



COUNCIL SUMMONS

To Members of the Metropolitan Borough Council

Dear Councillor

You are requested to attend a Meeting of the Sefton Metropolitan Borough Council to be held on **Thursday 16th November, 2023 at 6.30 pm at the Town Hall, Southport** to transact the business set out on the agenda overleaf.

Yours faithfully,

A handwritten signature in black ink, appearing to be "D. Campbell", written over a light grey dotted background.

Chief Executive

Town Hall,
Southport

Wednesday 8 November 2023

Please contact Debbie Campbell, Democratic Services Manager
on 0151 934 2254 or e-mail debbie.campbell@sefton.gov.uk

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

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A G E N D A

1. Apologies for Absence

2. Declarations of Interest

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

3. Minutes of Previous Meetings

(Pages 7 - 26)

Minutes of the Ordinary meeting held on 14 September 2023 and the Extra-Ordinary Council meeting held on 19 October 2023

4. Mayor's Communications

Public Session

5. Matters Raised by the Public

To deal with matters raised by members of the public resident within the Borough, of which notice has been given in accordance with the procedures relating to public questions, motions or petitions set out in Paragraph 36 to 47 of the Council and Committee Procedure Rules in Chapter 4 of the Council Constitution.

(Details of any further petitions notified or questions submitted by members of the public will be circulated at the meeting).

Council Business Session

- 6. Questions Raised by Members of the Council**
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.
- 7. Draft Licensing Policy 2023** (Pages 27 - 56)
Report of the Assistant Director of Place (Highways and Public Protection)
- 8. Cheshire & Merseyside Health and Care Partnership** (Pages 57 - 68)
Report of the Assistant Director of Corporate Resources and Customer Services (Strategic Support)
- 9. Elected Member Development – Mandatory Courses for All Councillors** (Pages 69 - 74)
Report of the Executive Director of Corporate Resources and Customer Services
- 10. Financial Management 2023/24 to 2026/27 - Revenue and Capital Budget Update 2023/24 – Additional Estimates** (Pages 75 - 78)
Report of the Executive Director of Corporate Resources and Customer Services
- 11. Treasury Management Position to September 2023** (Pages 79 - 90)
Report of the Executive Director of Corporate Resources and Customer Services
- 12. Members’ Allowance Scheme 2023/24 to 2026/27** (Pages 91 - 98)
Report of the Chief Legal and Democratic Officer
- 13. Membership of Committees 2022/23**
To consider any changes to the membership of any Committees etc.
- 14. Motion submitted by Councillor Pugh - Cancellation of HS2** (Pages 99 - 100)
Copy attached
- 15. Motion Submitted by Councillor Pugh - Capital Budget** (Pages 101 - 102)
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16. Motion Submitted by Councillor Brough - Southport Pier Maintenance

(Pages 103 -
104)

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COUNCIL

MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 14TH SEPTEMBER, 2023

PRESENT: The Mayor (Councillor June Burns) in the Chair
The Deputy Mayor (Councillor Carragher) Vice Chair

Councillors Atkinson, Bradshaw, Brodie-Browne, Danny Burns, Byrom, Carlin, Cluskey, Corcoran, Cummins, D'Albuquerque, Desmond, Dodd, Dowd, Doyle, Evans, Fairclough, Grace, Halsall, Hardy, Harrison, Hart, Harvey, Keith, John Kelly, Killen, Lappin, Lloyd-Johnson, Lunn-Bates, McGinnity, McKee, Moncur, Murphy, Myers, O'Brien, Catie Page, Christopher Page, Prendergast, Pugh, Richards, Riley, Robinson, Roche, Roscoe, Shaw, Spencer, Spring, Thomas, Lynne Thompson, Tweed, Veidman, Waterfield, Sir Ron Watson and Wilson

36. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brough, Hansen, Hardman, Howard, John Joseph Kelly, Sonya Kelly, Christine Maher, Ian Maher, Morris, Anne Thompson and Webster.

37. DECLARATIONS OF INTEREST

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

38. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council Meeting held on 13 July 2023 be approved as a correct record.

39. MAYOR'S COMMUNICATIONS

Councillor Matthew Lock

The Mayor referred to the sad passing of Matthew Lock the previous weekend. Matty was a councillor with Maghull Town Council and Lydiate Parish Council. He was just 19 years old but already had a thriving business fixing vacuum cleaners, which had also given him the opportunity to appear several times on daytime television. He was an asset to Maghull

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

and Lydiate; undertaking litter picking, pruning trees and he regularly cleaned graffiti away from the local subway. He would do whatever jobs he could to make his community a better place to live.

First and foremost, he was the only child to Chris and Richard and the Mayor asked the Council to join her in sending condolences to his family. He was a superb young man and a credit to his parents.

The Council observed a one-minute silence as a mark of respect in reflecting on the sad passing of Matthew Lock.

Charity Nights

Tickets were now on sale for two of the Mayor's Charity Nights which she hoped some Members had purchased prior to the Council meeting. The first charity night would be a Divas Night on 14 October 2023 and the second, a 70's Night on 18 November 2023. All proceeds would go towards the Mayor's Charity Fund. She would also shortly be releasing details of her Gala Charity Ball which would be on Saturday 6 April 2024 at Formby Hall.

Southport Air Show

The Mayor had attended Southport Air Show on 9 September 2023 and considered that it was another fantastic event that did Sefton proud. She particularly enjoyed the Euro Fighter Display.

Civic Service

The Mayor's Civic Sunday Service was held on 10 September 2023 at the Church of St Helen, Aintree, and she thanked fellow Councillors who attended the service.

Sefton Pride

The Mayor thanked Councillor Jen Corcoran for organising the first Sefton Pride event in Southport on 16 July 2023 and she hoped the event would go from strength to strength. Event details had to be changed at the last minute due to the weather forecast, but despite that, the Mayor considered that it was a great event.

MS Queen Victoria Cruise Ship

The Mayor reported that she has presented a Sefton plaque on board the Cunard liner MS Queen Victoria during its recent arrival in Liverpool, as part of the 80th anniversary of the Battle of the Atlantic.

Knitted Mascot

The Mayor displayed a knitted teddy bear that had been presented to her by a 95-year-old sight-impaired lady who had made the toy herself.

40. MATTERS RAISED BY THE PUBLIC

The Council considered a schedule setting out the written questions submitted by:

1.	Mr. Stu Bennett to Councillor Ian Maher (Leader of the Council)
2.	Mr. Jeffrey Holloway to Councillor Atkinson (Cabinet Member – Regeneration and Skills)
3.	Mr. John Rice to Councillor Ian Maher (Leader of the Council)

together with responses given.

The members of the public who had submitted questions 1 and 3 were not in attendance at the Council meeting.

A supplementary question to question 2 was responded to by the Cabinet Member - Regeneration and Skills.

RESOLVED: That

- (1) the questions and responses, as set out in the schedule, be noted; and
- (2) a copy of the responses from the Leader of the Council and the Cabinet Member – Regeneration and Skills be forwarded to the members of the public concerned.

41. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Council considered a schedule setting out the written questions submitted by:

1.	Councillor Prendergast to the Leader of the Council (Councillor Ian Maher)
2.	Councillor Prendergast to the Deputy Leader of the Council (Councillor Fairclough)
3.	Councillor Prendergast to the Deputy Leader of the Council (Councillor Fairclough)
4.	Councillor Prendergast to the Leader of the Council (Councillor Ian Maher)
5.	Councillor Prendergast to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
6.	Councillor Prendergast to the Cabinet Member for Regeneration and

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

	Skills (Councillor Atkinson)
7.	Councillor Prendergast to the Deputy Leader of the Council (Councillor Fairclough)
8.	Councillor Prendergast to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)
9.	Councillor Evans to the Cabinet Member for Health and Wellbeing (Councillor Moncur)
10.	Councillor Doyle to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
11.	Councillor Doyle to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
12.	Councillor Pugh to the Cabinet Member for Education (Councillor Roscoe)
13.	Councillor Pugh to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
14.	Councillor Harrison to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
15.	Councillor Harrison to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
16.	Councillor Prendergast to the Leader of the Council (Councillor Ian Maher)
17.	Councillor Shaw to the Cabinet Member for Children's Social Care (Councillor Doyle)
18.	Councillor Brodie-Browne to the Cabinet Member for Education (Councillor Roscoe)
19.	Councillor Brodie-Browne to the Cabinet Member for Health and Wellbeing (Councillor Moncur)
20.	Councillor Shaw to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
21.	Councillor Lloyd-Johnson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
22.	Councillor Prendergast to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
23.	Councillor D'Albuquerque to the Cabinet Member for Children's

	Social Care (Councillor Doyle)
24.	Councillor Keith to the Deputy Leader of the Council (Councillor Fairclough)

together with responses given. Supplementary questions to questions 2, 3, 7, 11, 12, 13, 17, 18, 19 and 20, were responded to by the Deputy Leader of the Council; and the Cabinet Members – Children’s Social Care, Education, Health and Wellbeing; and Regeneration and Skills.

