Councillor Grace	As Above	By virtue of employment with Liverpool City Council
Councillor Maher	As Above	By virtue of employment of a family member with Sefton M.B.C.
Councillor Murphy	As Above	By virtue of employment with Knowsley M.B.C
Councillor Shaw	As Above	By virtue of employment of a family member with Sefton M.B.C.
Councillor the Shaw	As Above	By virtue of being a member of Employers' side for NJC Local Government Services

39. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council Meeting held on 13 July 2017 be approved as a correct record.

40. MAYOR'S COMMUNICATIONS

VC Commemorative Paving Stone for Captain Harold Ackroyd

The Deputy Chair, Councillor Brennan reported that the Mayor was honoured to attend a special service at Southport War Memorial at 11.00am on Friday 8th September where a VC Commemorative Paving Stone for Captain Harold Ackroyd was laid. The service was attended by the family of Captain Ackroyd who unveiled the stone with the Mayor; and there were also representatives from Captain Ackroyd's military units (208 Field Hospital and 1 The Rifles) and also the Royal British Legion. The Deputy Chair also reported that there would be a further memorial service on Friday 27th October at 11.00am at the Five Lamps War Memorial in Waterloo for Major Alexander Lafone.

The Mayor of Sefton's Charity Entertainment Night

The Deputy Chair reported that on Friday 20th October at 7.00pm in Bootle Town Hall the Mayor would be hosting Sefton's Charity Entertainment Night, raising money for the Mayor of Sefton's Charity Fund and that tickets are £15.00 and are available from the Mayor's Office at Bootle Town Hall.

Resignation of Councillor Pat Ball – Dukes Ward Councillor

The Deputy Chair referred to the recent resignation from Councillor Pat Ball, Councillor for Dukes Ward. On behalf of the Council he extended the Council's appreciation for all her hard work as Ward Councillor and Member of Sefton Council and wished her well for the future.

Councillor Maher, on behalf of the Labour Group, Councillor McGuire on behalf of the Liberal Democrat Group, Councillor Bennett on behalf of the Independents Group together with her Dukes Ward colleagues Councillors David Barton and Dawson paid tribute to Councillor Ball for her service on the Council.

41. MATTERS RAISED BY THE PUBLIC

The Deputy Chair reported that no matters had been raised by Members of the Public.

42. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Council considered a schedule setting out the written questions submitted by:

- Councillor David Barton to the Cabinet Member – Regeneration and Skills (Councillor Atkinson)
- Councillor David Barton to the Cabinet Member – Regeneration and Skills (Councillor Atkinson)
- Councillor David Barton to the Cabinet Member – Regeneration and Skills (Councillor Atkinson)
- Councillor David Barton to the Cabinet Member – Locality Services (Councillor Fairclough)
- Councillor David Barton to the Cabinet Member – Locality Services (Councillor Fairclough)
- Councillor David Barton to the Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin)
- Councillor David Barton to the Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin)

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- Councillor David Barton to the Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin)
- Councillor David Barton to the Cabinet Member – Health and Wellbeing (Councillor Moncur)
- Councillor David Barton to the Cabinet Member – Planning and Building Control (Councillor Veidman)
- Councillor Hands to the Cabinet Members – Locality Services (Councillor Fairclough)
- Councillor Dawson to the Leader of the Council (Councillor Maher)
- Councillor Dawson to the Leader of the Council (Councillor Maher)
- Councillor Dawson to the Leader of the Council (Councillor Maher)
- Councillor Dawson to the Merseytravel Committee (Liverpool City Region Combined Authority Committee) Spokesperson (Councillor Friel)
- Councillor Dawson to the Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin)
- Councillor Jo Barton to the Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin)
- Councillor Bliss to the Cabinet Member – Planning and Building Control (Councillor Veidman)
- Councillor Shaw to the Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin)
- Councillor Pullin to the Cabinet Member – Regeneration and Skills (Councillor Atkinson)
- Councillor Dawson to the Chair of Southport Area Committee (Councillor Hands)

together with responses given. Supplementary questions were responded to by Cabinet Members for Regeneration and Skills, Regulatory, Compliance and Corporate Services, Locality Services, Planning and Building Control and the Leader of the Council.

