

Town Hall
Lord Street
Southport
PR8 1DA

To: Members of the Council

Date: 12 May 2010

Our Ref:

Your Ref:

Please contact: Steve Pearce

Contact Number: 0151 934 2046

Fax No: 0151 934 2034

e-mail:

steve.pearce@legal.sefton.gov.uk

Dear Councillor

SPECIAL COUNCIL MEETING - THURSDAY 13TH MAY, 2010

I refer to the agenda for the above meeting and now enclose the following report(s) which were unavailable when the agenda was printed.

Agenda No.	Item
6.	Election Returns - 6 May 2010 To receive and note the report of the Assistant Chief Executive and Returning Officer on the results of the Council Elections held on 6 May 2010
15.	Statutory Duty to Respond to Petitions Report of the Assistant Chief Executive
18.	Gardner Avenue Allotments Further submissions in relation to Gardner Avenue Allotments from the Complainants

The papers/proposed motions in respect of items 8, 10, 11 and 12 on the agenda will be circulated prior to the Council Meeting.

Yours sincerely,

M. CARNEY

Chief Executive

Agenda Item 6

SEFTON COUNCIL

LOCAL GOVERNMENT ELECTIONS - 6 MAY 2010

SUMMARY OF ELECTION RESULTS

AINSDALE WARD

Haydn Clive Preece	Liberal Democrats	2936
Mark Bigley	Conservative Party	2703
Stephen James Jowett	The Labour Party	668
John Bryan Leech	United Kingdom Independence Party	335
John Bankes	British National Party	141
	Electorate	9626
	% Turnout	71%

BIRKDALE WARD

Iain Malcolm Brodie Browne	Liberal Democrats	3626
Cath Regan	Conservative Party	1626
Frank Michael Robinson	The Labour Party	466
Terry John Durrance	United Kingdom Independence Party	437
Jimmy Henney	The Southport Party	234
Jane Leary	British National Party	177
	Electorate	9864
	% Turnout	67%

BLUNDELLSANDS WARD

Sean Dorgan	Conservative Party	2438
Ben Winstanley	The Labour Party	2353
James Philip Ludley	Liberal Democrats	1555
Peter George Cherry	United Kingdom Independence Party	275
	Electorate	8900
	% Turnout	75%

CAMBRIDGE WARD

Sue McGuire	Liberal Democrats	2910
Jamie Philip Halsall	Conservative Party	2167
Muriel Annie Langley	The Labour Party	515
Jaqueline Anne Barlow	The Southport Party	349
Margaret McEllenborough	British National Party	166
	Electorate	9508
	% Turnout	65%

Agenda Item 6

CHURCH WARD

Daren Veidman	The Labour Party	3119
Carol Tonkiss	Liberal Democrats	1137
Sarah Louise Jackson	Conservative Party	642
Joseph Nugent	United Kingdom Independence Party	327
Andrew Dennis Leary	British National Party	222
	Electorate	9046
	% Turnout	61%

DERBY WARD

Linda Cluskey	The Labour Party	3387
John Rice	United Kingdom Independence Party	724
Peter Gill	Liberal Democrats	518
Kenneth George Parry	Conservative Party	202
	Electorate	9213
	% Turnout	53%

DUKES WARD

Sir Ronald Mathew Watson C.B.E.	Conservative Party	2589
Mary Joan Shavaksha	Liberal Democrats	2137
Catherine Emily Cookson	The Labour Party	687
Harry Forster	The Southport Party	635
	Electorate	9873
	% Turnout	62%

FORD WARD

Ian George Moncur	The Labour Party	3670
David James Nolan	Liberal Democrats	543
Jessamine Miles Hounslea	Conservative Party	402
Philip James Wordley	United Kingdom Independence Party	306
Charles Stewart	British National Party	185
	Electorate	9106
	% Turnout	56%

HARINGTON WARD

Denise Dutton	Conservative Party	3213
Maurice Owen Newton	The Labour Party	1734
Dru Haydon	Liberal Democrats	1507
Eric Storey	Independent	689
David John Jones	United Kingdom Independence Party	329
	Electorate	9744
	% Turnout	77%