42. HIGH NEEDS FUNDING 2023/24 QUARTERLY MONITORING UPDATE

Further to Minute No. 39 of the meeting of the Cabinet held on 27 July 2023, the Council considered the report of the Assistant Director of Children’s Services (Education) that advised of:

1. The monitoring position of the High Needs budget position on 1 July 2023, as per the previous agreement to provide regular updates, and included:
 - The forecast expenditure to year end based on current / anticipated Special Educational Needs and Disability (SEND) support required during 2022/23.
 - The provisional High Need budget forecast for the 2023/24 financial year based on announced funding levels and estimated High Needs demands.

2. An update on the current SEN Review / Sufficiency Programme aimed at bringing High Needs expenditure pressures back into a more manageable financial position in the future including the outcomes from the work to date on the national Delivering Better Value Programme

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

RESOLVED: That

Dedicated Schools Grant (DSG) – High Needs Budget

- (1) the current forecast position relating to the 2023/24 High Needs Budget be noted;

- (2) the forecast accumulative deficit position of the High Needs Budget be noted;

- (3) the provisional potential deficit position facing the 2023/24 High Needs Budget be noted;

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

Update on the Special Educational Needs (SEN) Review / Sufficiency Programme

- (4) the outcomes from the Delivering Better Value Programme be noted; and
- (5) the continuing work being undertaken through the SEN Review/ Sufficiency Programme be noted.

43. ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE 2022-2023

Further to Minute No. 16 of the meeting of the Audit and Governance Committee held on 6 September 2023, the Council considered the report of the Executive Director of Corporate Resources and Customer Services which formally presented the Annual Report of the Audit and Governance Committee 2022-2023.

This was the second year an annual report had been presented which contained updates on the following sections:

- Audit and Governance Committee Work Programme 2022-2023
- Assurance Activity
- Risk Management
- Treasury Management
- Statement of Accounts and External Auditors
- Information Governance/Constitution Updates
- Audit and Governance Self-Assessment Exercise
- Appointment of an Independent Member
- Audit and Governance Committee Member Training and Development
- Outcomes/Achievements

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

RESOLVED:

That the 2022-2023 Annual Report of the Audit and Governance Committee be approved.

44. PROPER OFFICER FUNCTIONS

The Council considered the report of the Executive Director of Corporate Resources and Customer Services seeking approval to the statutory duties in relation to Electoral Administration and of the Returning Officer in relation to Parliamentary, Local, Parish Elections and Referenda being attached to the post of the Chief Executive, Philip Porter with effect from 15 September 2023.

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

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

RESOLVED:

That the proposal that the Electoral Registration Officer Functions for the registration of Parliamentary and Local Government Electors and Returning Officer Functions for Parliamentary, Local, Parish Elections and Referenda under all relevant legislation, be attached to the post of the Chief Executive, Philip Porter and the current post holder be appointed to act as the Proper Officer for all related functions and relevant legislation with effect from 15 September 2023, be approved.

45. TREASURY MANAGEMENT OUTTURN 2022/23

Further to Minute No. 45 of the meeting of the Cabinet held on 27 July 2023, the Council considered the report of the Executive Director of Corporate Resources and Customer Services providing a review of the Treasury Management activities undertaken during 2022/23 and an update to 30 June 2023. The Cabinet received the outturn report to allow monitoring against the Treasury Management Policy and Strategy and Prudential Indicators approved by the Cabinet and Council in March 2022. The report was also provided to the Audit and Governance Committee, whose role it was to carry out scrutiny of treasury management policies and practices.

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

RESOLVED:

That the Treasury Management position during 2022/23 and the update to 30 June 2023 be noted, together with the review of the effects of decisions taken in pursuit of the Treasury Management Strategy and the implications of changes resulting from regulatory, economic and market factors affecting the Council's treasury management activities.

46. FINANCIAL AND CORPORATE PERFORMANCE 2022/2023

Further to Minute No. 47 of the meeting of the Cabinet held on 27 July 2023, the Council considered the report of the Executive Director of Corporate Resources and Customer Services on the revenue and capital outturn position in relation to the 2022/23 financial year. The report outlined key variations and, where appropriate, any impact on future years' financial performance. In addition, the report provided details of the Council's Corporate Performance for 2022/23 and current corporate risks.

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

RESOLVED:

Revenue Outturn

That the addition and utilisation of the Earmarked Reserves, as detailed in paragraph 6.4.(a), (c) and (d) in the report, be approved.

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

47. FINANCIAL MANAGEMENT 2023/24 TO 2026/27 - REVENUE AND CAPITAL BUDGET UPDATE 2023/24 – SEPTEMBER UPDATE

Further to Minute No. 63 of the meeting of the Cabinet held on 7 September 2023, the Council considered the report of the Executive Director of Corporate Resources and Customer Services advising of:

- 1) The current position relating to the 2023/24 revenue budget.
- 2) The current forecast on Council Tax and Business Rates collection for 2023/24.
- 3) The monitoring position of the Council's capital programme to the end of July 2023:
 - 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.
- 4) The latest performance management information for 2023/24.

The following Appendices were attached to the report:

- Appendix A – Capital Programme 2023/24 to 2025/26
- Appendix B – Performance Information 2023/24 – Quarter 1

The Cabinet had approved a number of recommendations, three of which required Council approval.

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

RESOLVED:

That:

Revenue Budget

- (1) a supplementary revenue estimate for £2.319m for Adult Social Care funded from the Market Sustainability Improvement Fund (MSIF): Workforce Fund be approved; and
- (2) a supplementary revenue estimate for £1.000m for Education Excellence funded from the Delivering Better Value in SEND Programme grant, subject to final approval from the Department for Education, be approved; and

Capital Programme

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

- (3) a supplementary capital estimate for £1.300m for the Local Authority Housing Fund, funded by grant from the Department for Levelling Up, Housing and Communities (DLUHC), be approved.

48. FINANCIAL MANAGEMENT 2023/24 TO 2026/27 – MEDIUM TERM FINANCIAL PLAN 2024/25 TO 2026/27

Further to Minute No. 64 of the meeting of the Cabinet held on 7 September 2023, the Council considered the report of the Executive Director of Corporate Resources and Customer Services advising of:

1. the update to the Medium-Term Financial Plan (MTFP) for 2024/25 to 2026/27 taking account of all currently available information.
2. an update on other areas that informed financial decision making including the Council's reserves position, its growth programme, its position on its wholly owned council companies and the High Needs budget as these were all interlinked with the MTFP.

The Cabinet had resolved (Minute No. 64) that:

- (1) the updated Medium-Term Financial Plan for 2024/25 to 2026/27 and any assumptions made, be noted; and
- (2) the Council be recommended to approve the updated Medium-Term Financial Plan for 2024/25 to 2026/27 and any assumptions made.

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

RESOLVED:

That the updated Medium-Term Financial Plan for 2024/25 to 2026/27 and any assumptions made be approved.

49. COUNCIL CONSTITUTION - RULE 46 (WAIVING CALL-IN) PROVISIONS

The Council considered the reports of the Leader of the Council in relation to two matters that were dealt with in accordance with Rule 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 Fairclough, seconded by Councillor Hardy and

RESOLVED:

That the reports be noted.

50. MEMBERSHIP OF COMMITTEES 2023/24

The Mayor advised that the Audit and Governance Committee had appointed a non-voting Independent Member, Rachel Oakes, effective

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

from 1 June 2023. The Mayor reported that the Labour Group wished to replace Councillor Lunn-Bates with Councillor Hart on the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee.

RESOLVED:

Audit and Governance Committee

That the following addition be made the membership of the Audit and Governance Committee:

Non-voting Independent Member - Rachel Oakes

Merseyside Integrated Care System Joint Health Scrutiny Committee

Councillor Hart to replace Councillor Lunn-Bates.

51. MOTION SUBMITTED BY COUNCILLOR PRENDERGAST - MEMBERS' ALLOWANCES

It was moved by Councillor Prendergast, seconded by Councillor Sir Ron Watson and unanimously

RESOLVED:

Members' Allowances

The Leader of the Council will know that those Elected Members who resigned the Labour Whip and sat for a period as Independents refused to participate in the full workings of the Council by deciding not to accept positions on the Council's Committees.

Committee work is a critical part of the responsibilities of all Councillors and there is no precedent in the history of Sefton for Members taking the position that has been outlined.

Whilst those concerned at the time were prepared to undertake what can best be described as 'Ward work' deciding to absent themselves from a clear element of responsibility can best be described as a dereliction of duty and is not in the best interests of their constituents.

One element of Members' Allowances clearly reflects the need to play a full part in the work of a Councillor and in these circumstances would the Leader of the Council agree to make representations to the Local Government Association to give Local Authorities the authority to reduce the Members' allowance in cases such as this to reflect the concern at the lack of full involvement in the responsibilities Members should accept when elected.