43. CAPITAL BUDGET UPDATE 2017/18

The Council considered the report of the Head of Corporate Resources that sought approval of additional capital allocation requests as detailed in paragraph 2 to the report and approval to allocate up to £1.4m of the

existing Disabled Facilities Grant (DFG) adaptations programme to be used for wider use within Better Care Fund plans.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED: That approval be granted to the:

- (1) inclusion of the additional capital allocations, outlined in section 2, to the 2017/18 Capital Programme; and
- (2) use of up to £1.4m of the existing DFG adaptations programme for wider incorporation into Better Care Fund plans.

44. REVENUE AND CAPITAL BUDGET PLAN 2016/17 - 2019/20 - PRUDENTIAL INDICATORS 2017/18

The Council considered the report of the Head of Corporate Resources relating to the latest position regarding the Council's Prudential Indicators as required under the Prudential Code for Capital Finance in Local Authorities.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED:

That in compliance with the Prudential Code for Capital Finance in Local Authorities, the revised Prudential Indicators as detailed in the report, be approved.

45. DISCRETIONARY RELIEF FOR BUSINESS RATES FOLLOWING THE REVALUATION OF 2017

The Council considered the report of the Head of Corporate Resources in relation to the Locally Administered Discretionary Revaluation Relief Scheme for businesses that have had a significant increase in their Business rate liability consequential from the Government's 2017 revaluation.

It was moved by Councillor Lappin, seconded by Councillor Roche and

RESOLVED:

That the proposed Locally Administered Discretionary Revaluation Relief Scheme for those ratepayers adversely impacted by the 2017 revaluations as set out within the report, be approved.

46. ADOPTION OF THE SEFTON COAST PLAN

The Council considered the report of the Executive Director in relation to the adoption of the Sefton Coast Plan.

It was moved by Councillor Fairclough, seconded by Councillor Maher and

RESOLVED:

That the Sefton Coast Plan be adopted.

**47. AMENDMENT TO THE SCHEME OF MEMBERS ALLOWANCES
2017/18**

The Council considered the report of the Head of Regulation and Compliance that sought an amendment to the Council's Scheme of Members' Allowances in relation to Members who have been appointed to the Liverpool City Region Combined Authority Transport Committee for 2017/18.

The Deputy Chair drew Members attention to the recommendation and reported that there had been a typographical error in relation to the Special Responsibility Allowance which should have read £5,675 and not £5,875.

RESOLVED:

That the Council be recommended to amend the Members Allowances Scheme to include a Special Responsibility Allowance of £5,675 per annum for each of the four Sefton Members serving on the Liverpool City Region Combined Authority Transport Committee, along with the additional responsibility of the Deputy Chair of the Transport Committee and Lead Member Rail being paid an additional £9,975 as outlined within the report.

48. CONSTITUTIONAL CHANGES

The Council considered the report of the Head of Regulation and Compliance in relation to some minor constitutional changes, as detailed in the report.

It was moved by Councillor Roche, seconded by Councillor McGinnity and

RESOLVED: That:

- (1) the Matters Delegated to the Full Cabinet contained in Part 5 of the Constitution be amended by the transfer of the following function:-

“35. Responses to consultation papers issued by the Government and outside organisations on strategic and corporate matters”

To the Responsibility for Executive Functions, Cabinet Members (General), B. Matters Delegated of the Constitution;

- (2) the responsibility for “Coast” issues currently resting with the Cabinet Member – Locality Services be transferred to the Cabinet Member – Health and Wellbeing, be noted; and
- (3) the Council authorise the Cabinet to agree to delegate one or more Cabinet Members to act as its shareholder representative to a company and to determine what decision making powers that representative may have in that capacity.

49. MEMBERSHIP OF COMMITTEES 2017/18

The Council considered the report of the Head of Regulation and Compliance which indicated that Councillors Bill and Marianne Welsh had resigned from the Liberal Democrat Group with effect from 20 July 2017. The report also indicated that both Councillors Bill and Marianne Welsh had been appointed Members of the Labour Group with effect from 29 August 2017, which had changed the Political Balance on the Council and that the change in proportionality affected the entitlement to formal Committee Places.

