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To: All Members of the Council

Date: 17 September 2020  
Our Ref: Council  
Your Ref:

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Dear Councillor

## **COUNCIL - THURSDAY 17TH SEPTEMBER, 2020**

I refer to the agenda for the above meeting and now enclose the following report which was unavailable when the agenda was published.

<b>Agenda No.</b>	<b>Item</b>
6	<b>Questions Raised by Members of the Council (Pages 241 - 250)</b> To receive and consider questions to Cabinet Members, Chairs of Committees or Spokespersons for any of the Joint Authorities upon any matter within their portfolio/area of responsibility, of which notice has been given by Members of the Council in accordance with Paragraph 49 to 51 of the Council and Committee Procedure Rules, set out in Chapter 4 of the Council Constitution.

Yours faithfully,

Democratic Services

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## COUNCIL – 17<sup>TH</sup> SEPTEMBER 2020

### QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

1. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

What input did the Chief Executive and the Head of Corporate Resources have into the content and the release date of the Press Release on the Bootle New Strand?

**Response:**

“The press release was drafted by the communications team, with input from the Executive Director, Head of Commercial and members of the Regeneration team to reflect the status of the project. The team’s aim was to publish the release in advance of the launch of the Festival of Ideas and associated communications”.

2. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

Who agreed the purchase of the sites surrounding The Strand?

**Response:**

“A report was presented to Cabinet on the 9th January 2020 and Council on 23rd January 2020, for all monies associated with these acquisitions, including agreement to accept and draw down the SIF grant funding. These were subsequently approved”.

3. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

What purchase price has been agreed and were they independently assessed?

**Response:**

“The acquisitions were independently assessed:-

Purchase prices were:-

- Post Office - £250,000
- Easirent - £550,000
- Canal and River Trust - £50,000”

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4. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

What are the annual repayment costs?

**Response:**

“There are no annual repayment costs”.

5. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

What is meant by the word ‘meanwhile’ uses of the area?

**Response:**

“‘Meanwhile’ uses refer to the short-term use of temporarily empty spaces or buildings until they can be brought back into commercial use”.

6. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

What are the proposals and annual revenue costs to be borne by all Sefton Council tax payers?

**Response:**

“It is not possible to respond to this question at this time - please refer to question 7”.

7. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

What enquiries have been made of the private sector in respect of retail development?

**Response:**

“Informal engagement with advisors and experts in the sector has been made to determine the overall aims and objectives of the proposals and the appetite from businesses. Soft market testing is also ongoing with private sector organisations with expertise and interest in the sector, in response to inbound interest received from third parties”.

8. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

Has there been an independent review of the proposals and is there is a report available?

**Response:**

“There is no report available at this time on these concepts. Consultation and community engagement, including but not limited to the Festival of Ideas, are being progressed in advance of any formalisation of proposals”.

9. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

In the event of a review not having taken place how can Elected Members come to an informed judgement about the validity of the proposals?

**Response:**

“Independent review will be undertaken using relevant sector expertise before formalisation of any proposals. These will progress through the Council’s agreed governance process”.

10. **Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)**

**Subject: The Strand, Bootle**

What elements of a ‘consultation’ process will involve spelling out to all Sefton Council tax payers the financial consequences of any proposals adopted?

**Response:**

“Please refer to the responses to questions 7-9”.

11. **Question submitted by Councillor Pugh to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)**

**Subject: Southport Market Refurbishment**

What was the capital cost of the previous Market refurbishment completed in 2012 and how much revenue support has been required for each of the individual completed financial years from 2012 to 2019 (inclusive)?

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## Response:

“The capital cost of the previous Market refurbishment was £2.9m.

Council agreed that an annual budget of £0.080m be set for the market.

The revenue support required for each of the individual financial years from 2012/13 to 2019/20 inclusive has been included in the following table:

Year	Revenue Support
	£000s
2012/13	24
2013/14	224
2014/15	198
2015/16	137
2016/17	142
2017/18	143
2018/19	286
2019/20	318

## 12. Question submitted by Councillor Brough to the Leader of the Council (Councillor Maher)

### Subject: Southport Market

- 1) The Southport Town Centre Board has indicated that they are prepared to make available some £900,000 of capital to implement the draft proposals. Will the Leader of the Council advise if it is to be the Town Centre Board or Sefton MBC who will underwrite any potential annual revenue losses that the project might incur?
- 2) Before Elected Members can make an informed decision about their willingness to support or defer from the proposal to refurbish the Southport Market Hall, they should have sight of a detailed prospectus and a fully costed operational business plan. Will the leader of the Council provide these documents to Elected Members?

