

**COUNCIL**

**MEETING HELD AT THE REMOTE MEETING  
ON THURSDAY 17TH SEPTEMBER, 2020**

**PRESENT:** The Mayor (Councillor Burns) in the Chair  
The Deputy Mayor (Councillor Robinson) Vice Chair  
Councillors Atkinson, Bennett, Brodie - Browne,  
Brough, Byrom, Carragher, Cluskey, Cummins,  
Dodd, Dowd, Doyle, Dutton, Evans, Fairclough,  
Friel, Gannon, Grace, Halsall, Hardy, Howard, Irving,  
Jones, Keith, John Joseph Kelly, Killen, Lappin,  
Lewis, Maher, McCann, McGinnity, Moncur, Morris,  
Murphy, Myers, O'Hanlon, Pitt, Pugh, Pullin, Roche,  
Roscoe, Sathiy, Shaw, Spencer, Thomas,  
Anne Thompson, Lynne Thompson, Tweed,  
Veidman, Waterfield, Sir Ron Watson and Webster

**5. MAYOR'S WELCOME**

The Mayor took the opportunity to welcome Members to the remote meeting of Sefton Council and extended a special welcome to members of the public who were viewing the meeting online. This meeting was being held using Microsoft Teams Live Events software. A protocol for Members attending remote meetings had been circulated prior to the meeting and Members were respectfully requested to adhere to the protocol.

The Mayor advised all Members who were nominated Spokespersons to turn their cameras off and mute their microphones when not addressing the meeting. The Mayor also advised that any of the nominated Spokespersons who would like to address the meeting at any time should indicate by using the chat facility in Microsoft Teams and emphasised that the chat facility should only be used to indicate the wish to speak.

The Mayor further advised that all Members who were not nominated Spokespersons should turn their camera off and mute their microphone, and that they should only un-mute their microphone to confirm their attendance and to state how they wish to vote.

The Mayor highlighted that during the meeting if she anticipated that an item was agreed, that she would ask Members if the item was agreed and that Members only needed to indicate any disagreement in the chat facility. Silence would be taken as an agreement.

The Mayor concluded by explaining that if any member indicated that an item was not agreed or it was clear to her that an item would not be agreed, a vote would be taken on the item. The vote would be taken by an officer asking each member in alphabetical order to indicate their vote. Members should turn on their microphones when it was their turn to vote but that there was no need to turn on their camera.

**6. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Blackburne, Bradshaw, Brennan, Carr, Dawson, Hands, John Kelly, McKinley, Brenda O'Brien, John Sayers and Yvonne Sayers.

**7. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interests or personal interests were received.

**8. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the Minutes of the Council Meetings held on 27 February and 7 May 2020 were approved as a correct record.

**9. MAYOR'S COMMUNICATIONS**

Former Councillor Wendy Jones

The Mayor reported on the sad news that former Councillor Wendy Jones had passed away on 2 September 2020.

The Mayor indicated that she had attended the funeral of former Councillor Wendy Jones and wished to thank former Councillor Jones's family for their hospitality.

Cllr Jones served the Conservative Party in the Blundellsands Ward from 7<sup>th</sup> May 1992 until 6<sup>th</sup> May 2007, she was Mayor of Sefton from 2000-2001.

She was a member of Licensing & Regulatory Committee and Licensing Sub, the Planning Committee and the Joint Consultative Committee for Teaching Staff.

She was also Chair of Scrutiny & Review for Regen & Environmental, and a member of Crosby Area Committee.

Councillors Sir Ron Watson, Pugh, Brough and Cummins paid tribute to former Councillor Wendy Jones.

The Council observed a one Minute silence as a mark of respect to former Councillor Wendy Jones.

Death of Councillor Michael O'Brien

The Mayor reported with great sadness on the passing of Councillor Michael O'Brien on 11 September 2020.

The Mayor gave notice that the funeral would be held on Wednesday 23 September 2020 at 10.00 a.m. at Christ Church, 1 Breeze Hill, Bootle, L20 9EY followed by Thornton Crematorium, she also gave notice of the restricted numbers allowed in the Church and stated that there would be an option to stand outside.

The Mayor confirmed that she would be in attendance.

The Mayor reported that Councillor Michael O'Brien was elected as a Member for Derby Ward on 22 May 2014.

In reflecting on his work as an active Member of Sefton Council during his term of office the Mayor indicated that Councillor O'Brien was currently the Vice Chair of the Planning Committee, a Member of the Planning Urgent Referrals Committee, Licensing and Regulatory Committee, Licensing Sub-Committee and Local Joint Consultative Committee and a Substitute Member of both the Overview and Scrutiny Committees for Adult Social Care and Health and Children's Services and Safeguarding and of the Joint Consultative Committee for Teaching Staff. Prior to his election to the Council Councillor Michael O'Brien was a Local Advisory Group member of the former Litherland and Ford Area Committee.