There is no current provision within the regulations set nationally to allow this level of local discretion based on circumstances such as those

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

outlined which is why representations to the LGA represents the best way forward in terms of granting Councils the ability to make their own decisions in this area.

Therefore, this Council resolves:

- to ask the Leader of the Council to make representations to the Local Government Association that they raise this issue at a national level.
- To ask the Leader of the Council to write to the Secretary of State to request a review of the current regulations around Member's Allowances so that Local Authorities have greater discretion in being able to reduce payments to those Members who have been allocated committee places but refuse to take them up.

52. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON - VEHICLE PARKING DUKES WARD

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

Vehicle Parking Dukes Ward

Whilst it is accepted that Notices of Motion should normally be submitted when they have some bearing on the policy and/or strategic direction of the Council but there are occasions when a longstanding ward issue for Members who represent the area reach the stage where they need a higher level of senior involvement at both Member and Officer level.

Dukes Ward in Birkdale is the site of the Smedley Hydro complex.

The Smedley site provides a very important public service and employs not insignificant numbers of the local population in the Borough and on those two criteria alone it is an asset.

However, a complex of this size would not now be granted planning permission and it is no exaggeration to say that there has been a constant problem for decades over the vexed issue of car parking for Smedley employees.

Whilst the Council has made serious efforts to resolve some of the issues it remains a contentious problem and the adjoining residential roads and avenues suffer as a result as far as local residents and visitors are concerned. The attempts made so far have to a large degree simply moved the problem from one area to another.

Whilst it was hoped that the move towards home working would alleviate the problem it does not seem to have made any discernible difference.

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

Ward Councillors have attempted to have the Highways Department, in conjunction with other agencies such as the Police, undertake a thorough overall review but Councillors have been advised that the resources required to do such an in-depth study are not available and this financial aspect is one reason why wider consideration needs to be given to helping resolve the difficulties.

The Council therefore resolves to:

- (1) Initiate and undertake a thorough review of parking in the area affected and as part of this process invite other interested parties;
- (2) Smedley Hydro management should be asked to provide senior managerial input as part of this process;
- (3) As there is involvement by the Home Office on a national basis in addition to the representations already made the Member of Parliament should form an integral part of the issues to be addressed;
- (4) The Southport & Birkdale Cricket Club should also be included as they had previously provided, by agreement with Smedley Hydro, car parking facilities for Smedley Hydro staff; and
- (5) Residents of the area should be consulted and the appropriate documentation provided to enable them to have their own individual input. Such a process now remains the only viable option and what is outlined in terms of recommendations would in itself help mitigate the continual and growing concern from reasonable residents whose lives are often blighted by this situation.

Following a debate on the **Motion** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **Motion was lost** by 43 votes to 11 with 1 abstention.

53. MOTION BY COUNCILLOR LLOYD-JOHNSON - TWO CHILD BENEFITS CAP

It was moved by Councillor Lloyd-Johnson, seconded by Councillor Pugh:

Two Child Benefits Cap

We read with great sadness that Government figures for 2020-21 show that in Sefton 9501 (16%) of children and young people aged 0-19 were living in relative poverty¹. Relative poverty is defined by the Joseph Rowntree Foundation as, "where households have less than 60% of contemporary median income²."

¹ <https://www.sefton.gov.uk/media/6096/childhood-poverty-strategy-2022.pdf>

² <https://www.jrf.org.uk/about-us/what-is-poverty>

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

The Department for Work and Pensions puts the 60% figure at just £202 per week for a lone parent with one child or £367 per week for a couple with 2 children³.

We believe that this situation is unsustainable, particularly as economic turmoil continues in the United Kingdom. We are in a cost-of-living crisis and the Government should be acting to protect those in society who are most vulnerable. There can be few more vulnerable than children born into homes who simply do not have enough income to pay for the most basic items and services.

The two-child benefit cap prevents parents from claiming child tax credit or universal credit for any third or subsequent child born after April 2017⁴. It has affected an estimated 1.5 million children⁵.

We believe the two-child benefit cap is economically misguided, societally damaging and immoral.

This Council notes;

House of Commons Library data shows that if the cap was removed it would lift 270,000 households out of poverty at a cost of £1.4 billion⁶.

Poverty in childhood has been strongly linked to detrimental effects in later life. Those born into poverty are proportionally more likely to suffer homelessness, addiction issues and family breakdown⁷.

This Council resolves to;

Put on record its support for the removal of the two-child benefit cap.

Ask the Council's Chief Executive to write to the Chancellor and Shadow Chancellor expressing these views and making them aware of the Sefton Child Poverty Strategy.

Ask the Council's Chief Executive to write to each of the Members of Parliament representing areas within the borough, expressing the Council's support for the scrapping of the two-child benefit cap.

Release, through the Council's existing press mechanisms, a public statement that makes clear that councillors have resolved that they support the removal of the two-child benefit cap.

Following a debate on the **Motion** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **Motion was carried** by 52 votes to 3 and it was:

³ <https://trustforlondon.org.uk/data/poverty-thresholds/>

⁴ <https://www.theguardian.com/society/2023/jul/16/two-child-benefit-cap-explainer>

⁵ <https://www.theguardian.com/society/2023/jul/16/two-child-benefit-cap-explainer>

⁶ <https://edm.parliament.uk/early-day-motion/61220/the-twochild-benefit-cap>

⁷ <https://www.jrf.org.uk/about-us/what-is-poverty>

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

RESOLVED:

Two Child Benefits Cap

We read with great sadness that Government figures for 2020-21 show that in Sefton 9501 (16%) of children and young people aged 0-19 were living in relative poverty⁸. Relative poverty is defined by the Joseph Rowntree Foundation as, “where households have less than 60% of contemporary median income⁹.”

The Department for Work and Pensions puts the 60% figure at just £202 per week for a lone parent with one child or £367 per week for a couple with 2 children¹⁰.

We believe that this situation is unsustainable, particularly as economic turmoil continues in the United Kingdom. We are in a cost-of-living crisis and the Government should be acting to protect those in society who are most vulnerable. There can be few more vulnerable than children born into homes who simply do not have enough income to pay for the most basic items and services.

The two-child benefit cap prevents parents from claiming child tax credit or universal credit for any third or subsequent child born after April 2017¹¹. It has affected an estimated 1.5 million children¹².

We believe the two-child benefit cap is economically misguided, societally damaging and immoral.

This Council notes;

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This Council resolves to;

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⁸ <https://www.sefton.gov.uk/media/6096/childhood-poverty-strategy-2022.pdf>

⁹ <https://www.jrf.org.uk/about-us/what-is-poverty>

¹⁰ <https://trustforlondon.org.uk/data/poverty-thresholds/>

¹¹ <https://www.theguardian.com/society/2023/jul/16/two-child-benefit-cap-explainer>

¹² <https://www.theguardian.com/society/2023/jul/16/two-child-benefit-cap-explainer>

¹³ <https://edm.parliament.uk/early-day-motion/61220/the-twochild-benefit-cap>

¹⁴ <https://www.jrf.org.uk/about-us/what-is-poverty>

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

Ask the Council's Chief Executive to write to the Chancellor and Shadow Chancellor expressing these views and making them aware of the Sefton Child Poverty Strategy.

Ask the Council's Chief Executive to write to each of the Members of Parliament representing areas within the borough, expressing the Council's support for the scrapping of the two-child benefit cap.

Release, through the Council's existing press mechanisms, a public statement that makes clear that councillors have resolved that they support the removal of the two-child benefit cap.

54. MOTION SUBMITTED BY COUNCILLOR CORCORAN - REFORM OF THE CRIMINAL JUSTICE SYSTEM: SUPPORTING THE 'FACE THE FAMILY' CAMPAIGN

It was moved by Councillor Corcoran, seconded by Councillor Harvey and unanimously

RESOLVED:

Reform of the Criminal Justice System: Supporting the 'Face the Family' campaign

Council notes that currently offenders can choose not to appear in court for sentencing, including hearing victim impact statements. This can add to families and victims' suffering, as they are deprived the opportunity of presenting victim impact statements with offenders present. This was highlighted recently when Thomas Cashman refused to appear in court after being found guilty of the murder of nine-year-old Olivia Pratt-Korbel.

Council further notes the 'Face the Family' campaign, coordinated by Radio City, which is calling for a change to the law to insist offenders come into court for sentencing, or face possible additional penalty. Local MPs, our PCC, and others are asking for the government to introduce a new law to make offenders be present in court. This could be done by including it in the Victim and Witnesses Bill currently going through Parliament. This includes a current online petition.

Council supports the call for this change in the law to make our criminal justice system more supportive of victims and states its support of the 'Face the Family' campaign.

Council therefore calls on the Leader and Chief Executive to write to the Justice Minister setting out the terms of this motion, stating our support for the campaign and urge him to bring forward legislation as soon as possible.

