

**COUNCIL**

**MEETING HELD AT THE TOWN HALL, BOOTLE  
ON THURSDAY 17TH DECEMBER, 2009**

PRESENT:                   The Mayor (Councillor Doran) (in the Chair)

Councillors Barber, Blackburn, Booth, Bradshaw, Brady, Brodie - Browne, Byrom, Cluskey, Colbert, Connell, Cummins, Cuthbertson, Dodd, M Dowd, P Dowd, Fairclough, Lord Fearn, Fenton, Friel, Gibson, Glover, Griffiths, Gustafson, Hands, Hill, Hough, Ibbs, D Jones, T Jones, Kerrigan, Larkin, Maher, Mahon, C Mainey, S Mainey, McGuire, Moncur, Parry, Pearson, Preston, D Rimmer, Roberts, Robertson, Shaw, Storey, Sumner, Tattersall, Tonkiss, Tweed, Veidman, Sir Ron Watson, Weavers and Webster

**50.    APOLOGIES FOR ABSENCE**

Apologies for absence were received from the Deputy Mayor, Councillor M. Fearn and Councillors Brennan, Byrne, D. Hardy, P. Hardy, Howe, McGinnity, Papworth, Platt, Porter and B. Rimmer.

**51.    DECLARATIONS OF INTEREST**

The following declarations of interest were received:-

| Member                     | Minute  | Reason   | Action   |
|----------------------------|---|--|--|
| Councillors Hands and Hill | 58 – Review of Members Allowances Scheme – Independent Remuneration Panel | Prejudicial - Chair of Overview and Scrutiny Committee   | Left the room during the consideration of the item |
| Councillor Colbert         | 63 - Transformation Programme Update - Strategic Budget Review            | Prejudicial - He has a close friend who is directly affected by the proposals for potential redundancies | Left the room during the consideration of the item |

**52. MINUTES**

RESOLVED:

That the Minutes of the Council meeting held on 22 October 2009 be confirmed as a correct record.

**53. MAYOR'S COMMUNICATIONS**

Visit by the Duke of Kent to the Borough

The Mayor reported that His Royal Highness, The Duke of Kent had visited a number of locations within Sefton on 26 November 2009 and he had subsequently received a letter from the Lord-Lieutenant of Merseyside, Dame Lorna Muirhead DBE, in which she had congratulated the Borough on hosting a most successful Royal visit and in particular thanked 'local' Councillors for their support at each of the venues that were visited.

Mayor's Annual Christmas Gift Appeal 2009

The Mayor encouraged all those who live or work in Sefton to donate a present for the annual Mayors Christmas Gift Appeal. Each year the generosity of people is overwhelming, please make this year as special for someone deserving.

This annual appeal asks all residents in Sefton to try and provide presents for some of the Borough's most deserving children and make this Christmas extra special for them.

All gifts can be left with the Reception Staff at Bootle and Southport Town Halls until 21 December 2009 after which they will be distributed throughout the Borough.

Mayor's Charity Event 2010

The Mayor indicated that all Members of the Council would have received over the past few weeks, the advertisement for the Mayor of Sefton's Annual Charity Night to be held on 12 February 2010 at the Floral Hall, Southport.

The Mayor requested Members to contact the Head of Civic and Mayoral Services as soon as possible to reserve a table as tickets were already selling steadily.

Mayoral Blog

The Mayor reported that as part of the ongoing improvements to the Civic and Mayoral Web Site, he now produced a weekly commentary on the Mayoral Engagements undertaken during the previous week, known to one and all as the - 'Mayoral Blog' which could be accessed on:

[www.sefton.gov.uk/civicanmayoralservices](http://www.sefton.gov.uk/civicanmayoralservices)

Councillor Brennan

The Mayor reported that on behalf of the Council, he would be sending a letter of condolence to Councillor Brennan following the death of his father.

Season's Greetings

The Mayor indicated that the Mayoress and himself wished to extend best wishes for a Merry Christmas and Happy New Year to all Members of the Council and Council Officers and he extended an invitation to the Members and Officers present to join the Mayoress and himself in the adjoining room for a glass of wine and a mince pie to celebrate the start of the Festive Season.