Agenda Item 6

KEW WARD

Fred Weavers	Liberal Democrats	2993
David Robert Thomas Smith	Conservative Party	1391
David Stott	The Labour Party	615
John Joseph Lee	The Southport Party	410
Michael McDermott	British National Party	237
Jose Miguel Mendoza	Independent	43
	Electorate	9295
	% Turnout	62%

LINACRE WARD

Gordon Friel	The Labour Party	2699
Eileen Elizabeth Smith	Liberal Democrats	543
Paul Andrew Nuttall	United Kingdom Independence Party	457
Alistair McNeill	Conservative Party	211
	Electorate	8114
	% Turnout	49%

LITHERLAND WARD

John Kelly	The Labour Party	3278
Daniel George Lewis	Liberal Democrats	625
Nigel Stuart Barber	Conservative Party	347
John David Bryant	United Kingdom Independence Party	312
Dean McGrane	British National Party	132
	Electorate	8472
	% Turnout	56 %

MANOR WARD

Steve McGinnity	The Labour Party	2678
Simon Iain Jamieson	Conservative Party	1906
Andrew John Shields	Liberal Democrats	1733
Joseph Graeme Hedgecock	United Kingdom Independence Party	305
	Electorate	9827
	% Turnout	68%

MEOLS WARD

David Prescott Rimmer	Liberal Democrats	3202
Chris Cross	Conservative Party	1989
Maureen Stoker	The Labour Party	561
Margaret Brown	The Southport Party	329
Patricia Elaine Shanks	United Kingdom Independence Party	313
Max Blair	British National Party	183
	Electorate	9781
	% Turnout	68%

Agenda Item 6

MOLYNEUX WARD

Anthony Carr	The Labour Party	2983
Jack Colbert	Liberal Democrats	2297
Thomas James Moylan	Conservative Party	937
Peter Johnston Harper	United Kingdom Independence Party	659
	Electorate	10067
	% Turnout	69%

NETHERTON AND ORRELL WARD

Ian Ralph Maher	The Labour Party	3430
Nicola Jane Smith	Liberal Democrats	670
Pat Gaskell	United Kingdom Independence Party	409
Paul Martyn Barber	Conservative Party	371
Peter Glover	Trade Unionist and Socialist Coalition	311
	Electorate	8935
	% Turnout	58%

NORWOOD WARD

David Sumner	Liberal Democrats	3425
Tony Crabtree	Conservative Party	1236
Michael Nolan	The Labour Party	731
Gordon Allan Ferguson	United Kingdom Independence Party	302
Jenny Atherton	British National Party	204
Denise Roney	The Southport Party	175
	Electorate	10142
	% Turnout	60%

PARK WARD

Andrew Blackburn	Liberal Democrats	3046
Anna McCaul	The Labour Party	1965
Alex Orme	Conservative Party	1434
Gordon Stanley Kinread	United Kingdom Independence Party	321
Roy Greason	The Green Party	141
	Electorate	9695
	% Turnout	72%

RAVENMEOLS WARD

David McIvor	Conservative Party	2561
Paul Dennis Flodman	The Labour Party	2385
Linda Anne Hough	Liberal Democrats	1525
Andrew Noel Dobson	United Kingdom Independence Party	406
	Electorate	9429
	% Turnout	73%

Agenda Item 6

ST OSWALD WARD

Peter Dowd	The Labour Party	3596
Paul Michael Crossey	Liberal Democrats	529
Helen Louise Barber	Conservative Party	332
Bob Thompson	United Kingdom Independence Party	332
	Electorate	8570
	% Turnout	56 %

SUDELL WARD

Bruce Lock Hubbard	Liberal Democrats	2636
John Inskip	The Labour Party	2506
Wendy Moore	Conservative Party	1393
Linda Elizabeth Harper	United Kingdom Independence Party	380
Andrew David Rossall	The Green Party	100
	Electorate	10023
	% Turnout	71%

