

**COUNCIL**

**MEETING HELD AT THE TOWN HALL, SOUTHPORT  
ON THURSDAY 25TH APRIL, 2019**

**PRESENT:** The Mayor (Councillor Robinson) in the Chair  
The Deputy Chair (Councillor Brennan) Vice Chair

Councillors Ashton, Atkinson, Blackburne, Bliss, Bradshaw, Brodie - Browne, Brough, Burns, Byrom, Carr, Carragher, Cluskey, Cummins, Dowd, Doyle, Dutton, Fairclough, Friel, Gannon, Grace, Hardy, Jones, Keith, John Joseph Kelly, Killen, Lappin, Dan T. Lewis, Maher, Marshall, McCann, McGinnity, McKinley, Moncur, Morris, Murphy, Brenda O'Brien, Michael O'Brien, O'Hanlon, Page, Pugh, Pullin, Roche, Roscoe, John Sayers, Yvonne Sayers, Shaw, Spencer, Thomas, Anne Thompson, Tweed, Veidman, Sir Ron Watson and Marianne Welsh

**90. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Booth, Dawson, Dodd, Hands, Jamieson, John Kelly, Daniel Lewis, Pitt, Lynne Thompson and Webster.

**91. DECLARATIONS OF INTEREST**

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

<u>Member</u>	<u>Minute No.</u>	<u>Nature of Interest</u>
Councillor Brennan	102 - Motion submitted by Councillor Marshall - Ending Immigration Detention	He works with asylum seekers / refugees who have been detained and those being deported.

**92. MINUTES OF PREVIOUS MEETING**

**RESOLVED:**

That the Minutes of the Council Meeting held on 28 February 2019 be approved as a correct record.

### **93. MAYOR'S COMMUNICATIONS**

#### Resignation of Former Councillor Bill Welsh and Councillors Not Seeking Re-Election

The Mayor reported that former Councillor Bill Welsh, had resigned as a Councillor on 13 March 2019 after serving on the Council for 3 years. On behalf of the Council, The Mayor expressed thanks to Bill Welsh for his dedicated service to the people of Sefton and extended his best wishes to him for the future.

The Mayor also reported that this was the last Council meeting before the Council Elections on 2 May 2019 and that the following Councillors would not be seeking re-election:

Councillor Booth who had served on Sefton Council for 12 years since May 2007;

Councillors Ashton and Marianne Welsh, who had both served on Sefton Council for 8 years since May 2011; and

Councillor Dan T. Lewis who had served on Sefton Council for 4 years since May 2015.

On behalf of the Council, The Mayor expressed thanks to those Members for their dedicated service to the people of Sefton and extended his best wishes to them for the future.

Councillors Doyle, Maher, Page and Thomas paid tribute to the service given by Bill Welsh.

Councillors Doyle, Maher, Page and Thomas paid tribute to the service given by Councillor Marianne Welsh.

Councillors Brennan, Fairclough, Maher, Marshall, Page, Roscoe and Thomas paid tribute to the service given by Councillor Dan T. Lewis.

Councillor Dan T. Lewis expressed his thanks and appreciation to fellow Councillors, colleagues and officers for their support, assistance and friendship during his time spent as a Member of the Council.

### **94. MATTERS RAISED BY THE PUBLIC**

The Mayor reported that no matters had been raised by members of the public.

## **95. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL**

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

1. Question submitted by Councillor Pugh to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin);
2. Question submitted by Councillor Bliss to the Leader of the Council (Councillor Maher);
3. Question submitted by Councillor Sir Ron Watson to the Cabinet Member for Communities and Housing (Councillor Hardy);
4. Question submitted by Councillor Jones to the Leader of the Council (Councillor Maher);
5. Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher); and
6. Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher).

together with the responses given. Supplementary questions to all of the questions were responded to by the Leader of the Council and Cabinet Members for Regulatory, Compliance and Corporate Services and, Communities and Housing.

## **96. APPOINTMENT OF CHIEF EXECUTIVE**

The Council considered the report of the Chief Personnel Officer and Chief Executive on the recruitment procedure approved by the Employment Procedure Committee for the appointment of a new Chief Executive.

The Employment Procedure Committee had interviewed candidates for the post of Chief Executive earlier that day and the Council was requested to confirm the formal appointment of the recommended candidate from the Employment Procedure Committee as the Council's new Chief Executive and Head of Paid Service, subject to the consideration of any material or well-founded objection by any Member of the Cabinet, and any necessary pre-employment checks.

A copy of a note from the Leader of the Council setting out details of the recommendation from the Employment Procedure Committee was circulated around the Council Chamber prior to the commencement of the Council meeting.

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

RESOLVED:

That the Council confirms the appointment of Dwayne Johnson, Director of Social Care and Health for Sefton Council as the new Chief Executive and Head of Paid Service on terms and conditions as recommended by the Employment Procedure Committee with a salary range of £147,037 to £161,747 in accordance with the Pay Policy. Confirmation will be subject to the consideration of any material or well-founded objection by any Member of the Cabinet and appropriate standard pre-employment checks.