The impact of the change was that the Labour Group would now be entitled to two additional places: one on the membership of the Overview and Scrutiny Committee (Adult Social Care and Health); and one on the membership of the Overview and Scrutiny Committee (Regeneration and Skills) and a corresponding decrease in the Liberal Democrat Group entitlement of two places off those two Committees. As a consequence Councillor Maher had appointed Councillor Marianne Welsh as a Member and Councillor Roscoe as her Substitute Member of the Overview and Scrutiny Committee (Adult Social Care and Health); and Councillor Bill Welsh as a Member and Councillor Grace as his Substitute Member of the Overview and Scrutiny Committee (Regeneration and Skills).

Councillor Pullin also referred to a number of changes to the membership of Committees by the Liberal Democrat Group.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED: That

- (1) it be noted that the change in proportionality resulted in an increase in the Labour Group entitlement of two Committee places and a corresponding decrease in the Liberal Democrat entitlement;
- (2) Councillor Marianne Welsh be appointed as a Member and Councillor Roscoe as her Substitute Member of the Overview and Scrutiny Committee (Adult Social Care and Health) and Councillor Bill Welsh be appointed as a Member and Councillor Grace as his Substitute Member of the Overview and Scrutiny Committee (Regeneration and Skills); and

- (3) the following changes to the membership of Committees and Outside Bodies, as submitted by the Liberal Democrat Group be approved:

Planning Committee

- Cllr Jo Barton to replace Cllr Marianne Welsh as the substitute member for Cllr Preece on Planning Committee.

Audit & Governance Committee

- Cllr Hands to replace Cllr Bill Welsh as the substitute member for Cllr Shaw on Audit & Governance Committee.

Local Joint Consultative Committee

- Cllr Keith to replace Cllr Bill Welsh as the substitute member for Cllr Dodd on Local Joint Consultative Committee.

Mersey Port Health Committee

- Cllr Shaw to replace Cllr Bill Welsh as the member on Mersey Port Health Committee

Merseyside Fire and Rescue Authority

- Cllr Lynne Thompson to replace Cllr Marianne Welsh as the representative on Merseyside Fire and Rescue Authority

50. MOTION SUBMITTED BY COUNCILLOR ROSCOE

The Deputy Chair drew Members attention to some missing words to point 6 of the Motion and reported that after the word “was” the following words should be included “gambled with “9,647,841 lost” on FOBTS in Sefton in 2016.

The Deputy Chair also referred to a letter that had been circulated around the Chamber that he had received from the Association of British Bookmakers Ltd in relation to this matter.

It was moved by Councillor Roscoe, seconded by Councillor Lappin and unanimously

RESOLVED:

This Council notes:

1. The prevalence of Fixed Odds Betting Terminals (FOBTS) in betting shops, often referred to in the media as “the crack cocaine of gambling”.

2. That, unlike fruit machines in pubs, bingo halls and amusement arcades where cash stakes are limited to £2, gamblers can bet with cash or via a debit card up to £100 every 20 seconds on FOBTs, more than four times as fast as the rate of play in casinos.
3. That in 2012, over £1.5bn was lost on FOBTs across the UK. More profit was made from FOBTs than from the National Lottery, when according to the most recent British Gambling Prevalence Survey, 56% of the population play the Lottery, but just 4% play FOBTs.
4. Empirical evidence that suggests FOBTs are the most addictive form of gambling.
5. Research carried out by Geofutures, which found there to be four times as many betting shops in areas of high unemployment than in areas of low unemployment.
6. This same research estimates that £207,480,458 was gambled with £9,647,841 lost on FOBTs in Sefton in 2016 alone.
7. Nationally, more than 80% of turnover in betting shops and more than half of profits are derived from FOBTs. Less than 20% of stakes in betting shops are over the counter.
8. A recent economic analysis undertaken by Landman Economics, commissioned by the Campaign for Fairer Gambling, which assessed the impact of FOBTs on local economies and across the wider economy. The report concluded that every £1bn spent on FOBTs produces a net reduction of 13,000 jobs, compared to if spent in the wider consumer economy. The projected doubling of revenue from FOBTs by 2023 could cost a further 23,000 jobs across the economy.
9. Concern that the Government has not addressed the issues caused by FOBTs, and the announcement made by Maria Miller MP, Secretary of State for Culture, Media and Sport, on 10 October 2013 in response to the Triennial Review of gaming machine stakes and prizes, where the stakes on FOBTs were unchanged.
10. The Government has proposed measures that will require players who wish to stake over £50 per spin to seek permission from staff. This wrongly implies stakes up to £50 are safe, and that staff intervention is an effective means of ensuring player protection.
11. The position in the Republic of Ireland where the Government has introduced legislation to outlaw FOBTs in betting shops.