VICTORIA WARD

Andrew John Tonkiss	Liberal Democrats	2959
Gemma Schneider	The Labour Party	2811
Sharon Hutchinson	Conservative Party	1226
Michael Neale Kelly	United Kingdom Independence Party	334
	Electorate	10251
	% Turnout	72%

Samantha Tunney
Returning Officer

This page is intentionally left blank

Agenda Item 15

Meeting: COUNCIL
Date of Meeting: 13TH May 2010
Title of Report: Petitions Scheme

Report of: Assistant Chief Executive

Contact Officer: Andrea Grant
(Telephone No.) 0151 934 2030

This report contains	Yes	No
CONFIDENTIAL Information/		√
EXEMPT information by virtue of paragraph(s).....of Part 1 of Schedule 12A to the Local Government Act, 1972 (If information <u>is</u> marked exempt, the Public Interest Test must be applied and favour the exclusion of the information from the press and public).		√
Is the decision on this report DELEGATED?		

Purpose of Report

To approve a Petitions Scheme as required by the Chapter 2 of Part 1 of The Local Democracy, Economic Development and Construction Act.

Recommendation(s)

That

- (1) the petitions scheme attached at Appendix 1 be approved for implementation; and
- (2) consequential amendments be made to the Constitution to ensure consistency with the petitions scheme.

Agenda Item 15

Corporate Objective Monitoring

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1.	Creating a Learning Community		√	
2.	Creating Safe Communities		√	
3.	Jobs and Prosperity		√	
4.	Improving Health and Well-Being		√	
5.	Environmental Sustainability		√	
6.	Creating Inclusive Communities	√		
7.	Improving the Quality of Council Services and Strengthening local Democracy	√		
8.	Children and Young People		√	

Financial Implications

It is expected that the national cost to the public sector of responding to local petitions will be approximately £4.7 million per year, decreasing over time. These costs arise from increased work for council officers, time at council meetings and overview and scrutiny committees, and set up costs for e-petitions. Local authorities will each receive a grant for 2010/11. This amount will vary by local authority dependent on the local population. It is expected that funding for future years will be incorporated into the revenue support grant.

<u>CAPITAL EXPENDITURE</u>	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Departments consulted in the preparation of this Report

None

List of background papers relied upon in the preparation of this Report

Chapter 2 of Part 1 of The Local Democracy, Economic Development and Construction Act 2009

The Local Authorities (Petitions) (England) Order 2010

The Local Authorities (Petitions) (England) Order 2010 (Explanatory Memorandum)

The Local Democracy, Economic Development and Construction Act 2009

(Commencement No. 3) Order 2010

1. INTRODUCTION

- 1.1 At its meeting on 15th April 2010, Cabinet considered a report on the statutory guidance on the duty to respond to petitions and resolved that the Chief Executive, in consultation with the political group leaders, be authorised to submit a petitions scheme to the Council meeting on 13th May 2010 for implementation by the statutory deadline of 15th June 2010.
- 1.2 The proposed scheme is attached as an Appendix to this report.

2. RECOMMENDATIONS

That

- (1) the petitions scheme attached at Appendix 1 be approved for implementation; and
- (2) consequential amendments be made to the Constitution to ensure consistency with the petitions scheme.

This page is intentionally left blank

Petitions

The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

Committee and Member Services
Sefton Council
Town Hall
Lord Street
Southport
PR8 1DA

Online petitions will be available by 15th December 2010 and we will issue further information on this before the system goes live.

What are the guidelines for submitting a petition?

Petitions submitted to the council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- the name and address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. If the petition does not identify a petition organiser, we will contact the first signatory on the petition to act as petition organiser. Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council

Agenda Item 15

debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to

a planning application <http://www.sefton.gov.uk/default.aspx?page=7010>
licensing application <http://www.sefton.gov.uk/default.aspx?page=4082> ,
is a statutory petition (for example requesting a referendum on having an elected mayor) <http://www.communities.gov.uk/publications/localgovernment/petitioning>
or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates <http://www.sefton.gov.uk/default.aspx?page=3419> ,
other procedures apply. Further information on all these procedures and how you can express your views is available at the links above.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

How will the council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- holding a public meeting
- commissioning research
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee*
- writing to the petition organiser setting out our views about the request in the petition

*Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of [local partners](#) and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible [here](#).