## Response:

- 1) “The Town Deal board will not have any role in respect of the financial performance of the market”.
- 2) “The business case for Southport Market, including the operational plan, was published alongside the report to Cabinet on 3<sup>rd</sup> September 2020 and is publicly available”.

13. **Question submitted by Councillor Keith to the Cabinet Member for Locality Services (Councillor Fairclough)**

**Subject: Queens Road Cycle Lane, Southport**

I want to preface my question by informing you that I am a cyclist and have their interest at heart. But why was this scheme introduced without any consultation with residents, businesses, school and a church, all of whom are massively affected by and concerned about this radical change, and what plans are in place to monitor the scheme and assist the people affected.

**Response:**

“The aspiration for a north-south cycle route was included on the list of measures presented as a Cabinet member briefing note in late May 2020. A route on Queens Road was one of the options for Southport.

The need for consultation and engagement is understood and every other transport scheme developed in recent times has been subject to consultation including a report to the Consultation and Engagement Panel so that proposals can be subject to scrutiny. However, the Tranche 1 schemes were developed on the strict understanding that the schemes had to be in site within 4 weeks of the offer letter being received by the LCRCA which was subsequently received on 3<sup>rd</sup> July 2020. This extremely short timeframe was imposed on the Council by the Department of Transport and Cabinet therefore acknowledged the limitations with regard to the usual consultation processes we adopt in the delivery of these schemes. This only allowed time to advise all businesses and residents on the route affected via a leaflet explaining the proposals.

Discussions are being held throughout the LCRCA regarding monitoring both Tranche 1 and 2 schemes”.

14. **Question submitted by Councillor Dawson to the Cabinet Member for Locality Services (Councillor Fairclough)**

**Subject: Waste Recycling**

At the time of the introduction of collection of separate waste recycling, the Cabinet had the grace to accept the proposal that it should substitute the originally-suggested garish purple bins with the presently-used brown bins. With regard to the now-proposed separate glass recycling bins, would the Cabinet Member consider supporting the use of navy blue bins for this purpose rather than light bright blue ones?

**Response:**

“Whilst it is possible to vary the colour or shade of wheeled bins when they are procured, the light blue is the industry standard blue. Varying the shade from the industry standard may cost more.

There have been suggestions that bin colours should be standardised across the Country, introducing a non-standard colour in Sefton would make this more difficult if it were to happen”.

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15. **Question submitted by Councillor Dawson to the Cabinet Member for Health and Wellbeing (Councillor Moncur)**

**Subject: NHS Clinical Commissioning Groups in Merseyside and Cheshire**

Does the Cabinet Member agree that the proposed amalgamation of NHS Clinical Commissioning Groups in Merseyside and Cheshire into a super-body with a similar 'footprint' to the pre-1990 Mersey Regional Health Authority, besides being yet another step in the costly and mindless merry-go-round of reorganisations which has plagued the NHS over the past 30 years, will take decision-making even further away from the communities of the area concerned? Will the Cabinet Member initiate consultation and co-operation with Councils in other parts of the affected sub-region, and possibly councils and councillors across the country, with the intention of co-ordinating opposing the introduction of these changes?

**Response:**

“Whilst we have not yet received any proposal, if and when such a proposal does come forward, if it risks diluting patient care, diminishing local accountability, or facilitating further privatisation, it will be robustly opposed”.

16. **Question submitted by Councillor Dawson to the Cabinet Member for Locality Services (Councillor Fairclough)**

**Subject: Elm Trees**

Is the Cabinet Member aware of the recent incidence of summer leaf-loss of elm trees both among street trees and in private property within the Borough? Does the Council understand the reason for this problem and have any processes in hand, either on its own or in collaboration with other bodies, which can address this issue?

**Response:**

“Yes, I am aware of this and we do have processes we are following. If you are aware of any particular areas of concern, please contact me”.

17. **Question submitted by Councillor Dawson to the Cabinet Member for Communities and Housing (Councillor Hardy)**

**Subject: Southport Town Centre**

Southport Town Centre continues to be blighted by a number of empty residential properties which have been boarded up for years, some having been owned by a notorious local landlord before they were closed down. The Council has powers to insist that these properties are brought up to standard and added to the available housing rental stock. At the other end of the spectrum, there are substantial large empty properties blighting parts of Birkdale for years, some owned by a notorious criminal presently incarcerated, which could also benefit the community by being brought into residential use. Will the Council take active steps to address these issues?



