

ST HELENS BOROUGH COUNCIL

At the Annual Meeting of the St Helens Borough Council held on
25 May 2022

(Present) **The Mayor (Councillor Murphy) (Chair)**
Councillors Baines, Banks, Begum, Bell, Betts, Bond, Bowden,
Burns, Campbell, Case, Charlton, Clarke, Collier, Dickinson,
Gomez-Aspron MBE, Greaves, Groucutt, Hattersley, Hawley,
Hodkinson, Hooton, Johnson, Laird, D Long, T Long, Maguire,
Makin, Maloney MBE, McCauley, McCormack, McQuade,
Mussell, O'Connor, Osundeko, Pearl, Peers, Quinn, Richards,
Sheldon, Sims, Spencer, Stevenson, Sweeney, Tasker, Uddin
and Van Der Burg.

(Not Present) **Councillor Haw**

1 ELECTION OF MAYOR

A report was submitted which asked Council to consider a nomination to extend the term of office for the current Mayor, Councillor Sue Murphy, for an additional year for 2022/23.

At its meeting held on 13 April 2022, the Council resolved to put forward Councillor Jeanette Banks at its Annual Meeting, for election to the office of Mayor.

At the local elections held on 5 May 2022, Councillors Jeanette Banks was not re-elected and thus could not be considered for election to the office of Mayor.

For the purpose of electing a Mayor to serve in 2022/23, the Council is invited to consider a fresh nomination.

In view of the ineligibility of the Councillor whom it was intended to put forward, the administration has signalled its intention to nominate Councillor Sue Murphy to remain in the position of Mayor for an additional year. This was due to the short notice between the outcome of the local elections and the meeting of Annual Council for another member to make themselves available for the significant commitment involved with mayoral duties. It was also due to the last civic year being disrupted by the Covid-19 pandemic.

*** Resolved that the term of office for the current Mayor, Councillor Sue Murphy, be extended for an additional year for the ensuing Municipal Year 2022/23.**

2 APPOINTMENT OF DEPUTY MAYOR

A report was submitted which requested Council to nominate a Deputy Mayor for the Municipal Year 2022/23.

At its meeting held on 13 April 2022, the Council resolved to put forward Councillor Dennis McDonnell at its Annual Meeting, for election to the office of Deputy Mayor.

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At the local elections held on 5 May 2022, Councillor McDonnell was not re-elected and thus could not be considered for election to the office of Deputy Mayor.

For the purpose of appointing a Deputy Mayor for 2022/23, the Council was invited to consider a fresh nomination.

In view of the ineligibility of the Councillor whom it was intended to put forward, the administration has signalled its intention to nominate Councillor Lynn Clarke for the position of Deputy Mayor.

- * **Resolved that Councillor Lynn Clarke be appointed Deputy Mayor of the Borough for the ensuing Municipal Year 2022/23.**

Councillor Clarke made the necessary declaration and acceptance of office.

3 APOLOGY FOR ABSENCE

An apology for absence was received from Councillor Haw

4 DECLARATIONS OF INTEREST FROM MEMBERS

No Declarations of Interest from Members were made.

5 MINUTES

- * **Resolved that the Minutes of the meetings of the Council held on 13 April 2022 be approved.**

6 THE CABINET LEADER

A report was submitted which informed Council that where a local authority was operating a Leader and Cabinet Executive, the Leader was appointed for a four-year term.

At the Annual Council meeting on 22 May 2019, Council elected Councillor David Baines as Cabinet Leader.

The Cabinet Leader serves as Leader until the Annual Meeting which follows the completion of his/her term of office as a Councillor (i.e. May 2023 ordinarily but now May 2022 since the resolution to change to whole elections), at which a further appointment needed to be made, unless in the meantime the Cabinet Leader was replaced by resolution of the Council or resigned from the position. Councillor Baines' term of office expired on 25 May 2022.

The Labour Group on Council had signalled its intention to propose Councillor Baines as Cabinet Leader. No other nominations had been received from any other political group.