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist

of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

Full council debates

If a petition contains more than 2,750 signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or refer the matter to another decision-making body of the Council. Where the issue is one on which another Council body or Officer are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision.

Officer evidence

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job.

If your petition contains at least 1,375 signatures, the relevant senior officer will give evidence at a public meeting of the council's overview and scrutiny committee. A list of the senior staff that can be called to give evidence can be found at Appendix A.

You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting the Overview and Scrutiny Section scrutiny@sefton.gov.uk up to three working days before the meeting.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the appropriate council overview and scrutiny committee reviews the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not

Agenda Item 15

considered to be adequate. The committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. If the appropriate overview and scrutiny committee have already dealt with the matter it will be referred to the Chief Executive and an appropriate course of action determined. Once the appeal has been considered the petition organiser will be informed of the results within 5 working days.

OFFICERS OF THE COUNCIL THAT CAN BE CALLED TO ACCOUNT

Chief Executive
Assistant Chief Executive
Transformation Director
Head of Corporate Finance and ICT Strategy
Director of Corporate Services
Strategic Director, Children, Schools and Families
Strategic Director, Communities
Strategic Director, Social Care and Wellbeing
Monitoring Officer

This page is intentionally left blank

Submission to the Council of 13 May 2010 by Mrs. 'B' and Mr. 'C' (LGO reports)

re: Gardner Avenue Allotments / LGO Reports.

10 May 2010

We wish to draw members' attention to the following issues re: LGO reports, :-

- We do not understand why it should be "inappropriate" to accept the conclusions of a lengthy and detailed inquiry by the competent authority, the LGO, that upheld our complaints and found that officers acted unlawfully.
- We have always spoken on behalf of a majority on site (see enclosed petitions) and have complied with the due process of an LGO inquiry.
We have had the consistent support of our M.P. Mr. Joe Benton, who believes we have been badly treated and subjected to the theft of our assets.
- We believe that by twice rejecting LGO reports, the Cabinet is defending proven malpractice by officers involving breaches of the law, rather than acting in the public interest.
This has not only prolonged the injustices against us, it has wasted public money in Senior Officer time by placing Sefton in conflict with the LGO for a further two years.
- Does such a conflict regarding officers who've acted unlawfully not place Sefton in an abnormal legal position?
- We therefore appeal to those members with a sense of fairness and democracy to act on behalf of the public by accepting the LGO reports and implementing the "local Settlement" agreed with the LGO by the leisure Director in February 06 (See LGO reports of 7 April 08), which he has failed to fully implement.
- Thank you for listening to our views

Agenda Item 18

PETITION No.4 - COMPENSATION CLAIM

(18) 30 June 2008

40 a.h.s.

The ombudsman has established that the new association formed on 27 January 2005 is **not** a continuation of the original Gardner Avenue Allotment Society.

Leisure Services forced all of the assets of the original society into the hands of the new association in January 2005 and has failed to ensure their return.

As a result, Leisure Services has deprived us of the use of the trading hut and its stock since January 2005 to the current date (31 May 2008).

We, the undersigned, have incurred extra costs as a result of this in the form of higher prices for stock, plus extra transport and fuel costs to get it to our allotments, averaging £15 per allotment holder per annum.

We are therefore claiming compensation from Leisure Services to reimburse the extra costs we have incurred for being deprived of the use of the trading hut and their failure to ensure its return.

Ongoing claims will be made until the hut is returned to its owners so that we can again use it to purchase stock.