Councillor O'Brien had also been an active Member of various Overview and Scrutiny Committees and their Working Groups.

The Mayor stated that Councillor Michael O'Brien would be sadly missed by all his colleagues, friends and those he worked with and on behalf of the Council, sent deepest sympathy and prayers to Councillor Brenda O'Brien, daughter Rachel and son Jonathan at this sad time.

Councillors Maher, Fairclough, Robinson, Anne Thompson, Grace, Spencer, Pugh, Brough, Dutton and McCann paid tribute to Councillor Michael O'Brien.

The Council observed a one Minute silence as a mark of respect to Councillor Michael O'Brien.

Covid-19

The Mayor referred to the hard work and dedication of Members and officers of the Council to their communities during the pandemic. The Mayor referred to the importance of keeping the vital services of the Council going and highlighted the importance of maintaining regular communication with all constituents to ensure they feel safe and supported. The Mayor thanked all Members and Officers.

**10. MATTERS RAISED BY THE PUBLIC**

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

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

The Mayor reported that the schedule setting out the questions submitted by Members of the Council together with the response by the appropriate Cabinet Member had been e-mailed to all Members of the Council.

The Mayor further reported on the following procedure for the asking of supplementary questions at the remote meeting of Council.

Members would be given the opportunity to ask one supplementary question of the Leader/Cabinet Member and those questions should be e-mailed to the Chief Legal and Democratic Officer by 4 pm the following day after the Council Meeting, Friday 18 September. It was further reported that the answers to the supplementary questions would be e-mailed directly to the Councillor by 4 p.m. on the Monday following the Council meeting, date being 21 September 2020.

The Mayor indicated that the Democratic Services Manager or her colleague would e-mail all Members of the Council with the complete supplementary question and answer schedule the following week after Council.

The Mayor reminded Members when submitting a supplementary question that the question should be a question and not a statement and furthermore must arise directly out of the original question or the reply.

**12. PUBLIC HEALTH ANNUAL REPORT 2019-2020**

The Council considered the report of the Director of Public Health regarding the Public Health Annual Report which had been produced as a short film in relation to health inequalities.

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

RESOLVED:

That the Council note the Public Health Annual Report 2019/20.

### **13. SOUTHPORT MARKET**

The Council considered the report of the Head of Economic Growth and Housing in relation to the approval of a supplementary capital estimate of £1.400m to enable the redevelopment of Southport Market. The report outlined that the cost would be funded from a £0.500m direct grant by the Combined Authority and from a £0.900m accelerated grant as part of the Town Deal process.

It was moved by Councillor Maher, seconded by Councillor Fairclough and following debate the Chief Legal and Democratic Officer, Mr David McCullough officiated the vote and the Mayor declared that the **Motion was carried** and thereby:

RESOLVED: That:

- (1) a supplementary capital estimate of £1.400m for the redevelopment of Southport Market to be funded from a £0.500m direct grant by the Liverpool City Region Combined Authority and from a £0.900m accelerated grant as part of the Town Deal process, be approved; and
- (2) the future years revenue implications arising from the proposal, be noted and that those revenue implications be built into the council's medium-term financial planning and annual budgets, be approved.

### **14. OVERVIEW AND SCRUTINY ANNUAL REPORT 2019/20**

The Council considered the Overview and Scrutiny Annual Report for 2019/20 and Councillors Doyle, Murphy, Robinson, on behalf of the Chair, John Sayers and Byrom, on behalf of the Chair, Councillor Bradshaw highlighted the key areas of work undertaken by the respective Committees and thanked Members and Officers for their support and assistance during 2019/20.

It was moved by Councillor Robinson, seconded by Councillor Murphy and

RESOLVED:

That the Overview and Scrutiny Annual Report 2019/20 be noted.

### **15. SEFTON CLIMATE EMERGENCY STRATEGY**

The Council considered the joint report of the Executive Director - Corporate Resources and Customer Services and the Executive Director - People that indicated that Sefton Council was committed to reducing carbon emissions and had resolved to go further than the UK100 Agreement and to act in line with the scientific consensus that we must reduce emissions to net zero by 2030; and that as such the Council at its meeting in July 2019 declared a climate emergency. Following that

declaration work had progressed within the Council on the agreed actions that were contained and approved by Members; and that as part of that work a Strategy for the delivery of the Council Motion had been developed and this report sought approval of that Strategy.

A copy of the Sefton Council Climate Emergency Strategy and Council Motion were attached to the report.

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

RESOLVED:

That the “Sefton Climate Emergency Strategy” be approved.

#### **16. SEFTON CLIMATE EMERGENCY IMPLEMENTATION PLAN**

Further to previous Minute, Minute No: 15, Sefton Climate Emergency Strategy, the Council considered the report of the Executive Director - Corporate Resources and Customer Services in relation to the Sefton Climate Emergency Implementation Plan. The report included the first 3 Year implementation plan for the period 2020-2023 detailing the work that had been undertaken during the last 12 months.