- * **Resolved that Councillor Baines' appointment as Cabinet Leader for a four-year term of office be approved.**

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7 LEADER'S ANNOUNCEMENTS

Councillor Baines, Leader of the Council spoke about the following:

- Elections and Members elected,
- Glass Futures;
- Mental Health Awareness;
- Health and Care Bill,
- Freedom of the Borough Scrolls being presented to Lord Watts and Ann Marr OBE (on behalf of the St Helens & Knowsley NHS Teaching Hospitals Trust.

8 ELECTION OF COUNCILLORS

It was reported that on 5 May 2022 the following Councillors had been elected for the Wards as follow:

Ward	Councillor
Billinge and Seneley Green	Peers, Murphy, Betts
Blackbrook	Burns, McQuade, Maloney
Bold & Lea Green	Hawley, Makin, Richards
Eccleston	Haw, Sims, Pearl
Haydock	Hooton, Sheldon, van der Burg
Moss Bank	Dickinson, T Long, Begum
Newton-le-Willows East	Bell, Laird, Gomez-Aspron
Newton-le-Willows West	Maguire, Collier, Banks
Parr	Bowden, Groucutt, Osundeko
Peasley Cross & Fingerpost	O'Connor
Rainford	Case, Mussell
Rainhill	Tasker, Greaves, Stevenson
St Helens Town Centre	McCormack, Sweeney
Sutton North West	Campbell, Hodkinson
Sutton South East	Spencer, Johnson
Thatto Heath	Charlton, McCauley, Hattersley
West Park	Quinn, Bond, D Long
Windle	Baines, Clarke, Uddin

9 DATES AND TIMES OF COUNCIL MEETINGS

* **Resolved that:**

- (1) **the meetings of the Council for the forthcoming Municipal Year 2022/2023 be held on:**

Tuesday, 12 July 2022
Wednesday, 7 September 2022

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Wednesday, 2 November 2022
Wednesday, 18 January 2023
Wednesday, 1 March 2023
Wednesday, 19 April 2023; and

- (2) the above meetings of the Council commence at 6.15 pm.

10 CONSTITUTIONAL ISSUES

A report was submitted which asked Members to consider a number of issues in relation to the Constitution and the governance of the Council.

* **Resolved that:**

- (1) the appointments and delegations made by the Cabinet Leader in relation to Executive functions listed in Appendix 1 be noted;
- (2) the proposed changes in the table of amendments to the Constitution set out in Appendix 2 be approved;
- (3) the proposed changes to Article 10 of the Constitution (Councillor Improvement Fund) set out in Appendix 3 be approved; and
- (4) the revised Terms of Reference for People's Board at Appendix 4 be approved.

11 ALLOCATION OF SEATS ON COMMITTEES 2022/23

A report was submitted allocating seats on Ordinary Committees and Ordinary Sub-Committees in order to comply with Section 15 of the Local Government and Housing Act 1989 and seeking to make appointments to those seats in accordance with Section 16 of the Act together with the appointment of Chairmen.

The terms "Ordinary Committees" and "Ordinary Sub-Committee" had a special statutory meaning. It only included committees/sub-committees that had delegated powers to discharge the Council's statutory functions. They did not include the Sarah Cowley Committee.

The political proportionality rules do not apply to the appointment of the Cabinet under the Council's Constitution.

"Ordinary Sub-Committees" include the Overview and Scrutiny Committees.

The political make up of the Council was as follows:

Labour	29
Green Party	6
Liberal Democrats	4
The Independents	3
Conservative	2
Newton-le-Willows Independents	2
B&SG Independent	2
Total	<hr/> 48 <hr/>

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The total allocation of seats on Ordinary Committees is:

Labour	69
Green Party	14
Liberal Democrats	10
The Independents	7
Conservatives	5
Newton-le-Willows Independents	5
B&SG Independents	5
	115

In order to comply with Section 15 of the Local Government and Housing Act and the Local Government (Committees and Political Groups) Regulations 1990, it was recommended that the seats on Committees be allocated as shown below:

Committee	Lab	Green	LD	The Ind	Con	NIW	BSG	Committee Places Total
Planning Committee	9	2	1	1	1	1	0	15
Licensing & EP Committee	9	2	1	1	0	1	1	15
Appointments Committee	6	1	1	0	0	1	1	10
Personnel Appeals Committee	2	1	0	0	0	0	0	3
Investigation and Disciplinary Committee	3	1	1	0	0	0	0	5
Disciplinary Appeals Committee	3	1	0	0	1	0	0	5
Audit & Governance Committee	6	1	1	0	0	1	1	10
Standards Committee	6	1	1	1	0	0	1	10
Overview & Scrutiny Commission (+ 2 voting Church representatives)	7	1	1	1	1	0	1	12
Adult Social Care and Health Scrutiny Committee (+1 non-voting co-opted from Healthwatch)	6	1	1	1	1	0	0	10
Children and Young People Services Scrutiny Committee (+ 5 (+2) Co-opted Church reps (+3) Co-opted Parent Governor)	6	1	1	1	0	1	0	10

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Place Services Scrutiny Committee (+ 2 Co-opted non- voting representatives of Merseyside Police And Merseyside Fire & Rescue Service)	6	1	1	1	1	0	0	10
TOTALS:	69	14	10	7	5	5	5	115

Key

Lab: Labour
 Green: The Green Party
 Lib Dem: Liberal Democrat
 Con: Conservative
 Inds: The Independents
 NIW: Newton-le-Willows Independents
 BSG: BS&G Independents

In order to provide flexibility in the composition of the Personnel Appeals Committees, it is proposed that a Pool of Members be allocated to enable the Committee to be re-constituted each time it meets, with the Membership as shown above.

It is proposed that the Sarah Cowley Committee continues to comprise of ten Councillors and that the seats be allocated as follows:

Labour	6 seats
The Green Party	1 seat
Liberal Democrat	1 seat
The Independents	1 seat
Newton-le-Willows Ind	1 seat

The Overview and Scrutiny Commission is a Committee and is appointed by Council. The membership of the Commission, under the Constitution, comprises: a Chair, the Chairs of the three Overview and Scrutiny Committees, plus eight additional Elected Members to effect political balance and two voting Church representatives.

The Council will appoint the Commission and the Commission will appoint its Committees at its first meeting. The Committees of the Commission are included in the allocation of seats because they are ordinary sub-committees but otherwise, they are not dealt with by the Council.

The People's Board is not an ordinary Committee of the Council under legislative provisions. The number of elected Members on the Board is seven which reflects the relevant portfolios plus an opposition Member. The Opposition Groups have one seat and have agreed for Councillor Mussell to be their representative. It is a matter for the Cabinet Leader to determine who the other elected Members should be.

The Cabinet Leader had notified the Monitoring Officer that Councillors Baines, Bell, Burns, Charlton, Groucutt, Quinn and Mussell are appointed to the Board. The Chair will be the Leader of the Council.

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* Resolved that:

- (1) in order to comply with Section 15 of the Local Government and Housing Act 1989, the allocation of seats on Committees be agreed as detailed above;
- (2) in order to comply with Section 16 of the Local Government and Housing Act 1989, the appointments to the seats on Committee be agreed in line with the wishes of the groups as detailed below:

1 Planning Committee

Membership: Councillor: Lab - 9 Banks, Bowden, Gomez-Aspron MBE, Hodkinson, Laird, D Long, Maloney MBE, McCauley and McCormack
Councillor: Grn - 2 Hooton and Makin
Councillor: LD - 1 Pearl
Councillor: Inds - 1 Tasker
Councillor: NIW - 1 Collier
Councillor: Con - 1 Case

2 Licensing and Environmental Protection Committee

Membership: Councillor: Lab - 9 Banks, Bell, Campbell, Dickinson, Hattersley, Laird, T Long, Maloney MBE and Uddin
Councillor: Grn - 2 Hawley and Sheldon
Councillor: LD - 1 Haw
Councillor: Inds - 1 Tasker
Councillor: NIW - 1 Maguire
Councillor: BSG - 1 Vacancy

3 Appointments Committee

Membership: Councillor: Lab - 6 Baines, Bond, Bowden, Charlton, Gomez-Aspron MBE and Maloney MBE
Councillor: Grn - 1 Makin
Councillor: LD - 1 Sims
Councillor: NIW - 1 Maguire
Councillor: BSG - 1 Vacancy

4 Personnel Appeals Committee

The Committee to be re-constituted each time it meets with the Membership being drawn insofar as is possible from the following pool of Members:

Membership: Councillor: Lab - 2 From a pool of Labour Group Members
Councillor: Grn - 1 van der Burg

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5 Investigation and Disciplinary Committee

Membership: Councillor: Lab - 3 Bond, Dickinson and McCormack
Councillor: Grn - 1 van der Burg
Councillor: LD - 1 Sims

6 Disciplinary Appeals Committee

Membership: Councillor: Lab - 3 Maloney MBE, Murphy and Sweeney
Councillor: Grn - 1 Hooton
Councillor: Con - 1 Case

7 Audit and Governance Committee

Membership: Councillor: Lab - 6 Clarke, D Long, McCormack, McQuade,
Murphy and Osundeko
Councillor: Grn - 1 van der Burg
Councillor: LD - 1 Spencer
Councillor: NIW - 1 Collier
BSG - 1 Betts

8 Overview and Scrutiny Commission

Membership: Councillor: Lab - 7 Hattersley, D Long, T Long, Osundeko,
Murphy, Sweeney and Uddin
Councillor: Grn - 1 Richards
Councillor: LD - 1 Spencer
Councillor: Inds - 1 Tasker
Councillor: Con - 1 Mussell
Councillor: BSG - 1 Vacancy
Co-opted Voting 2 Church representatives

9 Sarah Cowley Committee

Membership: Councillor: Lab - 6 Begum, Clarke, Dickinson, Hodkinson,
McQuade and O'Connor
Councillor: Grn - 1 Hawley
Councillor: LD - 1 Haw
Councillor: Inds - 1 Greaves
Councillor: NIW - 1 Maguire

10 Standards Committee

Membership: Councillor: Lab - 6 Bond, Bowden, Johnson, Maloney MBE,
Murphy and McCormack
Councillor: Grn - 1 Hawley
Councillor: LD - 1 Pearl
Councillor: Inds - 1 Stevenson
Councillor: BSG - 1 Vacancy

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- (3) the Sarah Cowley Committee to comprise of ten Councillors and the seats be allocated as proposed in paragraph 4.10 of the report;
- (4) appointments to the People's Board be agreed as detailed in 4.12 of the report; and
- (5) The Appointment of Chairs to Committees be agreed be as shown below:

Planning Committee

Chair: Councillor D Long

Licensing and Environmental Protection Committee

Chair: Councillor Banks

Audit and Governance Committee

Chair: Councillor Clarke

Appointments Committee

Chair: To be appointed by the Committee.

Personnel Appeals Committee

Chair: To be appointed by the Committee.

Sarah Cowley Committee

Chair: To be appointed by the Committee.

Standards Committee

Chair: To be appointed by the Committee.

Overview and Scrutiny Commission

Chair: To be appointed by the Commission.

12 APPOINTMENTS TO CITY REGION JOINT AUTHORITIES 2022/23

A report was submitted concerning appointments to Joint Authorities for 2022/23

City Region Combined Authority

It was reported that nominations had been received for the position of the Council's representative on the City Region Combined Authority, namely Councillor Baines. The substitute representative to be approved in accordance with the Council's Constitution.

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* **Resolved that:**

- (1) **Councillor Baines be appointed as the Council's representative on the City Region Combined Authority; and**
- (2) **Councillor Gomez-Aspron be appointed as the Council's substitute representative on the City Region Combined Authority**

Combined Authority Overview and Scrutiny Committee

It was reported that three nominations had been received for the position of the Council's representative on the Combined Authority Overview and Scrutiny Committee, namely Councillors Uddin, T Long and Spencer.

* **Resolved that Councillors Uddin, T Long and Spencer be appointed as the Council's representative on the Combined Authority Overview and Scrutiny Committee.**

Combined Authority Transport Committee

Confirmation was awaited from the Liverpool City Region and would be dealt with under delegated powers once confirmed.

Combined Authority Housing and Spatial Planning Board

It was reported that one nomination had been received for the position of the Council's representative on the Combined Authority Housing and Spatial Planning Board, namely Councillor McCauley.

* **Resolved that Councillor McCauley be appointed as the Council's representative on the Combined Authority Housing and Spatial Planning Board.**

Merseyside Fire and Rescue Authority

It was reported that two nominations had been received for the positions of the Council's two representatives on the Merseyside Fire and Rescue Authority, namely Councillors Dickinson and Maloney MBE.