	NAME	SIGNATURE	DATE	PLOT No	YRS ON SITE	PERIOD CLAIMED (Jan 05 - May 08)	AMOUNT CLAIMED
1	F. ALDRIDGE	[Signature]	6.6.08	60	6	Full Period	£50
2	W. FENNEY	[Signature]	6-6-08	39	4	FULL PERIOD	£50
3	P.M. GIBBONS	[Signature]	6-6-08	40	35	Full Period	£50
4	H. WARBURTON	[Signature]	6 6-08	55	22	FULL PERIOD	£50
5	E. Gibbons	E. GIBBONS	6.6.08	42	35	FULL PERIOD	£50
6	JOAN JONES	[Signature]	6.6.08	63	23	FULL PERIOD	£50
7	CAROL JONES	[Signature]	6.6.08	65	14 MTHS	14 MONTHS	£17.50
8	J.G. Dolan	J.G. [Signature]	8 June 08	59	23	Full Period	£50
-	DONALD JONES	P.P. [Signature]	8 TH JUNE	65	22	JANUARY 05 MARCH 07	£33.75
9	E. WARBURTON	E. Warburton	7.6.08	53	22	FULL PERIOD	£50
10	J. HADDRELL	J. Haddrell	7.6.08	49	18	FULL PERIOD	£50
11	H. GRUNDY	[Signature]	7.6.08	62	50	Full Period	£50
12	K. BURNS	MR BURNS	7.6.08	73	3	FULL PERIOD	£50
13	R. SPENCER	R. [Signature]	7.6.8	71	19	Full Period	£50
14	P. FINN	P. [Signature]	7.6.08	77	28	FULL PERIOD	£50
15	J. DOLAN	[Signature]	7.6.08	64	4	Full Period	£50
16	T. NOLAN	[Signature]			8	full period	£80

because of disorder
caused by Mr X & partners.
Page 1.

Sefton Council

Legal Dept.

Town Hall

Lord St.

Southport PR8 1DA.

Petition No. 3

18 April 2007

FOR THE ATTENTION OF THE LEGAL DIRECTOR

Dear Ms. Elwood,

RE: Gardener Avenue Allotment Site

We, the undersigned, believe that Leisure Services (LS) and I. Makins in particular have neglected their duty of care to all allotment holders (Ahs) by failing to restore good order on council land during the last two years.

Their actions have produced intolerable stress and total loss of enjoyment for a majority of Ahs during a prolonged campaign of intimidation and harassment by LS and its agents on site. This has involved them breaking allotment law, the Human Rights Act, and other legislation.

I Makins has been informed many times in countless letters, as well as two petitions (signed by a majority on site), as to who is responsible for so much trouble. The LGO enquiry has reached the same conclusion after studying the hard evidence.

Yet despite a written commitment by I Makins to all Ahs in November 2003 that immediate action would be taken against anyone responsible for threats and intimidation, LS and I Makins have done absolutely nothing to stop it.

In fact, for two years LS have elevated the trouble-makers, and their collaborators, to the position of Sefton's unofficial agents on site and have consistently supported and protected them.

By ignoring a majority view in favour of a small group of council-sponsored agitators, LS has displayed unfair discrimination to the great detriment of the common good.

We feel that I Makins is too close to the trouble-makers to be capable of restoring good order, or of fairly implementing the LGO settlement (such as returning the trading hut to its rightful owners), and we therefore request Sefton Council to appoint an impartial council officer to manage this site, someone capable of dealing with the known trouble-makers. Only then will good order be re-established.

J. Elman	PLOT 62.	MWR K BURR	73
W. Wainwright	55	G. McCain	70
M. Gibboul	40	J. Haddrell	49
G. R. Banner	66	J. G. P. C.	59
A. ...	75	J. ...	25
A. Ryan	51	J. ...	77
P. Mc Keigh	50	C. Seaman	57.
E. Mc Keigh	52	J. Seaman	57.
C. ...	42	J. ...	63
E. ...	53	C.A. JONES	65
F. Cosgrove	58	M. ...	39.
L. ...	64	M. ...	56
D. J. Gibb	44	M. ...	59
R. ...		F. Aldridge	60
A North			

Agenda Item 18

Petition No.3. addendum.

The GAAT Group
(Gardner Avenue Allotment Tenants Group)

Page 2

FAO Ms Elwood contd.

18 April 07

The GAAT group also request that Sefton immediately implement all the terms of the settlement they agreed with the LGO in July 06.