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

RESOLVED:

That the 3 Year Implementation Plan for the period 2020-2023 be approved.

#### **17. REVENUE AND CAPITAL BUDGET UPDATE 2020/21 INCLUDING THE FINANCIAL IMPACT OF COVID-19 ON THE 2020/21 BUDGET**

The Council considered the report of the Executive Director of Corporate Resources and Customer Services that advised of:

- (1) the current estimated financial impact of COVID-19 on the 2020/21 Budget;
- (2) the current forecast revenue outturn position for the Council for 2020/21;
- (3) the current forecast on Council Tax and Business Rates collection for 2020/21; and
- (4) the monitoring position of the Council's capital programme to the end of June 2020 relating to:
  - the forecast expenditure to year end;
  - variations against the approved budgets and an explanation of those variations for consideration by Members;

- updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects are also presented for approval.

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

RESOLVED:

That the revised Transport Allocations, as detailed in paragraph 7.3 of the report be approved.

## **18. FINANCIAL AND CORPORATE PERFORMANCE 2019/20**

The Council considered the report of the Executive Director of Corporate Resources and Customer Services in relation to the Financial and Corporate Performance of the Council for 2019/20.

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

RESOLVED:

That the balance on the Business Rate Reserve (£1.976m) be released back to the General Fund in 2019/20 to support the outturn position, as detailed in paragraph 6.5 (e) to the report, be approved.

## **19. LOCAL GOVERNMENT ACT 1972 – SECTION 85 - ATTENDANCE AT MEETINGS – COVID-19 ARRANGEMENTS**

The Council considered the report of the Chief Legal and Democratic Officer that sought, due to the continuation of the Covid-19 pandemic, authority to approve and authorise the absence of any Councillors 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 absence of any Elected Members from all Council and Committee Meetings be authorised and approved for the period until 4 March 2021, pursuant to Section 85 of the Local Government Act 1972.

## **20. MEMBERSHIP OF COMMITTEES 2020/21**

The Mayor reported the following changes to memberships of Committees, and representation on Joint Authorities:

Councillor Myers to replace Councillor Marshall on the Local Joint Consultative Committee;

Councillor Killen to replace Councillor Marshall on the Overview and Scrutiny Committee (Regeneration and Skills);

Councillor Waterfield to replace Councillor Marshall on the Liverpool City Region Scrutiny Committee;

Councillor Roscoe to replace Councillor Marshall as a Substitute Member on the Audit and Governance Committee;

Councillor Halsall to replace Councillor Marshall on the Pay and Grading Committee; and

Councillor Shaw to replace Councillor Pullin as a Substitute Member on the Overview and Scrutiny Committee (Regeneration and Skills)

RESOLVED:

That the changes to the various Committees and representation on Joint Authorities as set out above be approved.

**21. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 46 OF THE SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY) AND RULE 29 OF THE ACCESS TO INFORMATION PROCEDURE RULES (SPECIAL URGENCY) OF THE CONSTITUTION**

The Council considered the report of the Leader of the Council in relation to a matter that was dealt with in accordance with Rules 29 (special urgency) and 46 (waiving call-In) of the Access to Information Procedure Rules of the Council Constitution, whereby “call in” was waived.

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

RESOLVED:

That the report be noted.

**22. MOTION SUBMITTED BY COUNCILLOR BROUGH - PRESS RELEASE**

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

**Press Releases**

The Council agrees that in future any press releases and media contact that relate to fundamental strategic decisions on any aspect of Council business be forwarded to Elected Members 48 hours before they are made available to the press and media.



An **amendment** was moved by Councillor Pugh, seconded by Councillor Shaw hat the Motion be amended by removing the words “48 hours”.

Following debate Councillor Pugh retracted his amendment and the Chief Legal and Democratic Officer, Mr David McCullough officiated the vote, after which the Mayor declared that the **Motion was lost**.

**23. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON - MEETINGS OF THE CABINET**

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

**Cabinet Meetings**

Sefton Council Members will know of Section 82 of the Cabinet Constitution which states:-

“82 Any Member of the Council may ask the Leader to put an item on the agenda of a Cabinet meeting for consideration, and if the Leader agrees the item will be considered at the next available meeting of the Cabinet. The notice of the meeting will give the name of the Councillor who asked for the item to be considered. [This Councillor will be invited to attend the meeting, whether or not it is a public meeting]. However, the Leader has discretion to limit the number of such items to be considered per Cabinet meeting”.

The Council based on experience now believes that the veto which can be used by the Leader of the Council should be removed if the criteria under Rule 82 have been met.

Following debate the Chief Legal and Democratic Officer, Mr David McCullough officiated the vote, after which, the Mayor declared that the **Motion was lost**.