

**COUNCIL**

**MEETING HELD AT THE TOWN HALL, BOOTLE  
ON THURSDAY 25TH MARCH, 2010**

PRESENT: The Mayor (Councillor Doran) (in the Chair)  
The Deputy Mayor (Councillor M Fearn) (Vice Chair)

Councillors Barber, Bigley, Blackburn, Booth, Brady, Brennan, Brodie - Browne, Byrne, Byrom, Cluskey, Colbert, Connell, Cummins, Cuthbertson, Dodd, M Dowd, P Dowd, Fairclough, Lord Fearn, Friel, Glover, Griffiths, Gustafson, Hands, P Hardy, Hough, Howe, Ibbs, D Jones, T Jones, Maher, McGuire, Moncur, Papworth, Parry, Pearson, B Rimmer, D Rimmer, Roberts, Robertson, Shaw, Storey, Sumner, Tattersall, Tonkiss, Tweed, Veidman, Sir Ron Watson, Weavers and Webster

**92. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bradshaw, Fenton, Gibson, Hill, Kerrigan, Larkin, McGinnity, Mahon, C. Mainey, S. Mainey, Platt, Porter and Preston.

**93. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**94. MINUTES**

RESOLVED:

That the Minutes of the Council meeting held on 4 March 2010 be approved as a correct record.

**95. MAYOR'S COMMUNICATIONS**

**Legal Director - Caroline Elwood**

The Mayor reported that this was the last meeting that the Legal Director, Caroline Elwood would be attending before she takes early retirement on 31 March 2010. Mrs. Elwood had been the Legal Director since February 2002 and prior to that, during her Local Government career of 30 years she had worked at a number of Local Authorities in the North West.

The Mayor thanked Mrs. Elwood for her help and support to him personally during his Mayoral Year and for her excellent service to the Council over the past eight years and on behalf of the Council the Mayor extended best wishes to Mrs. Elwood for the future.

**Councillors Not Seeking Re-Election**

The Mayor reported that this was the last Council meeting before the Council elections on 6 May 2010 and on behalf of the Council he thanked those Members' who were not seeking re-election for their dedicated service to the people of Sefton and extended best wishes to them for the future.

The Mayor also reported that Darren Hardy had resigned as a Councillor on 5 March 2010 and thanked him for his dedicated service to the Borough of Sefton and extended best wishes to him for the future.

**Nomination for Office of Deputy Mayor Elect 2010/11**

At the invitation of the Mayor, Councillor P. Dowd advised the Council that the Labour Group would be nominating Councillor P. Cummins for the Office of Deputy Mayor Elect 2010/11, to be considered at the Annual Council on 20 May 2010.

Councillor Cummins thanked his colleagues for the nomination.

PUBLIC SESSION

**96. MATTERS RAISED BY THE PUBLIC**

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

COUNCIL BUSINESS SESSION

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

The Council considered written questions from Councillors Pearson and Papworth to the Cabinet Member - Leisure and Tourism and a written question from Councillor T. Jones to the Chair of the Southport Area Committee together with the written responses from the Cabinet Member and Committee Chair.

Councillors Pearson and T. Jones each put a supplementary question which was responded to.

**98. PERFORMANCE MANAGEMENT FRAMEWORK**

Further to Minute No. 96 of the meeting of the Cabinet Member - Performance and Governance held on 17 March 2010, the Council considered the report of the Assistant Chief Executive on proposals for a new performance management framework for the Council and the Sefton Borough Partnership. The report also highlighted work areas which would require completion in order to successfully implement the proposed framework in the 2010/11 municipal year.

It was moved by Councillor Brodie-Browne, seconded by Councillor Blackburn and

RESOLVED: That

- (1) approval be given to the Performance Management Framework set out in Annex 1 to 3 in the report, which would replace the existing framework;
- (2) the provisional implementation plan for the Performance Management Framework set out in Annex 4 of the report be approved and it be noted that this would require changes to be made to the Council Constitution in due course; and
- (3) the Cabinet Member - Performance and Governance be granted delegated authority to move in-year changes to the framework as the Implementation Plan is implemented.