**97. LOCAL GOVERNMENT ACT 1972 – SECTION 85 -  
ATTENDANCE AT MEETINGS – COUNCILLOR RICHARD  
HANDS**

Further to Minute No. 55 of the meeting held on 15 November 2018, the Council considered the report of the Chief Legal and Democratic Officer which requested the Council to approve and authorise the absence of Councillor Richard Hands from attendance at Council and Committee Meetings pursuant to Section 85 of the Local Government Act 1972.

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

RESOLVED:

That the current absence from all Council and Committee Meetings of Councillor Richard Hands due to ill-health be authorised and approved for the period until the scheduled meeting of the Council to take place on 21 November 2019, pursuant to Section 85 of the Local Government Act 1972.

**98. MEMBERSHIP OF COMMITTEES 2018/19**

No changes to the membership of Committees were made.

**99. MOTION SUBMITTED BY COUNCILLOR HARDY - SECURE  
HOMES**

It was moved by Councillor Hardy, seconded by Councillor Michael O'Brien and following debate, it was unanimously

RESOLVED:

Secure Homes

This Council believes strongly that a secure home is at the heart of all of our lives. It gives security, enables aspiration and gives children a stable home in which to grow up.

This Council believes that residents living in the private rented sector

should have the security to build their lives and futures, and to become an active part of their community, just as residents in other housing tenures should expect. We note that nationally, the largest single reason for homelessness is eviction from the private rented sector.

We therefore call on the Government to abolish Section 21 of the Housing Act 1988 which allows eviction without the landlord having to establish fault on the part of a tenant. Removing this unfair clause would help to make renting more secure, improve standards, increase tenant confidence and ultimately contribute towards making renting a viable long-term alternative to home ownership or social rent for the millions who currently cannot access either.

**100. MOTION SUBMITTED BY COUNCILLOR HARDY - CHARTER AGAINST MODERN SLAVERY AND HUMAN TRAFFICKING**

It was moved by Councillor Hardy, seconded by Councillor Carragher and following debate, it was unanimously

RESOLVED:

Charter Against Modern Slavery and Human Trafficking

This Council commits to helping eradicate slavery and labour exploitation. As an organisation who believes and promotes ethical working standards, we will endeavour to ensure that all Council policies, procedures and practices are fully compliant with relevant slavery and labour standards legislation. We will actively seek to only use suppliers who uphold these principles. We will promote our charter by raising awareness, educating and supporting both within our organisation and those we come into contact with.

This Council:

- Will train its corporate procurement team to understand modern slavery and human trafficking.
- Requires contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- Will challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery and human trafficking.
- Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
- Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery and human trafficking.

- Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery and human trafficking.
- Review its contractual spending regularly to identify any potential issues with modern slavery and human trafficking.
- Highlight for its suppliers any risks identified concerning modern slavery and human trafficking and refer them to the relevant agencies to be addressed.
- Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery and human trafficking.
- Report publicly on the implementation of this policy annually.

**101. MOTION SUBMITTED BY COUNCILLOR ROSCOE - POLICY ON INTENTIONAL BALLOON AND CHINESE / SKY LANTERN RELEASES**

It was moved by Councillor Roscoe, seconded by Councillor Fairclough and following debate, it was unanimously

RESOLVED:

Policy on Intentional Balloon and Chinese / Sky Lantern Releases

This Council notes:

The mass intentional release of helium filled latex balloons and Chinese/sky lanterns pose hazards to wildlife and livestock causing injury and death. Lanterns can also cause injury to humans, damage to building and cause false callouts to the coastguard.

The Marine Conservation Society reported during the September 2016 'Great British Beach Clean' event, volunteer beach cleaners found a 53.5% increase on 2015 in the amount of balloon related litter on UK beaches <sup>(1)</sup>

Balloons have been found ingested in endangered turtles, dolphins, whales and seabirds <sup>(2)</sup>. Livestock have been killed from eating broken up lanterns which are accidentally picked up by harvesting machinery and put into winter feeds. <sup>(3)</sup>

Under Section 87 of the Environmental Protection Act 1990 it is an offence to throw down, drop or otherwise deposit and then leave litter. Local authorities have a statutory duty to enforce this Act with fixed penalty notices and have a responsibility to keep public open spaces free from litter.

Currently over 50 UK local authorities have agreed to implement a ban on balloon and lantern releases on their land.

This Council believes that all Sefton residents should be discouraged from releasing balloons and lanterns due to the damage that is caused to our environments, (particularly to marine life).

This Council therefore directs Officers to report to the Cabinet on:

1. The drawing up of a policy of not permitting the release of balloons and Chinese Lanterns from Council-owned land e.g. parks, open spaces, and beaches; and any potential financial implications arising from this Motion.
2. The Council not endorsing events where balloon and lantern releases are to take place.
3. Where Council property is leased to a third party, e.g. schools, the leaseholder is written to asking them to observe the ban on balloon and Chinese lantern releases.
4. When leases or licences are renewed, an explicit clause banning balloon and lantern releases is added.
5. An ongoing communications plan to inform Sefton residents and visitors on the dangers of balloon and lantern releases and informing them of the alternatives such as sponsoring a tree or a lighting candle event.