55. MOTION SUBMITTED BY COUNCILLOR CORCORAN - HATE CRIME AMBASSADORS

Agenda Item 3

COUNCIL - THURSDAY 14TH SEPTEMBER, 2023

It was moved by Councillor Corcoran, seconded by Councillor Spring and unanimously

RESOLVED:

Hate Crime Ambassadors

This Council notes that

A hate crime is any behaviour that someone thinks was caused by hostility, prejudice or hatred of their:

- Disability (including physical impairments, mental health problems, learning disabilities, hearing and visual impairments)
- Gender Identity (people who are transgender, transsexual or transvestite)
- Race, skin colour, nationality, ethnicity or heritage
- Religion, faith or belief (including people without a religious belief)
- Sexual orientation (people who are lesbian, gay, bisexual or heterosexual etc.)

It can include:

- name calling or verbal abuse
- graffiti or abusive writing
- damage to property
- threats or intimidation
- bullying or harassment
- physical attacks or violence, including sexual violence, arson and murder.

Anyone can be a victim of hate crime if they are targeted because of who they are, their friends or family or even who the perpetrator thinks they are.

If a court finds that any offence was aggravated by, or committed because of prejudice or hostility on any of the above grounds, then a more severe sentence can be imposed on the perpetrator.

Figures for hate crime, and non-crime hate incidents in Sefton (supplied by the office of the Police and Crime Commissioner) are as follows:

2020 – 589;
2021 – 654;
2022 – 756

This shows a steady increase.

This Council believes that:

Hate incidents and hate crimes are still underreported

Although we cannot be sure whether the increase means more incidents, or an increase in reporting, we believe that hate crime has no place in our society.

This Council resolves to:

Condemn racism, xenophobia, sexism, homophobia, transphobia and hate crimes of any description;

Reassure our residents, workers and visitors that Sefton is a welcoming borough which strives to be diverse and tolerant;

Undertake Hate Crime Ambassador training to champion awareness, increase public confidence and support reporting in our communities, including how to report a hate crime, and third party reporting.

Source for definition

<https://www.merseysidepcc.info/get-involved/resources-campaigns/hate-crime/>

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COUNCIL

MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 19TH OCTOBER, 2023

PRESENT: The Mayor (Councillor June Burns) in the Chair
The Deputy Mayor (Councillor Carragher) Vice Chair

Councillors Atkinson, Danny Burns, Cluskey, Corcoran, Cummins, Desmond, Doyle, Evans, Fairclough, Grace, Hansen, Hardman, Hardy, Hart, Harvey, Howard, John Kelly, Killen, Lloyd-Johnson, Christine Maher, Ian Maher, McGinnity, Moncur, O'Brien, Catie Page, Christopher Page, Robinson, Roche, Roscoe, Shaw, Spring, Thomas, Tweed and Webster

56. WELCOME AND APOLOGIES FOR ABSENCE

The Mayor reported that it was her immense pleasure to welcome everyone present to the Extra-Ordinary Council meeting, when Members of the Council would be requested to agree to the Freedom of the Borough being conferred on Alex Greenwood, which was the highest honour the Council could bestow on any individual or organisation.

The Mayor reported that the Council was very honoured to have the Lord Lieutenant of Merseyside and honoured guests present at the meeting.

Apologies for absence were received from:

Councillors Bradshaw, Brodie-Browne, Brough, Byrom, Carlin, D'Albuquerque, Dodd, Dowd, Halsall, Harrison-Kelly, Keith, John Joseph Kelly, Sony Kelly, Lappin, Lunn-Bates, McKee, Morris, Murphy, Myers, Prendergast, Pugh, Richards, Riley, Spencer, Anne Thompson, Lynne Thompson, Veidman, Waterfield, Sir Ron Watson and Wilson.

57. FREEDOM OF THE BOROUGH - ALEX GREENWOOD

It was moved by Councillor Ian Maher, seconded by Councillor Hardy, supported by Councillor Lloyd-Johnson and, unanimously

RESOLVED:

That in accordance with Section 249 (5) of the Local Government Act 1972, this Council wishes to place on record its high appreciation of Alex Greenwood as an ambassador for Bootle and an outstanding role model for women and girls in sport and football, and in the light of her hard work, dedication and success, the Council resolves that the Honorary Freedom

Agenda Item 3

COUNCIL - THURSDAY 19TH OCTOBER, 2023

of the Borough be conferred on Alex Greenwood in recognition of her outstanding achievements.

Agenda Item 7

Report to:	Licensing and Regulatory Committee Council	Date of Meeting:	6 November 2023 16 November 2023
Subject:	Final draft revised statement of Licensing Policy – Licensing Act 2003		
Report of:	Assistant Director Place (Highways and Public Protection)	Wards Affected:	(All Wards);
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	N	Included in Forward Plan:	N
Exempt / Confidential Report:	N		

Summary:

To seek Members' comments on the final draft revised Statement of Licensing Policy and to then refer to Council for approval.

Recommendation(s):

That the Licensing and Regulatory Committee:

- i) Consider and agree the final draft of the revised Statement of Licensing Policy, attached at Annex 2; and,
- ii) Refer the agreed revised Statement of Licensing Policy to Council for approval.

That Council:

- i) Approve the revised Statement of Licensing Policy, attached at Annex 2.

Reasons for the Recommendation(s):

To enable the timely review of the Statement of Licensing Policy.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

Agenda Item 7

There are no revenue implications associated with the proposals in this report; any costs will be met from existing budgets.

(B) Capital Costs

There are no capital implications associated with the proposals in this report.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None.	
Legal Implications: None.	
Equality Implications: There are no equality implications.	
Impact on Children and Young People: None.	
Climate Emergency Implications: The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y
This is an information only Report and contains no proposals that will alter any impact on climate change.	

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Yes
Facilitate confident and resilient communities:
Commission, broker and provide core services: Yes
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:

Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services has been consulted and notes the report indicates no direct financial implications for the Council. (FD 7399/23).

The Chief Legal and Democratic Officer has been consulted with regard to any legal implications and any comments have been incorporated into the report. (LD 5599/23).

(B) External Consultations

Consultation exercise took place between 3 April 2023 and 5 June 2023.

Implementation Date for the Decision

9 December 2023

Contact Officer:	Mark Toohey
Telephone Number:	
Email Address:	mark.toohey@sefton.gov.uk

Appendices:

- Annex 1 – Responses received to consultation exercise.
- Annex 2 – Final draft revised Statement of Licensing Policy
- Annex 3 – List of revisions to the 2023 draft policy

Background Papers:

There are no background papers available for inspection.

1. Background

- 1.1 Section 5 of the Licensing Act 2003 (“the LA03”) formally requires that the Licensing Authority has to prepare and publish a statement of its licensing policy (“the Policy”) every five years. During each five year period, the Licensing Authority must keep the Policy, in respect of that period, under review and make such revisions to it, at such times, as it considers appropriate.
- 1.2 The existing Policy has been kept under review since coming into force on 9 December 2018 and no revision had been deemed necessary to date. It has now been reviewed for a revised Policy to come into effect from 9 December 2023 (when the new five year cycle will commence). A list of the revisions is attached as annex 3.

Agenda Item 7

1.3 Before determining its Policy, the Licensing Authority must consult the persons listed in Section 5(3) of the LA03. Those being:

- The chief officer of police for the area;
- The fire authority for the area;
- The Director of Public Health;
- Persons/bodies representative of local holders of premises licences;
- Persons/bodies representative of local holders of club premises certificates;
- Persons/bodies representative of local holders of personal licences; and,
- Persons/bodies representative of businesses and residents in its area.

1.4 The views of the above have to be given appropriate weight when the Policy is being determined. In addition to the above, the Authority must also have regard to Guidance issued under Section 182 of the LA03 by the Home Office.

2.0 Consultation process

2.1 The consultation exercise took place between 3 April 2023 and 5 June 2023.

2.2 There is a statutory requirement to consult those persons outlined within Paragraph 1.3 prior to producing any revised Policy.

2.3 Beyond these statutory requirements, it is for each licensing authority to decide the full extent of its consultations and whether any particular person or body is representative of the group described in the statute.

2.4 As with previous consultation exercises undertaken (with both the Gambling Act 2005 Statement of Licensing Policy and the previous revisions of the LA03 Statement of Licensing Policy) general awareness of the consultation process, and access to the draft Policy, was increased by:

- i) Publishing the draft revision, a list of the alterations made, a consultation response proforma and general information on the Sefton Council Website (www.sefton.gov.uk) and via Sefton Council's Consultation Finder (www.engagespace.co.uk/sefton);
- ii) News items placed on the various Sefton Council social media pages;
- iii) Placing copies of the draft revision, and the list of the alterations made, in local libraries; and,
- iv) Through press releases to all local press agencies.