**99. PROGRAMME OF MEETINGS 2010/11**

Further to Minute No. 323 of the Cabinet meeting held on 4 March 2010, the Council considered the report of the Legal Director which detailed the programme of meetings for the 2010/11 Municipal Year.

It was moved by Councillor Brodie-Browne, seconded by Councillor Blackburn and

RESOLVED: That

- (1) the Programme of Meetings for the Council and Regulatory Committees; Overview and Scrutiny Committees; Area Committees; and Members' Briefings for 2010/11 as set out in Annexes A, B and C of the report be approved subject to deletion of the meeting of the Linacre and Derby Area Committee on 16 August 2010;
- (2) the Programme of Meetings for Cabinet and Cabinet Members, as set out in Annexe D of the report, be noted; and
- (3) the Programme of Meetings for the Sefton Borough Partnership as set out in Annex A of the report be noted.

**100. ATTENDANCE AT MEETINGS - SECTION 85 OF THE LOCAL GOVERNMENT ACT 1972**

Further to Minute No. 43 of the Council meeting held on 22 October 2009, the Council considered a further report by the Legal Director which requested the Council to approve and authorise the absence of Councillor V. Platt from attendance at Council and Committee Meetings pursuant to Section 85 of the Local Government Act 1972 due to his current ill health.

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

RESOLVED:

That the current absence from all Council and Committee Meetings of Councillor Platt due to ill health be authorised and approved for a further period from the date of this meeting until 6 May 2010, which is the date of the Council elections, pursuant to the provisions of Section 85 of the Local Government Act 1972.

**101. MEMBERSHIP OF COMMITTEES 2009/10**

Councillor Moncur proposed the following changes:

Overview and Scrutiny Committee (Performance and Corporate Services)

- Councillor Tweed to fill the vacancy on the Committee (following the resignation of Darren Hardy from the Council) and be appointed as the Vice-Chair of the Committee
- Councillor Byrom to be appointed as the Chair of the Committee
- Councillor Kerrigan to be the Substitute Member for Councillor McGinnity on the Committee

Overview and Scrutiny Committee (Health and Social Care)

- Councillor Gustafson to fill the vacancy on the Committee (following the resignation of Darren Hardy from the Council)

Overview and Scrutiny Committee (Regeneration and Environmental Services)

- Councillor Moncur to be the Substitute Member for Councillor Cluskey on the Committee

RESOLVED:

That the proposed changes detailed above be approved.

**102. 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).

**103. NOTICE OF MOTION BY COUNCILLOR M. DOWD**

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

"This Council:

1. acknowledges the success and popularity of the Merseyside Concessionary Travel scheme as administered by Merseytravel. The scheme is a lifeline to many in Merseyside and has done much to enable the social inclusion of older and disabled people within our communities;
2. asks the Government to trial a scheme that would provide free concessionary travel for Young People 18 years and under. This scheme would provide for free travel during term time and during school hours. The Council supports Merseytravel's intention to request the Government to permit it to undertake a pilot of the scheme;
3. calls upon local Conservative Councillors to commit to the continued operation of the current scheme and its funding, especially in the light of the proposed swingeing cuts proposed by the Conservative Party nationally to public expenditure;
4. also acknowledges the success of the English National Concessionary Travel scheme that provides free travel on buses, and calls on the Government to continue funding this by direct grant to Integrated Transport Authorities such as Merseytravel."

An amendment was then moved by Councillor Sir Ron Watson and seconded by Councillor Papworth that the motion be amended by the deletion of the text in part 3 of the motion and the substitution of the following text:

- “(a) recognises the significant contribution made in particular by the then Conservative Leader of the Council and the Chairman of the Policy and Resources Committee to the introduction of the Concessionary Travel Scheme and to acknowledge that without their actions it would have been very difficult to progress the scheme on a pan Merseyside basis;
- (b) considers that a joint approach to address the need for Sefton Council to constructively play its part in reducing the unprecedented levels of National debt will be a priority for the Council and confirms that this will be done in a pragmatic and practical manner requiring mature behaviour by all Political Parties on the Council.”