* **Resolved that Councillors Dickinson and Maloney MBE be appointed as the Council's representatives on the Merseyside Fire and Rescue Authority.**

Merseyside Police & Crime Panel

It was reported that two nominations had been received for the positions of the Council's two representatives on the Merseyside Police & Crime Panel, namely Councillors Laird and Hooton.

* **Resolved that Councillors Laird and Hooton be appointed as the Council's representatives on the Merseyside Police & Crime Panel.**

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Merseyside Recycling & Waste Authority

It was reported that one nomination had been received for the position of the Council's representative on the Merseyside Recycling & Waste Authority, namely Councillor Osundeko.

- * **Resolved that Councillor Osundeko be appointed as the Council's representative on the Merseyside Recycling & Waste Authority; and**
- * **Resolved that a delegation be granted to the Chief Executive in consultation with the Leaders of the political Groups to make any necessary changes throughout the period 2022/23.**

13 APPOINTMENTS TO OUTSIDE AND OTHER BODIES 2022/23

A report was submitted regarding the proposed Cabinet and the proposed General Member representation on Outside Bodies for 2022/23. Details of the appointments were set out in the two schedules attached to the report.

Members were informed that Paragraph 1(b) of the report relating to Members of the YPO Management Committee becoming members of the YPO Company, Trans-Pennine Properties (Wakefield) Limited was removed as the Council had been notified that this was no longer valid.

- * **Resolved that:**
 - (1) **the representatives identified on the Cabinet Member schedule at Appendix A be noted;**
 - (2) **the representatives identified on the General schedule at Appendix B be agreed;**
 - (3) **the Chief Executive in consultation with the Leaders of the five political Groups be delegated authority to agree any amendments to the General Member schedule, if necessary during 2022/23; and**
 - (4) **it be agreed that the political balance rules in relation to the YPO Joint Committee which would otherwise apply in accordance with Section 17 of the Local Government and Housing Act 1989 may be waived.**

14 CHESHIRE AND MERSEYSIDE JOINT HEALTH SCRUTINY ARRANGEMENTS

A report was provided with the amended 'Protocol for the establishment of Joint Health Scrutiny Arrangements in Cheshire and Merseyside' and sought approval for the establishment of a Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee.

In 2014, all nine Cheshire and Merseyside Authorities gave their approval to a "Protocol for Establishment of Joint Health Scrutiny Arrangements for Cheshire and Merseyside". Substantively, the existing protocol provided a framework for the mandatory

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establishment of ad-hoc joint committees where two or more of the authorities deemed a service change proposal to be a substantial variation in those services. The protocol was approved by full Council in April 2014.

In summary, the statutory framework set out in legislation authorises local authorities to review and scrutinise any matter relating to the planning, provision and operation of the health service; and consider consultations by a relevant NHS body or provider of NHS-funded services on any proposal for a Substantial Development or Variation (SDV) to the health service in the local authority's area.

Given the incoming changes and the establishment of Integrated Care Systems in England under the Health and Care Act 2022, the opportunity had been taken to review and update the existing Joint Health Scrutiny Protocol to ensure that the framework for the operation of joint health scrutiny committees regarding substantial developments and variations of the health service across Cheshire and Merseyside was consistent with the arrangements for the new standing committee. The proposed revisions related to quorum and political balance and was attached at Appendix 1 to the report.

In response to the proposed establishment of Integrated Care Systems in England under the Health and Care Act 2022, the Chief Executives of the nine Merseyside and Cheshire local authorities agreed a number of actions to ensure that joint health scrutiny arrangements in Cheshire and Merseyside were fit to meet the challenge of the new statutory Integrated Care System (ICS) arrangements. It had been deemed appropriate to establish a standing joint health scrutiny committee which would have the opportunity to take on the Authorities' collective statutory responsibility to oversee and scrutinise the operation of the ICS at Cheshire and Merseyside Level.

* **Resolved that:**

- (1) the establishment of a Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee be approved; and**
- (2) the amended 'Protocol for the establishment of Joint Health Scrutiny Arrangements in Cheshire and Merseyside' be adopted.**