## **Response:**

“The Council has adopted an Empty Homes Plan, which can be seen at: <https://www.sefton.gov.uk/housing/empty-homes-plan-2019-2024.aspx>

The main focus of our Empty Homes Plan is to tackle long term problematic empty properties. However, the Plan recognises that the Council only has limited resources and doesn't therefore have the capacity to tackle large numbers of empty properties. The Housing Services does prioritise and attempt to tackle problematic empty properties in our Housing Licensing areas, which includes Southport Town Centre (where we have an Additional HMO Licensing scheme). Indeed, the Plan recognises that central Southport is an area with a higher proportion and concentration of empty properties. We will consider utilising a range of enforcement powers to target and bring problematic properties back into use, if this is appropriate. For your information, I have recently approved action to instigate Enforced Sales (enforcement) procedures on 3 long term empty properties, one of which is in the Birkdale ward.

If Councillor Dawson knows of specific problematic empty properties then if he provides a list of addresses, and the particular issues that are arising, officers can investigate these to see what action may be possible. It is not helpful to provide vague references, particularly given the limited capacity within the team and the added current pressures caused by the COVID-19 response.

In addition, Sefton has been successful in securing Town Deal status for Southport, which means the town is one of the 101 towns eligible to bid for £25m funding. Through this, a Town Investment Plan will be developed, and we are already seeing increased investor interest, contact and confidence in Southport and surrounding areas. Alongside this, the Council is also in the first year of delivery of the Townscape Heritage project which, amongst its many priorities, seeks to address the condition and occupancy of properties specifically along the routes linking Lord Street and the Promenade. Both may, therefore, identify opportunities to intervene to tackle vacant properties, and then seek resources and/or partners who may be able to assist the Council to take forward appropriate initiatives and investments”.

18. **Question submitted by Councillor Dawson to the Cabinet Member for Health and Wellbeing (Councillor Moncur)**

**Subject: Victoria Park, Southport**

Does that the Cabinet Member accept that in respect of the proposed change of regime of Victoria Park, Southport, separate from any planning considerations, Sefton MBC, as freeholder of the land in question (which was donated for the enjoyment of the people of Southport & Birkdale) and inheritor from the former Southport Council of the duty of trust in respect of that gift, has a separate executive POLICY decision to make which is whether it wishes to permit such an alteration in the regime of use of the park?

## **Response:**

“The issues raised in the question lies outside my Cabinet responsibilities but, to be helpful, I will forward this question onto the appropriate Council officers”.

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19. **Question submitted by Councillor Dawson to the Cabinet Member for Locality Services (Councillor Fairclough)**

**Subject: Consultation on 'pop up' cycling 'improvements'**

What consultation was there with either (a) residents of the streets involved and their immediate neighbours; (b) businesses situated on the streets involved; (c) cyclists living in Southport (d) the general population of Southport and (e) relevant ward councillors before the Council made its choice to install 'pop up' cycling 'improvements' (sic) on Talbot Street, Houghton Street, Tulketh Street, Wesley Street and Queens Road, Southport? Will the Council ensure that there is speedy proper consultation in respect of the introduction of permitted cycling in the pedestrianised shopping area of Chapel Street, Southport?

**Response:**

“The need for consultation and engagement is understood and every other transport scheme developed in recent times has been subject to consultation including a report to the Consultation and Engagement Panel so that proposals can be subject to scrutiny. However, the Tranche 1 schemes were developed on the strict understanding that the schemes had to be in site within 4 weeks of the offer letter being received by the LCRCA which was subsequently received on 3<sup>rd</sup> July 2020. This extremely short timeframe was imposed on the Council by the Department of Transport and Cabinet therefore acknowledged the limitations with regard to the usual consultation processes we adopt in the delivery of these schemes. This only allowed time to advise all businesses and residents on the route affected via a leaflet explaining the proposals.

Every effort will be taken to ensure as full a consultation process as possible is followed for Tranche 2 schemes. This will, however, once again be subject to any similar timescales which may be imposed by the Department for Transport for implementation, as we experienced for Tranche 1”.

20. **Question submitted by Councillor Dawson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)**

**Subject: Southport Indoor Market**

Before the Council determined to follow its previous significant financial losses by expending even more public money on the Southport Indoor Market, what considerations did it make in respect of (a) relocating the Market to other large vacant retail premises within the busier part of Southport Town Centre and (b) possible net benefit to the town of Southport and the finances of the Borough by redeveloping the market site?

**Response:**

“The Council does not own any of the large vacant retail premises in Southport Town Centre that would make such a relocation financially viable, given the acquisition costs that would have been incurred. The business case included evaluation of a range of options for the site, but industry expertise supports the viability of the proposed project, and its net benefit to the town of Southport and to the finances of the borough (particularly given the capital funding received from the Liverpool City Region Council and MHCLG)”.