On a show of hands, the Mayor declared that the amendment was lost by 36 votes to 14 with 2 abstentions.

## COUNCIL- THURSDAY 25TH MARCH, 2010

The requisite number of Members having signified their wish that the voting on the Substantive Motion 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 SUBSTANTIVE MOTION:

Councillors Blackburn, Booth, Brady, Brennan, Brodie-Browne, Byrne, Byrom, Cluskey, Colbert, Connell, Cummins, Dodd, M. Dowd, P. Dowd, Fairclough, M. Fearn, Lord Fearn, Friel, Gustafson, Hands, P. Hardy, Hough, Howe, McGuire, Maher, Moncur, B. Rimmer, D. Rimmer, Robertson, Shaw, Sumner, Tattersall, Tonkiss, Tweed, Veidman, Weavers and Webster.

### AGAINST THE SUBSTANTIVE MOTION:

None.

### ABSTENTIONS:

Councillors Barber, Bigley, Cuthbertson, Doran, Glover, Griffiths, Ibbs, D. Jones, T. Jones, Papworth, Parry, Pearson, Roberts, Storey and Sir Ron Watson.

The Substantive Motion was carried by 37 votes to none with 15 abstentions and it was

### RESOLVED:

This Council:

1. acknowledges the success and popularity of the Merseyside Concessionary Travel scheme as administered by Merseytravel. The scheme is a lifeline to many in Merseyside and has done much to enable the social inclusion of older and disabled people within our communities;
2. asks the Government to trial a scheme that would provide free concessionary travel for Young People 18 years and under. This scheme would provide for free travel during term time and during school hours. The Council supports Merseytravel's intention to request the Government to permit it to undertake a pilot of the scheme;
3. calls upon local Conservative Councillors to commit to the continued operation of the current scheme and its funding, especially in the light of the proposed swingeing cuts proposed by the Conservative Party nationally to public expenditure;

4. also acknowledges the success of the English National Concessionary Travel scheme that provides free travel on buses, and calls on the Government to continue funding this by direct grant to Integrated Transport Authorities such as Merseytravel.

**104. NOTICE OF MOTION BY COUNCILLOR P. DOWD**

It was moved by Councillor P. Dowd and seconded by Councillor Moncur:

"That the Council agrees to review its consultation processes in relation to a number of issues of public concern. This Council recognises that consultation on the imposition of charges for services, particular those affecting the most vulnerable in our community, should be undertaken as widely as possible. In addition, the Council should produce its own consultation protocol in relation to such matters. This Council also agrees that issues that have a significant bearing on the wider community should also be the subject of more comprehensive consultation. The recent discussions in a Council meeting concerning the lifting of the moratorium in relation to the placing of mobile phone masts, is a case in question.

Finally, in relation to the development of a protocol for consultation, Area Committees should be asked for their views with respect to this matter."

It was then moved by Councillor Brodie-Browne and seconded by Councillor Blackburn that the motion be amended by the addition of the following text at the end of the motion:

"Notwithstanding the above, the Council endorses the principles in the 'Your Sefton Your Say' process."

Following further debate, Councillor P. Dowd indicated that he accepted the amendment.

On a show of hands, the Mayor declared the Substantive Motion was carried by 36 votes to 14 with 2 abstentions and it was

**RESOLVED:**

That the Council agrees to review its consultation processes in relation to a number of issues of public concern. This Council recognises that consultation on the imposition of charges for services, particularly those affecting the most vulnerable in our community, should be undertaken as widely as possible. In addition, the Council should produce its own consultation protocol in relation to such matters. This Council also agrees that issues that have a significant bearing on the wider community should also be the subject of more comprehensive consultation. The recent discussions in a Council meeting concerning the lifting of the moratorium in relation to the placing of mobile phone masts, is a case in question.

Finally, in relation to the development of a protocol for consultation, Area Committees should be asked for their views with respect to this matter.

Notwithstanding the above, the Council endorses the principles in the 'Your Sefton Your Say' process.