2.5 In addition to the general consultation/awareness raising referred to above the following specific consultations were undertaken:

- i) Letters to Merseyside Police; Merseyside Fire and Rescue; the local Health Body; Sefton Council Environmental Health & Licensing Section; Sefton Council Planning; Sefton Council Safeguarding Children's Unit; and Home Office Immigration Enforcement.
- ii) Letters to the following Organisations: British Beer & Pub Association; British Institute of Innkeepers; Federation of Licensed Victuallers Association; Association of Licensed Multiple Retailers; Association of

Convenience Stores; The Wine and Spirit Trade Association; Committee of Registered Clubs Association; BIAB, Highfield Awarding Body for Compliance, Laser Learning Awards, Pearson Education Ltd, QNUK, Quallsafe Awards, SFJ Awards, SQA and Training Qualifications UK.

- v) Letters to Sefton Chamber of Commerce and the Southport BID Team.
- vi) Letters to all Borough Councillors, Sefton Members of Parliament and Parish Council Clerks.

3.0 Draft Policy 2023

- 3.1 No further revisions to the draft policy are suggested as a result of the consultation exercise.
- 3.2 A copy of the final draft of the Policy is to be found within Annex 2.

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Licensing Policy 2023 Consultation Responses

Which best describes you? - Respondent	If you are a business or an organisation, please tell us the name of the business or organisation. - Name of business or organisation.	What is your job in the business or organisation? - Job role.	Please provide a brief description of who the business or organisation represents. - Comments about business.	Do you have any comments about the Statement of Licensing Policy or the proposed changes? - Comments	How old are you? - Age
A Sefton resident.	Not Answered	Not Answered	Not Answered	No	60 - 69

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SEFTON METROPOLITAN BOROUGH COUNCIL

LICENSING ACT 2003

LICENSING POLICY STATEMENT

Draft Version 2023

Agenda Item 7

CONTENTS	PAGE
1.0 General Statement <ul style="list-style-type: none">• Sefton	
2.0 Scope <ul style="list-style-type: none">• Personal Licences• Premises Licences and Club Premises Certificates• Late Night Refreshment• Temporary Event Notices	
3.0 Licensing Objectives <ul style="list-style-type: none">• Prevention of Crime and Disorder• Public Safety• Prevention of Public Nuisance• Protection of Children from Harm	
4.0 Links to Other Policies	
5.0 The Licensing Process <ul style="list-style-type: none">• Hearings• Reviews of Licences	
6.0 Licensing Hours	
7.0 Children	
8.0 Licensing Conditions	
9.0 Cumulative Impact Assessment	
10.00 Enforcement	

ANNEXES

The following annexes do not form part of the approved Statement of Licensing Policy but are included to assist applicants in meeting the requirements of the licensing process.

- Annex 1 - Map of Sefton
- Annex 2 - Contact details for responsible authorities
- Annex 3 - Crime and Disorder
- Annex 4 - Public Safety
- Annex 5 - Public Nuisance
- Annex 6 - Children

1.0 GENERAL STATEMENT

- 1.1 Sefton Metropolitan Borough Council (“the Council”) is the Licensing Authority (“the Authority”), under the Licensing Act 2003 (“the Act”), responsible for granting Premises Licences, Club Premises Certificates, Temporary Event Notices and Personal Licences in respect of the retail sale and/or supply of alcohol and the provision of Regulated Entertainment and Late Night Refreshment.
- 1.2 The Act requires that the Council publish a statement of licensing policy. Accordingly this policy statement has been prepared and published in compliance with the requirements of Section 5 of the Act and with regard to guidance issued under Section 182 of that Act. In drawing up this policy the Council has also had regard to the nature of the Borough and the needs and wishes of the communities it serves and has consulted with all the statutory consultees and other appropriate bodies.
- 1.3 This policy statement sets out the general approach to the making of licensing decisions. It does not prevent any individual from making any application, under the terms of the Act, and having that application considered on its individual merits. Nor does it override the right of any person to make representations on an application or to seek a review of a licence or certificate where the Act allows them to do so.
- 1.4 This policy statement will be subject to a periodic review every five years, between those periodic reviews it may also be subject to ongoing reviews, particularly where feedback indicates that the Licensing Objectives are not being met.
- 1.5 In carrying out its licensing functions the Authority will promote the Licensing Objectives which are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

See Section 3.0 for more information.

Sefton

- 1.6 Sefton is one of the six Metropolitan Boroughs that make up Merseyside. It lies in the northern part of the Liverpool City Region with which it shares close economic, social, cultural and transport links and stretches 22 miles north from Bootle to Southport. It also has important links to Preston and West Lancashire. Sefton adjoins the City of Liverpool to the south, the borough of Knowsley to the south-east, and the largely rural West Lancashire elsewhere. The location of Sefton is shown by the map provided at Annex 1.
- 1.7 Sefton is an area of great contrasts with beautiful coastlines, rural landscapes and industrial/commercial areas; working docklands, commuter towns and a busy seaside resort; areas of great affluence but also some of the most deprived

Agenda Item 7

communities in England and Wales. Sefton has a number of famous features that help make it distinctive. These include the resort of Southport, an outstanding natural coast, the home of the Grand National at Aintree, England's 'golf coast' including Royal Birkdale, and Antony Gormley's 'Iron Men' sculptures on Crosby beach with most of the Port of Liverpool being situated in the south of the Borough.

- 1.8 Sefton has a resident population of 275,899 (2021 census) and has a high proportion of retired people, widowed people and long term unemployed when compared with the rest of England and Wales.
- 1.9 The main centres of population are the urban and suburban areas of Bootle, Crosby, Maghull, Formby and Southport.
- Bootle is an area of mainly Victorian terraced properties, with busy working docklands and a mixture of retail and office developments at its centre. In recent years, much of the area was designated as part of the Merseyside 'Housing Market Renewal Area'. The initiative has begun to change the housing quality, type and tenure available, mainly through demolition of low-demand homes and clearance of low grade or vacant industrial sites and rebuilding of new homes.
 - Southport at the north of the Borough has a traditional, quality image, borne out of its Victorian and Edwardian architectural and landscape grandeur. This heritage has led to Southport being described as a 'classic resort'. This, coupled with family attractions and recent growth in 'eco-tourism', has enabled it to endure changing holiday patterns. There has been significant investment in the town centre and Seafront in recent years, but both its leisure and retail areas continue to need to be revitalised. Southport Business Improvement District, the Council, Merseyside Police, Pubwatch, Light for Life and Street Pastors have been successful in applying for Purple Flag status.
 - Formby, Crosby and Maghull are largely residential with a smaller number of commercial premises, there are therefore relatively few employment areas here. These are however distinctive settlements in their own right, and all function as commuter settlements for the Liverpool City Region.
- 1.10 The Local Plan for Sefton will allow development in town centre areas as long as it does not cause significant harm to amenity, would not result in grouping of similar uses which would harm the character of the area or harm residential amenity. Planners may use conditions to restrict opening hours.
- 1.11 Sefton's profile is reflected by statistics that show over 75% of the jobs in the borough are in the service sector and an adaptable and skilled workforce, that have an acknowledged excellent labour relations record.
- 1.12 Noise has been a problem in certain areas and from certain premises, with complaints about licensed premises tending to relate to poorly constructed or poorly managed premises. Complaints are also received about noise and

disturbance from people going to or leaving licensed premises, this is mainly in the areas of greatest concentration of licensed premises or from premises located in residential areas.

- 1.13 Trains and buses do not operate all night and whilst there are up to 2000 licensed taxis and private hire vehicles in the borough, problems can arise at times of high demand with insufficient transport readily available for the large numbers of potential customers.

2.0 SCOPE

2.1 This Policy Statement covers the following ‘licensable activities’:

- The licensing of individuals for the retail sale of alcohol (Personal Licence);
- The licensing of premises for the retail sale of alcohol, provision of regulated entertainment or late night refreshment (Premises Licence);
- The supply of alcohol or the provision of regulated entertainment to certain clubs (Club Premises Certificate);
- The permitting of certain licensable activities on a temporary basis (Temporary Event Notice)

2.2 In this regard the policy covers new applications, transfers, variations and minor variations of Licences and also includes the review of Licences and Certificates, which could lead to revocation.

2.3 It should be noted that incomplete applications will be returned to the applicant and the period for determination will not commence until a valid application has been submitted.

Personal Licences

2.4 A Personal Licence is granted to an individual and authorises the supply of alcohol in accordance with a Premises Licence.

2.5 An applicant has to demonstrate that they have an appropriate licensing qualification, are aged over 18 years, do not have a relevant or foreign criminal conviction or have been required to pay an immigration penalty. In addition they must also demonstrate that they have the right to work within the United Kingdom.