It has been established from evidence presented to the LGO enquiry that the new association formed by I. Makins on 27 January 05 IS NOT a continuation of the original society. Sefton Council have accepted this fact as part of their agreement with the LGO.

It is therefore unlawful for the new Gardner Avenue Allotment Association (GAAA) to control the assets of the original and separate Gardner Avenue Allotment Society (GAAS).

We therefore request that Sefton ensure the immediate return of all the assets of the original GAAS from the new GAAA, particularly that the trading hut be returned to its owners (i.e. those allotment holders who's labour and materials built it to donate its use to the original GAAS), so it can again be used for the purpose it was built.

It was Sefton who forcibly ensured the transfer of all GAAS assets and documents to the new association in January 05 despite our protests at the time (and since). Sefton should now ensure their return, because they are allowing a few unrepresentative agitators from the new GAAA, who have absolutely no valid legal claim to the trading hut or GAAS assets, to hold the site to ransom. Seftons inaction makes them complicit in this malpractice.

Also, those masquerading as the original GAAS should immediately cease fraudulently using that name and revert to the name they all voted for on 27 January 05 (complete with its own new set of rules and constitution) – the GAAA.

I. Makins should ensure this happens because it was he who oversaw the inauguration of his new association on 27 January 05.

Contacts:

Mrs E. Warburton
44 Gardner Avenue
Bootle
L20 6EQ

Mr J.G. Dolan
33 Derwent Drive
Litherland
L21 5HR

Mr. P. M. Gibbons
55 Gardner Avenue
Bootle
L20 6EF.

Mr. H. Grundy
173 Gardner Avenue
Bootle
L20 6EF

(34 ahs.)

We the undersigned request Sefton Council to ensure any Local Councillors who are also allotment holders, do not use their position as a councillor to unduly influence the running of Gardner Avenue Allotments.

On site, a councillor is an ordinary allotment holder and as such carries no more authority than anyone else.

We also request Sefton Council to act on the petition presented to Mr Haywood in June 2005, which has still not been acted upon

Name	Signature	Plot No
H. WARBURTON	[Signature]	65
H. WARBURTON	[Signature]	53
S. SMITH	[Signature]	70
F. ANDRIDGE	[Signature]	60
S. RYAN	[Signature]	51
J. NORTH	[Signature]	3
[Signature]	[Signature]	73
P.M. GIBBONS	[Signature]	40
J. FINN	[Signature]	77
[Signature]	[Signature]	44
E. WARBURTON	[Signature]	55
E. GIBBONS	[Signature]	42
J. Cole	[Signature]	11
A. HANNEY	[Signature]	11
M. CURTIS	[Signature]	69
A. DEVINE	[Signature]	75
J. VILKIN	[Signature]	20
K. McKEE	[Signature]	27
K. SPENCER	[Signature]	71
H. GRUNDY	[Signature]	62
J. BALDWIN	[Signature]	67
J. HADDALL	[Signature]	49 + 47
J. JAMES	[Signature]	39
F. McKEIGH	[Signature]	50
E. McKEIGH	[Signature]	52

} stand
} plot

Agenda Item 18

Petition No 1

Page 1

13 June 05

(32 allotment Holders.)

We the undersigned believe that there can be no fair, democratic election process on Gardner Avenue Allotment Site before all serious issues raised (with Leisure Services by allotment holders) since Dec 11th 2004 are fully resolved or before an adjudication by the Local Government Ombudsman.

It is therefore inappropriate to hold an A.G.M. at this time. We request that any elections be postponed until Sefton Council resolve the problems still dividing the site and until the Ombudsman makes a final judgement.

We speak as members of the original G.A.A.S. (still without a Committee since Dec 11th).