(1) <https://xray-mag.com/content/time-back-banning-balloon-releases>

(2) <https://www.mcsuk.org/news/swift-action-shows-that-balloon-dont-let-go-campaign-is-vital>

(3) <https://www.mcsuk.org/news/marine-charity-urges-communities-to-help-stop-damaging-balloon>

## **102. MOTION SUBMITTED BY COUNCILLOR MARSHALL - ENDING IMMIGRATION DETENTION**

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

### Ending Immigration Detention

“This Council notes that the UK remains the only country in Europe with no time limits on immigration detention. Each year over 30,000 people enter detention centres in the UK. Nearly 50% of those entering detention centres have sought asylum in the UK and many are fleeing from conflict and persecution.

This Council further notes that at any time, 3000 people are detained indefinitely. Although detention is not a criminal process, detention centres are just like prisons. Detention negatively impacts individual's physical and mental health wellbeing.

This Council believes that indefinite detention of refugees and asylum seekers is inhumane. Sefton Metropolitan Borough Council is welcoming and supportive of refugees and asylum seekers.

This Council believes that the UK's immigration detention system is not fit for purpose and the Government must end indefinite detention.

Therefore, this Council:

- Endorses The These Walls Must Fall Campaign and the declaration.
- Calls on the Government to implement the recommendations of the All Party Parliamentary Inquiry into detention.
- Asks our local MPs to support the spirit of the motion, to raise the matter in the House of Commons, and to support changes in current laws and procedures to introduce alternatives to detention, beginning with the recommendation to introduce a 28-day time limit for all people entering detention.
- Seeks further support for the motion via the Local Government Association, and by encouraging other Councils in the UK to show their support on this issue.”

Following debate, and on a show of hands, the Mayor declared that the Motion was carried by 49 votes to 4 with 1 abstention and it was

RESOLVED:

That the Motion be approved.

### **103. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON - BUILDING REGULATIONS**

It was moved by Councillor Sir Ron Watson, seconded by Councillor Bliss:

#### Building Regulations

“Sefton Council is very conscious of the fact that the majority of people wish to remain in their own homes for as long as possible.

There are many people who have downsized to a flat or apartment where issues are being brought to Elected Members' attention that were not anticipated at the outset.



The Council therefore requests the Local Government Association to institute an inquiry into ways in which building regulations in particular could be amended to address the following issues:

1. A progressive re-design of stairways to allow a gentler slope which could be achieved by split level design.
2. Handrails on each set of stairs.
3. A foldaway fixed seat on each landing.
4. Provision to install by agreement stair lifts to assist those with greater mobility problems.
5. Waist level letterboxes as outlined in a recent Private Members Bill in Parliament.
6. Secure outside provision for the storage of mobility vehicles that could most usefully be sited by bin storage facilities
7. On a wider level the requirements for public buildings to have defibrillators which has proved to be an excellent health and safety measure but large scale flat development apartments would benefit from such a facility subject to agreement concerning the initial costs, training for caretakers and/or other residents and an annual inspection regime.

The Council also considers that as part of such a review Local Authorities may identify other issues to be included but believes the social advantages of the changes suggested would bring significant benefits to the elderly in particular.”

Following debate, and on a show of hands, the Mayor declared that the Motion was carried by 45 votes to none with 1 abstention and it was

RESOLVED:

That the Motion be approved.

**104. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON - MEMBERS CODE OF CONDUCT**

It was moved by Councillor Sir Ron Watson, seconded by Councillor Bliss:

Members Code of Conduct

“The Sefton Code of Conduct to which all Elected Members are required to sign up to upon election states as its first point:

“Do treat others with respect

Do not conduct yourself in a manner which is contrary to the Authority's duty to promote and maintain high standards of conduct of Members.”

It is a matter of regret there have been too many instances at Full Council Meetings in particular where these requirements and others have not been observed and where the Mayor has had to remonstrate with some Members attempting to stop contributions from others against standing orders and where disrespect has been shown by talking through debates to the extent that the Member speaking cannot be heard.

Such behaviour is not appropriate and it is wrong to place the Mayor in the invidious position of having to draw Members attention to their failings and lack of courtesy.

The Council therefore strongly reiterates that notwithstanding any firmly held views that Elected Members may have, these should be expressed in a courteous and rational manner with the avoidance in particular of individual insults to those who hold a different point of view.

Such an acknowledgement would ensure a greater level of rational debate which is what the public expect from their Councillors.”

Following debate, and on a show of hands, the Mayor declared that the Motion was **lost** by 39 votes to 12 with 1 abstention and it was

RESOLVED:

That the Motion be not approved.