2.6 The holder of a Personal Licence is required by the Act to report (as soon as reasonably practicable) to the Licensing Authority any change to their name or address. Similarly should they receive a conviction for any relevant criminal offence or foreign offence or have been required to pay an immigration penalty they must report this in writing (again as soon as reasonably practicable). On receipt of which the Licensing Authority has the discretion to suspend, for up to 6 months, or to revoke the Licence. In addition any Personal Licence issued in

Agenda Item 7

respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the United Kingdom.

- 2.7 Further information on this type of Licence can be found on the Sefton Council website at www.sefton.gov.uk.

Premises Licences and Club Premises Certificates

- 2.8 A Premises Licence / Club Premises Certificate is required for any premises where it is intended that a licensable activity should take place.

- 2.9 The Act states that the following persons may apply for a Premises Licence in respect of any premises:

- A person who carries on, or proposes to carry on, a business which involves the use of the premises for the licensable activities to which the application relates;
- Any person who makes the application pursuant to:
 - i) any statutory function discharged by that person which relates to those licensable activities, or
 - ii) any function discharged by that person by virtue of Her Majesty's prerogative,
 - iii) a recognised club,
 - iv) a charity,
 - v) the proprietor of an educational institution,
 - vi) a health service body,
 - vii) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital,
 - viii) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England,
 - ix) a chief officer of police of a police force in England and Wales,
 - x) a person of such other description as may be prescribed.
- An individual may not apply for a premises licence if s/he is not aged 18 or over.
- An individual who is resident in the United Kingdom may not apply for a Premises Licence authorising premises to be used for the sale of alcohol and/or late night refreshment unless the individual is entitled to work in the United Kingdom.

- 2.10 The grant of a Club Premises Certificate means that a club is entitled to certain benefits, which include the authority to supply alcohol to its members and sell it to guests without the need for any member or employee to hold a personal licence, and the absence of a requirement to specify a designated premises supervisor. There are also more limited rights of entry for the police and other authorised persons, as the premises are considered private and not generally open to the public.

- 2.11 Unless requested by the applicant, the Licence / Certificate will not be time limited. However any Premise Licence issued in respect of an application made on or after 6 April 2017 (and including the sale of alcohol and/or late night refreshment) will become invalid if the Premise Licence holder is in an individuals name and ceases to be entitled to work in the United Kingdom.
- 2.12 Further information on this type of Licence / Certificate can be found on the Sefton Council website at www.sefton.gov.uk.

Late Night Refreshment

- 2.13 The provision of late night refreshment is defined as the supply of hot food or hot drink on or from premises to members of the public between 11pm and 5am for consumption on or off the premises. Schedule 2 of the Act makes provision for exempt supplies of hot food or hot drink; these include supplies which can only be made from premises which are recognised clubs or hotels to persons admitted to those premises as a member of the club or as an overnight guest at the hotel, and supplies by means of a self service vending machine or which are free.
- 2.14 Changes made to Schedule 2 of the Act by the Deregulation Act 2015 provide a licensing authority with the discretionary powers to exempt the supply of late night refreshment from the licensing regime if it takes place:
- i) On or from premises which are wholly situated in a designated area;
 - ii) On or from premises which are of a designated description; or
 - iii) During a designated period (beginning no earlier than 11pm and ending no later than 5am).
- 2.15 The Authority has not yet exercised these powers; if it should then a list of any designated areas, designated descriptions or designated periods will be included as an Annex to this Policy.

Temporary Event Notices

- 2.16 The Act states that the organiser of a Temporary Event must give the Licensing Authority, the local authority exercising environmental health functions and the Police notice of the event.
- 2.17 The Act states that a “standard” Temporary Event Notice (“TEN”) may be served (up to) 10 working days prior to a permitted Temporary Event, whilst a “late” TEN may be served (up to) 5 working days prior to a permitted Temporary Event.
- 2.18 TENs are subject to certain limits, which are set by statute, further information on these can be found on the Sefton Council website at www.sefton.gov.uk.

3.0 LICENSING OBJECTIVES

- 3.1 In carrying out its licensing functions the Authority will promote the Licensing Objectives which are:

Agenda Item 7

- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 3.2 To achieve these objectives the Authority will use a full range of measures including its planning, transport and crime and disorder policies and powers. The Authority will work in partnership with Merseyside Police, Merseyside Fire Authority, local businesses, local pubwatches, community representatives and local people in meeting these objectives.
- 3.3 Applicants will be expected to undertake their own enquiries about the area in which their premises are situated to inform the content of their application and in particular they will be expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
- The layout of the local area and physical environment including crime and disorder hotspots, hotspots of ill health (particularly children) caused by alcohol, proximity to residential premises and proximity to areas where children may congregate;
 - Any risk posed to the local area by the applicants' proposed licensable activities; and
 - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- 3.4 Applicants will be expected to include positive proposals in their application on how they will manage any potential risks. For example, premises with close proximity to residential premises should consider smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

Prevention of Crime & Disorder

- 3.5 When making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Crime and Disorder objective, applicants should consider the following matters in particular:
- The capability of the person in charge to ensure effective and responsible management of the premises;
 - The training given to staff in crime prevention measures;
 - Procedures for risk assessing promotions and events, such as 'happy hours' in relation to crime and disorder, and the plans to minimise such risks;
 - Adoption of best practice in relation to safer clubbing etc;

- Physical security features installed in the premises (i.e. location and standard of CCTV equipment, toughened drinking glasses etc);
- Measures to prevent the supply of illegal drugs, including search and entry policies;
- Employment of SIA licensed door supervisors;
- Participation in an appropriate crime prevention scheme (e.g. 'pubwatch');
- Measures to be taken for the prevention of violence and disorder;
- The presence, or access to, sufficient transport facilities to ensure that customers can leave the premises safely and swiftly;
- Weapon detection and search facilities;
- Illegal sale of alcohol to those who are already drunk;
- Participation in any existing radio network scheme

3.6 Annex 3 gives further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

Public Safety

3.7 When making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Public Safety objective, applicants should consider the following matters in particular:

- The safe occupancy capacity of the premises, in particular having regard to floor area and means of escape;
- The age, design and layout of the premises, including the means of escape;
- The nature of the licensable activities provided, in particular the sale of alcohol;
- Hours of operation;
- Customer profile (age, disability etc);
- The necessary Health and Safety and Fire risk assessments for the premises, and other measures to reduce risk to public safety;
- The number of people employed or engaged to secure the safety of all persons attending the premises or event;
- Where appropriate, noise exposure controls, for both staff and public, which have been detailed in accordance with the appropriate legislation;
- Arrangements to ensure that litter, generated by activities at the premises, does not present a fire hazard;
- Implementation of appropriate crowd management measures

3.8 Annex 4 to this Policy gives some further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

Prevention of Public Nuisance

3.9 When making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Public Nuisance objective, applicants should consider the following matters in particular:

Agenda Item 7

- The type of activity, its frequency and the number and nature of customers likely to attend;
 - Measures taken, or proposed, to prevent noise and/or vibration escaping from the premises given its location and proximity to residential and other noise sensitive premises. This would include music, plant noise and human voice, whether amplified or not;
 - Measures taken to prevent the transmission of sound and/or vibration to adjoining properties;
 - Measures taken, or proposed, for management and supervision of the premises and open areas to minimise unreasonable disturbance by customers and staff arriving or leaving the premises, including the delivery of goods and services;
 - The proposed hours of operation for all, or parts, of the premises;
 - Measures taken to prevent cooking odours and other smells escaping from the premises;
 - Means of access to and egress from the premises, including customer entrances and exits on principal pedestrian routes;
 - Whether routes to and from the premises pass residential premises;
 - Whether the premises would result in increased refuse storage, disposal problems or additional litter in the vicinity of the premises, including measures taken to ensure the collection and disposal of litter and waste outside the premises;
 - Measures to be taken to reduce drunkenness on the premises, e.g. the “Drink Less Enjoy More” scheme;
 - If appropriate, a ‘wind down’ period between the end of the licensable activities and closure of the premises;
- 3.10 If sound leakage from the premises is identified by the applicant, or any responsible authority, the Authority will expect this to be addressed in practical ways, such as:
- Keeping doors and windows closed and providing adequate mechanical ventilation, or if necessary, air conditioning;
 - Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level;
 - Installing soundproofing measures to contain sound and vibration
- 3.11 In premises where customers leave late at night, or early in the morning, the Authority will expect the applicant to have included, in the Operating Schedule, such practical steps as:
- Erecting prominent notices at the exits to the premises asking customers to leave quietly and not to slam car doors;
 - At appropriate time making loud speaker announcements to the same effect;
 - Instructing door staff to ask customers leaving the premises to do so quietly;
 - Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down;

- Improving availability of licensed taxis or private hire vehicles to take customers from the premises;
- Refusing entry to people known to regularly leave in a noisy manner;
- The supervision of any queues so as to keep noise and disturbance to a minimum

3.12 Annex 5 to this Policy gives further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

Protection of Children from Harm

3.13 It is not possible to anticipate every issue of concern that could arise with regard to each individual premises in respect of children, however, when making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the protection of children from harm objective, applicants should, in particular, consider how they will prevent children from:

- Acquiring or consuming alcohol;
- Being exposed to drugs, drug taking or drug dealing;
- Being exposed to gambling;
- Being exposed to entertainment of an adult or sexual nature;
- Being exposed to incidents of violence or disorder;
- Being exposed to excessive noise.