We do not speak as members of the separate and newly formed G.A.A.A. (founded by Leisure Services on Jan 27th 2005)

125 00 SITE

	Name	Signature	Plot No	
1	D. JONES	<i>[Signature]</i>	63	20 YEARS
2	J. JONES	<i>[Signature]</i>	65	20 YEARS
3	F. BRIDGGE	<i>[Signature]</i>	60	3 YEARS
4	A. DEVINE	<i>[Signature]</i>	75	4 YEARS
5	H. WARBURTON	<i>[Signature]</i>	55	20 YEARS
6	C. R. BONNER	<i>[Signature]</i>	66	5 YEARS
7	P. FINN	<i>[Signature]</i>	77	23 YEARS
8	P.M. GIBBONS	<i>[Signature]</i>	40	33 YEARS
9	J. J. M. CAIN	<i>[Signature]</i>	70	4 YEARS
10	D. J. GIBBONS	<i>[Signature]</i>	44	1 YEARS
11	M. VERRILL	<i>[Signature]</i>	50	18 YEARS
12	2 PROTS			
13	S. RYAN	<i>[Signature]</i>	51	30 YEARS
14	H. GRUNDY	<i>[Signature]</i>	62	50 YEARS
15	E. WARBURTON	<i>[Signature]</i>	55	20 YEARS
16	E. GIBBONS	<i>[Signature]</i>	42	33 YEARS
17	J. HAWLEY	<i>[Signature]</i>	11	30 YEARS
18	WILLIAM FERRER	<i>[Signature]</i>	24	3 YEARS
19	J. KILROY	<i>[Signature]</i>	26	15 YEARS
20	J. SEAMAN	<i>[Signature]</i>	57	25 YEARS
21	C. SEAMAN	<i>[Signature]</i>	57	25 YEARS
22	J. HADDRELL	<i>[Signature]</i>	49	17 YEARS
23	M. CULSHAW	<i>[Signature]</i>	69	4 YEARS
24	J. G. DOBSON	<i>[Signature]</i>	59	20 YEARS
25	P. COSGRAVE	<i>[Signature]</i>	58	15 YEARS
26	A. MACKLER	<i>[Signature]</i>	No 37	2 YEARS
27	J. NORTH	<i>[Signature]</i>	71	2 YEARS
28	R. SPENCER	<i>[Signature]</i>	71	17 YEARS
29	M. DUFFERY	<i>[Signature]</i>	38	1 YEARS
30	JANE TAYLOR	<i>[Signature]</i>	45	10 YEARS

Mr I Makins
 Leisure Services Department
 99-105 Lord Street
 Southport PR8 1RJ

26th January 2007

Dear Makins,

It has fallen to those whose complaints have been upheld by the LGO. to seek the return of assets of the original GAAS

* This letter is written following advice given by the LGO, so please accept it as a formal invoice/request for payment. *

1: Stock value (stock in Trading Hut) as at 31/12/2004 stock value £550

Tools and equipment and fittings to be notified:

2: Cash in Bank (Original GAAS) as at 31/12/2004 £2700

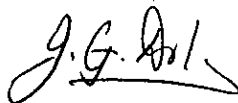

Total value £3250 (Ex. Tools & Equipment)

3: The Trading Hut: - we again request Sefton's action to secure the huts immediate return to its owners.

The return of the hut is a priority before any consideration of its value being reimbursed.

The details of the new bank account, to be opened, to accept the returned assets will be forwarded to you as soon they have been approved.

Yours truly

Mrs E Warburton

Mr J.G Dolan

Mr D Jones

USE OF COUNCIL TAXPAYERS MONEY

The use of Council Taxpayers(CT's) money should not be used to subsidise the deliberate depletion of GAAS assettes by the new Association formed on Jan 27th Jan 2005.

In order to reduce the burden on CT's Money and before Sefton reimburse the original Society with £3250 (+ tools & eqpmt)' we request Sefton to reclaim the maximum amount possible off those in the association who have wrongly taken GAAS assetts.

We do not consider it right and proper for those who joined the new Ass, and who then depleted the Society assets to now benefit from the re-imbursed assets which they in our view effectively stole.

Mr J Dolan
 33 Derwent Drive
 Litherland
 L21 5HR

Mrs E Warburton
 44 Gardner Avenue
 Bo **Page 129**
 L20 6EF

Mr D Jones
 52 Patrick Ave
 Bootle
 L20 6ER

This page is intentionally left blank