PUBLIC SESSION

**54. MATTERS RAISED BY THE PUBLIC**

The Mayor reported that Members of the public had not submitted any petitions or questions.

COUNCIL SESSION

**55. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL**

The Council considered a written question from Councillor Shaw to the Cabinet Member - Communities together with a written response from the Cabinet Member.

**56. MEDIUM TERM FINANCIAL PLAN 2010/11 TO 2012/13 - UPDATE**

The Council considered the report of the Chief Executive, which provided an update on the Medium Term Financial Plan for 2010/11 to 2012/13. The report highlighted the emerging spending pressures, the base assumptions used to determine the budget gap for the above period and the current approved capital schemes, which had yet to be contractually committed.

The report had been considered by the Cabinet at its meeting held earlier that day and a copy of the Cabinet resolution (No. 235) on this issue was circulated prior to the commencement of the Council meeting.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne:

*“That*

- (1) the amended Budget Gaps for 2010/11, 2011/12 and 2012/13 be noted;*
- (2) the assumption for the level of pay award provision be amended to 0.5% in 2010/11 and 1% in the following two years;*
- (3) the “Other Services Growth” set out in Appendix B of the report be deleted from the Medium Term Financial Plan at this stage;*
- (4) the provision for unavoidable demand be increased to £6.685m in 2010/11, £4.608m in 2011/12 and £3.851m in 2012/13, as detailed in paragraph 4.1.2 of the report;*
- (5) the following uncommitted schemes set out in Appendix C of the report be deleted from the Capital Programme:*
  - 1. Pine Grove Depot*
  - 2. Hawthorne Road Carriageway Maintenance*
  - 3. Disaster Recovery Business Continuity*
  - 4. Roof Repairs to Libraries*
  - 5. Demolition Fund*
  - 6. Development Fund*
- (6) the Strategic Director of Regeneration and Environmental Services submit a report to the Cabinet on the current position relating to the Southport Commerce Park - Phase 3 scheme referred to in Appendix C of the report. The report to provide details of the outcome of the bid for external funding and the marketing proposals;*
- (7) the remaining schemes in Appendix C of the report be retained in the Capital Programme;and*
- (8) the current assumption of a 3% Council Tax increase for 2010/11 be noted and it be considered further in the new year.”*

An amendment was then moved by Councillor Hands, seconded by Councillor Shaw that the Motion be amended by:

*“the addition of the following uncommitted schemes in resolution (5):*

- 7. Netherton Activity Centre*
- 8. Southport Market Refurbishment”*

The requisite number of Members having signified their wish that the voting on the amendment should be recorded in accordance with Rule 18.4 of the Council and Committee Procedure Rules, the voting was duly recorded and the Members of the Council present at the time, voted as follows:-

FOR THE MOTION:

Councillors Blackburn, Booth, Brodie-Browne, Colbert, Connell, Dodd, Lord Fearn, Fenton, Gibson, Hands, Hill, Hough, Larkin, McGuire, C. Mainey, S. Mainey, Preston, D. Rimmer, Robertson, Shaw, Sumner, Tattersall, Tonkiss, and Weavers.

AGAINST THE MOTION:

Councillors Barber, Bradshaw, Brady, Byrom, Cluskey, Cummins, Cuthbertson, M. Dowd, P. Dowd, Fairclough, Friel, Glover, Griffiths, Gustafson, Ibbs, D. Jones, T. Jones, Kerrigan, Maher, Mahon, Moncur, Parry, Pearson, Roberts, Storey, Tweed, Viedman, Sir Ron Watson and Webster.

ABSTENTION:

Councillor Doran.

The amendment was lost by 29 votes to 24 with one abstention.