3.14 With regard to the mandatory condition concerning age verification policies, the Authority recommends that the following documents should be used as proof of age:

- Passport;
- 'Photocard' Driving Licence; or,
- Any PASS (Proof of Age Standards Scheme) card (details from www.pass-scheme.org.uk).

3.15 The Authority will normally require persons working with children, in respect of premises holding under 18 regulated entertainment, to undergo an enhanced Criminal Records Bureau check before they are appointed.

3.16 In recent years there has been an increasing awareness of the problems in society generally connected with Child Sexual Exploitation. It is this Authority's opinion that Child Safeguarding is everyone's responsibility and that licensed premises should be vigilant in this regard particularly those premises which may be expected to attract under 18 year olds such as nightclubs, fast food outlets, cinemas screening children's films etc. Operators of licensed premises should have in place appropriate child safeguarding measures and should seek the advice of the Council's Safeguarding Children's Unit in this respect.

3.17 Annex 6 to this Policy gives further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

Agenda Item 7

4.0 LINKS TO OTHER POLICIES

- 4.1 The Authority will ensure proper integration of this and other related policies and strategies, including its cultural, economic development, local crime prevention, health, planning, race equality, transport, tourism and town centre management strategies, through consultation, ongoing communication and reporting arrangements between the Licensing and Regulatory Committee, the Licensing Unit and other relevant bodies.
- 4.2 All licensing activities will be undertaken in compliance with the Authority's Race Equality Scheme which recognises its responsibilities under the Race Relations Act 1976.
- 4.3 This Policy Statement also recognises the Disability Discrimination Act 1995 as well as recognising that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 4.4 The Authority has a duty under Section 17 of the Crime and Disorder Act 1998 to promote the prevention of crime and disorder and it will also have regard to these duties when determining applications.
- 4.5 The Authority recognises the need and wider cultural benefits of encouraging and promoting a broad range of entertainment, particularly live music, dance and theatre and will seek to avoid measures that unnecessarily deter the provision of such entertainment.
- 4.6 The Authority recognises the impact of irresponsible consumption of alcohol on crime, disorder and health and will expect Licensees to ensure that alcoholic drinks are packaged, presented and sold in a socially responsible way.
- 4.7 The Authority also encourages Licensees to give consideration to the National Alcohol Harm Reduction Strategy and any Alcohol Harm Reduction Strategy that may be in force from Sefton Council, in particular the contribution they can make to reducing the harm caused by irresponsible consumption of alcohol.

5.0 THE LICENSING PROCESS

- 5.1 In determining a licence application the overriding principle adopted by the Authority will be that each application will be determined on its merits.
- 5.2 The decisions taken by the Authority will be focused on matters within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.

- 5.3 In addressing this matter, the Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the area concerned.
- 5.4 Whilst recognising that licensing law is a key aspect in the general control of anti-social behaviour and forms part of the holistic management of the evening and night-time economy, in taking its decisions the Authority will take into account the fact that it is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the Licence, Certificate or Permission concerned.
- 5.5 The Authority recognises that there should be a clear separation of the planning and licensing regimes and licensing applications should not be a re-run of the planning application. The Authority will therefore ensure that the two regimes are kept separate.
- 5.6 There may be circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. The granting by the Licensing Committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control approval where appropriate.
- 5.7 Licensing decisions and functions may be taken or carried out by the Licensing Committee, or delegated, where appropriate, to sub-committees or officers. The principal of delegation will be to ensure that decisions and functions, particularly non-contentious applications and purely administrative functions are taken or carried out in a speedy, efficient and cost-effective way.
- 5.8 The delegation of decisions and functions will be as follows:

Matter to be Dealt With	Sub-Committee	Officers
Application for a personal licence	If a Police objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application for a provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a Police objection	All other cases
Request to be removed as designated premises supervisor		All cases

Agenda Item 7

SEFTON METROPOLITAN BOROUGH COUNCIL – LICENSING POLICY STATEMENT

Application for transfer of premises licence	If a Police objection	All other cases
Application for interim authorities	If a Police objection	All other cases
Application to review premises licence / club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous, vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a Police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Application for minor variation		All cases

5.9 Applicants for grants or variations of Premises Licences / Club Premises Certificates are required by the Act to copy details of their applications to the following “responsible authorities”, who may make representations about the application or ask the Authority to review a Premises Licence / Club Premises Certificate:

- The relevant licensing authority and any other licensing authority in whose area part of the premises is situated;
- The chief officer of police;
- The local fire authority;
- The local enforcement agency for the Health and Safety at Work Etc Act 1974 (the local authority or the Health and Safety Executive as appropriate to each particular premises);
- The local authority with responsibility for environmental health;
- The local planning authority;
- The body responsible for the protection of children from harm;
- The local weights and measures authority;
- The Home Office;
- The Primary Care Trust or Local Health Board, and,
- Any other licensing authority in whose area part of the premises are situated.

5.10 The appropriate points of contact for the abovementioned responsible authorities, i.e. the person to whom copies of applications should be sent, are listed in Annex 2.

5.11 The Authority will notify those residential and business properties with curtilages abutting those premises applying for a Premises Licence or a Club Premises

Certificate, the Variation of a Premises Licence or Club Premises Certificate, or any premises subject to a review. Whilst this is not a statutory requirement, the Authority is of the belief that it is important to ensure that the community are fully aware of licensing applications made in their area and as such this will ensure that local people have a voice in licensing decisions. As part of our statutory requirements we will also advertise these applications on www.sefton.gov.uk.

- 5.12 In respect of minor variations the overall test for Officers will be to decide whether or not the proposed minor variation would impact adversely on any of the four licensing objectives.

Hearings

- 5.13 A hearing will be arranged to deal with any application which cannot be dealt with under delegated powers or resolved by agreement between applicants and other parties and/or 'responsible authorities'.

Review of licences

- 5.14 Following the grant of a Premises Licence or Club Premises Certificate a 'responsible authority' or any other party may request the Authority to review the Licence/Certificate where problems associated with the four Licensing Objectives have occurred. Similarly the Authority itself may instigate a review of the licence in a similar manner.
- 5.15 The Authority considers that other parties and 'responsible authorities' will give licence holders sufficient warning of any concerns they may have with regard to problems identified at the premises and the need for improvement. The Authority therefore expects licence holders to respond to such warnings and implement the necessary remedial action. A failure to respond to such warning could lead to a decision to request a review of the licence.
- 5.16 In all cases where a representation for a review is made it must relate to a particular premises for which a Licence/Certificate is in force and must be relevant to the promotion of the four Licensing Objectives.
- 5.17 Requests for reviews may be rejected where, in the view of the Authority, the complaint is not relevant (to the Licensing Objectives), is vexatious, frivolous or repetitious.
- 5.18 Where a review has been accepted by the Authority and where a statement from a proposed witness is served on the Authority and all other relevant parties at least 14 days prior to the date notified for the hearing of a review, that witness statement shall be taken as fact unless written notice requiring the attendance of that witness is given to the party putting forward the witness, and to the Authority, at least five working days prior to any review hearing.

6.0 LICENSING HOURS

Agenda Item 7

- 6.1 The Authority will not prescribe general licensing hours and in determining licensing hours the Authority will not limit opening hours without consideration of the circumstances and individual merits of each application.
- 6.2 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the Authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 6.3 The Authority will consider in each case the evidence presented to it and in particular, where relevant and appropriate:
- a) Any evidence that longer hours may lead to public nuisance later at night, particularly where residents are affected;
 - b) Any evidence of policing difficulties late at night;
 - c) Any evidence of difficulties experienced in late night street cleaning;
 - d) Any evidence that premises licensed for longer hours are in fact closing, or likely to close, at the same hour so producing peaks of disturbance later at night;
 - e) Any evidence that those drinking longer are creating disorder later at night.
- 6.4 In general the Authority will seek to ensure that nuisance is minimised to local residents and will demand stricter conditions with regard to noise and nuisance control in areas of denser residential accommodation.
- 6.5 Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the premises throughout the hours they intend to open unless there are good reasons, based on the licensing objectives, for restricting those hours. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.
- 6.6 Entertainment providers will be encouraged to provide a range of entertainment during their operating hours and to promote live music, dancing and theatre for the wider cultural benefit of the Community.