This Council believes that the increase in FOBTs is causing significant problems and believes that the Government should either use the existing legislative framework, or introduce legislation to outlaw B2 casino games in betting shops.

Sefton Council launched a young people's outreach problem gambling programme (BigDeal) delivered through Beacon Counselling Trust and GamCare. Awareness raising sessions for groups of young people and

training for professionals working with this age group which provides information about risks that problem gambling poses and how to recognise signs and symptoms. Beacon Counselling Trust also provides free problem gambling counselling to individuals and family members affected by the issue.

At the very least, local authorities should be given the powers to protect the local amenity and wellbeing of communities by:

- (1) stopping the proliferation of betting shops and
- (2) reducing the maximum stakes and slowing down the speed of play.

This Council resolves to request:

1. The Chief Executive to write to Helen Grant MP recommending a reduction in the maximum bet per spin on FOBTs to £2; and
2. The Chief Executive writes to the three Sefton MPs, Peter Dowd, Bill Esterson and Damien Moore declaring this Council's support for their proposal under the Sustainable Communities Act 2007, which calls on the Government to reduce the maximum bet per spin on FOBTs to £2.

51. MOTION SUBMITTED BY COUNCILLOR LAPPIN

It was moved by Councillor Lappin, seconded by Councillor Roche:

NJC Pay To Councils

This Sefton Metropolitan Borough Council notes that:

- NJC basic pay has fallen by 21% since 2010 in real terms
- NJC workers had a three-year pay freeze from 2010-2012 compounded in Sefton by an incremental freeze for several years too
- Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings
- NJC pay is the lowest in the public sector
- Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage
- There are growing equal and fair pay risks resulting from this situation

This council therefore supports the NJC pay claim for 2018, submitted by UNISON, GMB and Unite on behalf of council and school workers and

calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector. This council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.

This council also notes the drastic ongoing cuts to local government funding and calls on the Government to provide additional funding to fund a decent pay rise for NJC employees and the pay spine review.

This Council therefore resolves to:

- Call immediately on the LGA to make urgent representations to Government to fund the NJC claim and the pay spine review and notify us of their action in this regard
- Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review
- Meet with local NJC union representatives to convey support for the pay claim and the pay spine review

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

Adding the following words at the end of the motion:

“In addition this council requests the Independent Remuneration Panel for the Members Allowances Scheme (which currently specifies that 'Increases in Members Allowances will be linked to the average pay increase given to Sefton Council employees') to be amended so that, in no circumstances shall any increase in Members Allowances exceed the increase in the rate of inflation (CPI)”.

On a show of hands, the Deputy Chair declared the **amendment** was **lost** by 31 votes to 15.

Thereafter, on a show of hands, the Mayor declared that the Motion was carried by 46 votes to 3 with 1 abstention and it was

RESOLVED:

That the Motion be approved, as follows:

This Sefton Metropolitan Borough Council notes that:

- NJC basic pay has fallen by 21% since 2010 in real terms
- NJC workers had a three-year pay freeze from 2010-2012 compounded in Sefton by an incremental freeze for several years too

- Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings
- NJC pay is the lowest in the public sector
- Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage
- There are growing equal and fair pay risks resulting from this situation

This Council therefore supports the NJC pay claim for 2018, submitted by UNISON, GMB and Unite on behalf of council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector. This council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.

This council also notes the drastic ongoing cuts to local government funding and calls on the Government to provide additional funding to fund a decent pay rise for NJC employees and the pay spine review.

This council therefore resolves to:

- Call immediately on the LGA to make urgent representations to Government to fund the NJC claim and the pay spine review and notify us of their action in this regard
- Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review
- Meet with local NJC union representatives to convey support for the pay claim and the pay spine review

52. MOTION SUBMITTED BY COUNCILLOR FRIEL

It was moved by Councillor Friel, seconded by Councillor Sayers and unanimously

RESOLVED:

That on Monday 10 September 2012 a coach bound for Liverpool carrying 53 people from the Bestival music festival on the Isle of Wight, left the road and crashed into a tree instantly killing Michael Molloy (18), Kerry Ogden (23) and the coach driver, Colin Daulby (63), and left others with life changing injuries.