A further amendment was moved by Councillor P. Dowd, seconded by Councillor Gustafson that the Motion be amended by:

*“The deletion of the Hawthorne Road Carriageway Maintenance Scheme from resolution (5) and its reinstatement into the Capital Programme.”*

The requisite number of Members having signified their wish that the voting on the amendment should be recorded in accordance with Rule 18.4 of the Council and Committee Procedure Rules, the voting was duly recorded and the Members of the Council present at the time, voted as follows:-

FOR THE MOTION:

Councillors Bradshaw, Brady, Byrom, Cluskey, Cummins, M. Dowd, P. Dowd, Fairclough, Friel, Gustafson, Kerrigan, Maher, Mahon, Moncur, Tweed, Veidman and Webster.

AGAINST THE MOTION:

Councillors Barber, Blackburn, Booth, Brodie-Browne, Colbert, Connell, Cuthbertson, Dodd, Lord Fearn, Fenton, Gibson, Glover, Griffiths, Hands, Hill, Hough, Ibbs, D. Jones, T. Jones, Larkin, McGuire, C. Mainey, S. Mainey, Parry, Pearson, Preston, D. Rimmer, Roberts, Robertson, Shaw, Storey, Sumner, Tattersall, Tonkiss, Sir Ron Watson and Weavers.

ABSTENTION:

Councillor Doran.

The amendment was lost by 36 votes to 17 with one abstention.

Following further debate, on a show of hands, the Mayor declared that the Substantive Motion was carried and it was

RESOLVED That:

- (1) the amended Budget Gaps for 2010/11, 2011/12 and 2012/13 be noted;
- (2) the assumption for the level of pay award provision be amended to 0.5% in 2010/11 and 1% in the following two years;
- (3) the "Other Services Growth" set out in Appendix B of the report be deleted from the Medium Term Financial Plan at this stage;
- (4) the provision for unavoidable demand be increased to £6.685m in 2010/11, £4.608m in 2011/12 and £3.851m in 2012/13, as detailed in paragraph 4.1.2 of the report;
- (5) the following uncommitted schemes set out in Appendix C of the report be deleted from the Capital Programme:
  1. Pine Grove Depot
  2. Hawthorne Road Carriageway Maintenance
  3. Disaster Recovery Business Continuity
  4. Roof Repairs to Libraries
  5. Demolition Fund
  6. Development Fund;
- (6) the Strategic Director of Regeneration and Environmental Services submit a report to the Cabinet on the current position relating to the Southport Commerce Park - Phase 3 scheme referred to in Appendix C of the report. The report to provide details of the outcome of the bid for external funding and the marketing proposals;
- (7) the remaining schemes in Appendix C of the report be retained in the Capital Programme; and
- (8) the current assumption of a 3% Council Tax increase for 2010/11 be noted and it be considered further in the new year.

**57. SOUTHPORT CULTURAL CENTRE - TEMPORARY LIBRARY SERVICE**

The Mayor reported that the item had been withdrawn from the agenda because the call-in request had been considered by the Overview and Scrutiny Committee (Performance and Corporate Services) at its meeting held on 9 December 2009 and the resolution passed by the Committee

(Minute No. 29) had been noted by the Cabinet at its meeting held on 17 December 2009 (Minute No.236).

**58. REVIEW OF MEMBERS' ALLOWANCES – INDEPENDENT REMUNERATION PANEL**

Further to Minute No. 12 of the Council meeting held on 9 July 2009 and Minute No. 30 of the meeting of the Standards Committee held on 15 December 2009, the Council considered the report of the Legal Director which incorporated a copy of the report of the Independent Remuneration Panel (IRP) in relation to the Members' Allowances Scheme.

The report indicated that the IRP had met on 16 November 2009 to consider the resolution from the Council meeting and hear the comments of the Leaders of the Liberal Democrat Group and Labour Group (The Leader of the Conservative Group had sent apologies).

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

RESOLVED:

That any changes to the Members' Allowances Scheme be deferred until the Independent Remuneration Panel has completed a full review of the Scheme at the beginning of the 2010/11 Municipal Year.