21. **Question submitted by Councillor Dawson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)**

**Subject: The Southport Town Team**

The Southport Town Team has postulated a likely need for a planned significant contraction in the future retail footprint of Southport Town Centre - which would be achieved by retail activity migrating away from certain parts of the present central retail area. This could be achieved in a variety of ways which need to be consulted on widely with the retail community and the people of Southport. Does the Cabinet Member not agree that the Council sinking a further £1.4 million into a new development in one particular part of the fringes of the present retail area would appear to prejudice the process of careful consideration of which areas of Southport ought to be devoted to retail activity in future?

**Response:**

"The Town Deal board has engaged, and continues to engage, widely with businesses and communities across Southport. The Town Deal board unanimously supported the allocation of a portion of the accelerated grant funding to Southport Market, recognising that a new offer would be complementary to the emerging vision of the board and would strengthen the town centre's proposition for residents and visitors".

22. **Question submitted by Councillor Dawson to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)**

**Subject: Bootle Strand**

In May of this year, I was authoritatively-informed that the due annual independent valuation of the Council-owned Bootle Strand complex would be completed by the end of August. What is that valuation, please? (I am aware that this valuation figure will eventually be part of the accounts process, however, all individual elected councillors are entitled to know this information).

**Response:**

"The desktop valuation of the Strand at 31.3.2020 and which is included in the Council's accounts is £21.450m".

23. **Question submitted by Councillor Dawson to the Leader of the Council (Councillor Maher)**

**Subject: Local Government**

In a paper annexed to the Local Government Association's 1999 evidence to Parliament on the Local Government (Organisation and Standards) Bill), Professor Steve Leech of De Montfort University postulated an unattractive " . . . *plausible "worst case" outcome*" to the introduction of Cabinet Government to local authorities where ". . . *all () decision-making processes would take place in private (and where) . . . it would not be difficult for the majority party to vote through a system which concentrated power in the executive, minimised the power and responsibilities of the assembly, and used party group processes to meet the needs of the non-executive members*"

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The LGA's own evidence included support for the government White Paper's: *"references to the value of "decentralised structures for decision-making". . . including area committees, and the value of local consultation initiatives (in which) . . . (i)t can be assumed that non-executive members would play a central role in such structures and processes . . . an essential element in their ability to be effective local representatives and community advocates."* and a *"worst case scenario"* in which there were: *"No area committee or community forums established" and "(a)ll executive decisions (are) taken by cabinet."*

With the closing down of area committees, the conduct of executive power through five minute Cabinet Meetings following on from much longer Labour group meetings, the retention of information which the public and elected members have a right to know and the council's expanding refusal to inform, let alone consult, local councillors and communities within the Borough, does the Leader of the Council consider that Sefton Council has successfully achieved the 'worst case scenario' in local democratic accountability - or do we have worse to come?

## **Response:**

"I note that the question (strangely?) fails to include the important role of the Council's other Committees within the democratic process in Sefton, in particular the Council's all Party Scrutiny and Review Committees, membership of which excludes members of the Council's Cabinet.

You will be aware that as recently as 30<sup>th</sup> July 2020 Cabinet received a report on new guidance from the Centre for Public Scrutiny and have asked the Overview and Scrutiny Management Board to draft an Executive / Scrutiny Protocol with the aim of enhancing the already positive relationship between Overview and Scrutiny Committees and Cabinet.

Non-executive members also have the opportunity to 'call-in' decisions of Cabinet, which members of your party have done very recently.

The Councillor will also be aware that some content of reports may be excluded from non-members of the relevant committee due to legal requirements and that this has always been the case, even when his Party had the Leadership and largest number of seats and Cabinet places in Sefton Council. This has not changed. Information is shared via various methods including, for instance, the publication of a Forward Plan of all key decisions to be made by Cabinet in the months ahead, prior published meeting agendas and via the Council's public consultation processes.

Local democratic accountability continues within our Borough. The people of Sefton also have the opportunity to hold politicians to account every 3 out of 4 years in local elections. This they continue to do and one of the results of this democratic process is that there has been a significant number of councillors from his Party that have been removed from office by the public of Sefton in recent times. I can also confirm that Labour Group meetings are not held prior to Cabinet meetings and that almost all Cabinet meetings last longer than the 5 minutes that he states. The length of time such meetings take is always subject to the report content, number of items on the Cabinet agenda and discussions that may take place during the meeting".