The inquest into the crash found that the front nearside tyre which was actually older than the coach itself, at 19 years, was responsible for the crash.

Michael's mother Frances is campaigning for a change in the law requiring a ban on tyres older than ten years on commercial vehicles.

Despite the wide spread public and political support for this campaign, no change in the law has been made, shamefully leaving others at risk from faulty dangerous tyres.

This Council:

- notes that Frances has launched 'Tyred' - the official campaign to pressure Government - to change the law to ban the use of tyres older than ten years on public service vehicles (buses, coaches and minibuses).
- wholeheartedly supports 'Tyred' and requests that the Leader of the Council writes to the Prime Minister and Leader of the Opposition to seek cross-party support for a change in the law.

53. MOTION SUBMITTED BY COUNCILLOR DAWSON

It was moved by Councillor Dawson, seconded by Councillor Bennett:

This Council

- (1) recognises that to maintain any semblance of being genuinely democratic, the operation of 'Cabinet government' within Local Authorities requires genuine open and engaging scrutiny and review processes including call-in procedures.
- (2) notes that the extent and frequency utilisation of the process of call-in within Sefton MBC has, to date, been moderate and considered
- (3) commits itself to engaging positively with those members of the Council who make call-in requests to ensure that the spirit of the legislation which created scrutiny processes is adhered to and that the best and most widely-supported decisions can be arrived at
- (4) recognises that the best decisions are often made where those Councillors and community organisations which have a particular knowledge and concern about the specific issues concerned are permitted to be involved in pre-scrutiny of key decisions before they are made
- (5) recommends to the Sefton MBC Cabinet that the Cabinet should instruct the Officers of the Council involved in preparing decisions for Cabinet Members to always consider which organisations and councillors might be usefully involved in commenting upon draft

decisions before they are made, through either formal or informal pre-scrutiny processes

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

- (1) replacing the words, in paragraph (3) above “commits itself to engaging” with the words “continues to engage”
- (2) Paragraph (4), above, after the words “recognises that the best” add the word “key”, after the words “are often made where” add the words “members of the public”, third line delete the words “the” and “concerned” and after the words “specific issues” add the following words “continue to be engaged via the Council’s consultation processes” and delete the following words “are permitted to be involved in pre-scrutiny of key decisions before they are made”
- (3) Paragraph (5) above, first line replace the words “recommends to the Sefton MBC Cabinet” with the word “recognises”, replace the word “Cabinet” with the words “Council’s Public Consultation and Engagement Panel”, second and third lines delete the words “instruct the Officers of the Council involved in preparing decisions for Cabinet Members to”, fourth line after the word “Councillors” add the following words “alongside members of the public, fifth line after the word “draft” add the word “key”, sixth line after the word “decisions” add the word “via the aforementioned Council consultation processes” and delete the following words “before they are made, through either formal or informal pre-scrutiny processes”.

Following debate and on a show of hands the Deputy Chair declared that the **amendment** was carried by 31 votes to 19 and on being put on the **Substantive Motion** it was carried by 37 votes to 4 with 3 abstentions and it was

RESOLVED:

That this Council:

- (1) Recognises that to maintain any semblance of being genuinely democratic, the operation of 'Cabinet government' within Local Authorities requires genuine open and engaging scrutiny and review processes including call-in procedures.
- (2) Notes that the extent and frequency utilisation of the process of call-in within Sefton MBC has, to date, been moderate and considered.
- (3) Continues to engage positively with those members of the Council who make call-in requests to ensure that the spirit of the legislation which created scrutiny processes is adhered to and that the best and most widely-supported decisions can be arrived at.

- (4) Recognises that the best Key decisions are often made where members of the public, those Councillors and community organisations which have a particular knowledge and concern about specific issues continue to be engaged via the Council's consultation processes.
- (5) Recognises that the Council's Public Consultation and Engagement Panel should always consider which organisations and Councillors, alongside members of the public, might be usefully involved in commenting upon draft Key decisions via the aforementioned Council consultation processes.