**59. MEMBERSHIP OF COMMITTEES AND OUTSIDE BODIES 2009/10**

Councillor Griffiths proposed the following changes:-

- Councillor Ibbs to replace Councillor Platt as a Member of the Overview and Scrutiny Committee (Health and Social Care) and Councillor Pearson be appointed as the Spokesperson on the Committee in place of Councillor Platt
- Councillor Pearson to replace Councillor Papworth as the Chair of the Overview and Scrutiny Committee (Regeneration and Environmental Services)
- Councillor Bigley to be appointed as a Member of the Overview and Scrutiny Committee (Regeneration and Environmental Services) in place of Councillor Papworth and be appointed as the new Vice - Chair of the Committee
- Councillor Barber to replace Councillor Platt as a substitute for Councillor Bigley on the Overview and Scrutiny Committee (Regeneration and Environmental Services)
- Councillor Sir Ron Watson to replace Councillor Roberts as a Member of the Licensing and Regulatory Committee

- Councillor Griffiths to replace Councillor Sir Ron Watson as a Member of the Pay and Grading Committee
- Councillor Ibbs to replace Councillor Platt as the substitute for Councillor Storey on the Planning Committee
- Councillor Porter to replace Councillor Storey as the substitute for Councillor Papworth on the Standards Committee
- Councillor Barber to replace Councillor Platt as a Member of the Local Joint Consultative Committee for Teaching Staff and Councillor T. Jones to replace Councillor Barber as a Substitute Member on the Committee
- Councillor Bigley to replace Councillor Platt as a Member of the Local Joint Consultative Committee
- Councillor Porter to replace Councillor Platt as a Member of the Members Development Steering Group
- Councillor D. Jones to replace Councillor Platt as a Council representative on the Sefton Education Business Partnership
- Councillor D. Jones to replace Councillor Platt as a Council representative on the Sefton F.A.S.T. (Families and Schools Together) Steering Group
- Councillor D. Jones to replace Councillor Platt as a Council representative on the Standing Advisory Committee for Religious Education (SACRE)
- Councillor D. Jones to replace Councillor Platt as a Council representative on the Court of Liverpool University
- Councillor D. Jones to replace Councillor Platt as a Trustee on the Sefton Education Trust

RESOLVED:

That the proposed change detailed above be approved.

**60. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 17 OF THE SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY) OF THE CONSTITUTION**

The Council received a report of the Legal Director setting out details of those matters dealt with in accordance with Rule 17 of the Scrutiny Procedure Rules (Call-In and Urgency).



**61. NOTICE OF MOTION BY COUNCILLOR MAHON**

It was moved by Councillor Mahon, seconded by Councillor Byrom and

RESOLVED:

“That this Council fully supports the National Fire Sprinkler Network in promoting the benefits and awareness of installing sprinkler systems in public buildings, schools, care homes, commercial premises and residential properties throughout the UK.”

**62. EXCLUSION OF PRESS AND PUBLIC**

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

RESOLVED: That

- (1) under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public; and
- (2) the representatives of the Trade Unions be permitted to remain in the meeting during the consideration of Minute No. 63 below.

**63. TRANSFORMATION PROGRAMME UPDATE - STRATEGIC BUDGET REVIEW**

Further to Minute No. 228 of the Cabinet meeting held on 3 December 2009, the Council considered the report of the Chief Executive which provided an update on progress made in relation to the Transformation Agenda including the Strategic Budget Review (SBR). The report also provided an update on the Medium Term Financial Plan forecasts and set out the next steps in relation to progressing the achievement of SBR savings.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Brown

*“That approval be given to the implementation of the savings items detailed in Appendix B of the report and officers be authorised to implement them with immediate effect.”*

An amendment was then moved by Councillor P. Dowd and seconded by Councillor Maher that the Motion be amended by the deletion of all the words of the motion and the substitution of the following text:

*“That subject to the deletion of the savings items with potential redundancy implications, set out in pages 41 to 52 of Appendix B to the report, approval be given to the implementation of the remaining savings items in Appendix B and officers be authorised to implement them with immediate effect.”*

Following debate, on a show of hands, the Mayor declared that the amendment was lost by 33 votes to 17 with one abstention.

Following further debate, on a show of hands, the Mayor declared that the Substantive Motion was carried by 33 votes to 17 with one abstention and it was

RESOLVED:

That approval be given to the implementation of the savings items listed in Appendix B to the report and officers be authorised to implement them with immediate effect.