7.0 CHILDREN

- 7.1 The Authority can only attach conditions where an objection is upheld following a hearing. Licensing covers a wide variety of types of premises and activity. The Authority will not seek to limit access of children to any premises unless such access is specifically prohibited by the Act or it is otherwise considered necessary for the prevention of physical, moral or psychological harm. Each application and the circumstances obtaining to each application will be considered on its own merits.
- 7.2 The Authority would be most likely to take such action in relation to premises where there have been convictions for members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking; a known association with drug taking or dealing; a strong element of gambling on

the premises; where entertainment of an adult or sexual nature is commonly provided; or where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

7.3 Where it is considered necessary, for the prevention of physical, moral or psychological harm, to limit the access of children, the following options, or combination of options may be imposed:

- Limitations on the hours when children may be present;
- Limitations or the exclusion of the presence of children under certain ages when particular specified activities are taking place;
- Limitations on the parts of premises to which children might be given access;
- Age limitations (below 18);
- Requirements for accompanying adults; and
- Full exclusion of those people under 18 from the premises when any licensable activities are taking place.

7.4 The Authority will not impose conditions requiring the admission of children to any premises. The Authority believes that where no licensing restriction is necessary, the admission or otherwise of children to a premises should remain a matter for the discretion of the individual licensee or club.

7.5 The provision of entertainment to children will require the presence of sufficient adults to control the access, egress and safety of the children. Where regulated entertainment is provided for children, or large numbers of children may be expected, conditions may be imposed to require an appropriate ratio of adult staff to be present, to control access egress and safety of the children.

7.6 Where a licence relates to the exhibition of films, the Authority will expect that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification. In exceptional cases the Authority may vary the age-restriction applied to a film to be exhibited within its area.

8.0 LICENSING CONDITIONS

8.1 As indicated in Paragraph 7.1 above, the Authority can only attach conditions where an objection is upheld following a hearing. In these instances only those conditions considered appropriate to meet the Licensing Objectives will be imposed. The Authority will avoid the imposition of disproportionate and overburdensome conditions where there is no need for them.

8.2 The Authority will seek to avoid any duplication with other regulatory regimes. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public (for example, health and safety at work and fire safety legislation). However, the Authority will expect licencees to maintain compliance with those other regulatory regimes and would encourage licencees to adopt best practice wherever possible.

Agenda Item 7

- 8.3 To ensure consistency the Authority will maintain pools of conditions, from which appropriate and proportionate conditions, tailored to the individual style and characteristics of the premises and events to which an application relates, may be drawn when necessary in particular circumstances. Conditions will, so far as possible, reflect local crime prevention strategies.
- 8.4 When considering whether an entertainment being provided constitutes ‘the provision of regulated entertainment’ each case will be treated on its own merits. There will inevitably be a degree of judgement as to whether the provision is regulated or not and therefore organisers of events should check with the Authority if in doubt.
- 8.5 Further information on what constitutes ‘the provision of regulated entertainment’ (and in what circumstances) can be found via the Sefton Council Website at www.sefton.gov.uk.

9.0 CUMULATIVE IMPACT ASSESSMENT

- 9.1 A cumulative impact assessment (“CIA”) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.
- 9.2 Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:
- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
 - statistics on local anti-social behaviour offences;
 - health-related statistics such as alcohol-related emergency attendances and hospital admissions;
 - environmental health complaints, particularly in relation to litter and noise;
 - complaints recorded by the local authority, which may include complaints raised by local residents or residents’ associations;
 - residents’ questionnaires;
 - evidence from local councillors; and
 - evidence obtained through local consultation.
- 9.3 The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority’s duty to promote the licensing objectives.
- 9.4 The Act does not stipulate how the CIA should be used once published, because the requirements for determining applications for new licences or variations are

the same in areas with a CIA as they are elsewhere. However, any CIA published by a licensing authority must be summarised in its statement of licensing policy. Under section 5(6D) a licensing authority must also have regard to any CIA it has published when determining or revising its statement of licensing policy.

- 9.5 This Authority has not published a CIA, however it should be noted that although the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the Act.
- 9.6 Each decision in an area subject to a CIA would still need to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. It is also noted that the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

10.0 ENFORCEMENT

- 10.1 Enforcement action will be taken in accordance with the Authority's Licensing Enforcement Policy, will follow the Hampton principles and will be targeted, proportionate and transparent. The inspection of premises will be undertaken, when necessary, on a risk assessment and targeted basis, ensuring that resources are concentrated on high risk and problem premises and activities and again these will recognize the Hampton principles.
- 10.2 The Authority has established protocols on enforcement issues with the local Police, to provide for a more efficient deployment of Local Authority staff and Police Officers who are commonly engaged in enforcing Licensing Law and the inspection of licensed premises. In particular, these protocols provide for the targeting of agreed problem and high-risk premises which require greater attention, while providing a lighter touch in respect of those low-risk premises that are well run.

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CHANGES TO LICENSING POLICY STATEMENT

The following alterations have been made to the existing Policy:

- Paragraph 1.8 updated with latest Census figures.
- Paragraph 1.11 existing text replaced with: *Seftons profile is reflected by statistics that show over 75% of the jobs in the borough are in the service sector and an adaptable and skilled workforce, that have an acknowledged excellent labour relations record.* Existing wording was **There have been a number of studies in recent times relating to the night-time economy, particularly in relation to the “ classic” resort status of Southport, these have helped shape Seftons vision for developing a sustainable pattern of licensing, as expressed in 1.14 below.**
- Paragraph 1.13, last two sentences deleted. Those Sentences reading **Southport Business Improvement District funds two regulated Taxi Marshalls every Friday and Saturday and selected Bank Holidays and special events from midnight to 4am. The Marshalls being located at the Lord Street taxi rank.**
- Paragraphs 1.14 to 1.19 deleted. Those paragraphs having read:
 - 1.14 Councils in Cheshire and Merseyside are planning to use licensing laws to reduce crime, anti-social behaviour and poor health caused by alcohol.**
 - 1.15 The drive aims to promote a ‘healthier relationship’ with alcohol in communities and improved wellbeing through the powers available in the Act.**
 - 1.16 Evidence shows the easy availability and affordability of cheap, strong alcohol contributes to the harm experienced by those most vulnerable. We aim to support the wellbeing of these local residents and communities by using the powers of the Act to limit access to this type of alcohol.**
 - 1.17 Nine areas in Cheshire and Merseyside are working together to support local communities to identify ways of reducing alcohol-related harm, while at the same time ensuring night time economies remain safe, vibrant and popular.**
 - 1.18 To achieve this we will employ a number of practical approaches and will help both the public and industry professionals gain access to the skills necessary to participate effectively in their part of the licensing process. We will:**
 - **Work with national bodies to identify the latest advice and guidance and agree a consistent approach across Cheshire and Merseyside.**
 - **Identify best practice in licensing and look to extend successful local initiatives more widely where there is good evidence for reducing harm to vulnerable residents.**
 - **Engage and involve local retailers and communities.**
 - **Signpost the availability of evidence and provide guidance on using it in the licensing process.**
 - 1.19 This approach will be co-produced by the nine Local Authorities in Cheshire and Merseyside and will ensure local alcohol strategies are taken into account.**

Agenda Item 7

SEFTON METROPOLITAN BOROUGH COUNCIL

- Paragraph 2.2 amended to remove “*renewals*”. Previously read as **In this regard the policy covers new applications, renewals, transfers, variations and minor variations of Licences and also includes the review of Licences and Certificates, which could lead to revocation.**
- Paragraph 2.11 amended to now read: *Unless requested by the applicant, the Licence / Certificate will not be time limited. However any Premise Licence issued in respect of an application made on or after 6 April 2017 (and including the sale of alcohol and/or late night refreshment) will become invalid if the Premise Licence holder is in an individuals name and ceases to be entitled to work in the United Kingdom.* Previously read **Unless requested by the applicant, the Licence / Certificate will not be time limited. However any Premise Licence issued in respect of an application made on or after 6 April 2017 (and including the sale of alcohol and/or late night refreshment) will become invalid if the individual holder ceases to be entitled to work in the United Kingdom.**
- Paragraph 4.5, last sentence deleted. That sentence read **Working with the Sefton Cultural Strategy Group, the Authority will seek to monitor the impact of licensing on the provision of regulated entertainment, particularly live music, dance and theatre.**
- Paragraph 4.6, last sentence deleted. That sentence read **In this context the Authority commends the use of the following: “*Home Office: Selling Alcohol Responsibly: Good Practice Examples from the Alcohol Retail and Hospitality Industries*” and “*Portman Group Code of Practice on Naming, Packaging and Promotion of Alcoholic Drinks*”.**
- Paragraph 5.5, last sentence deleted. That sentence read **The Planning Committee will be kept regularly apprised of the situation regarding licensed premises within the Borough to enable the Committee to have regard to such matters when taking decisions to avoid any unnecessary overlap.**

Agenda Item 8

Report to:	Council	Date of Meeting:	Thursday 16 November 2023
Subject:	Cheshire & Merseyside Health and Care Partnership		
Report of:	Assistant Director of Corporate Resources and Customer Services (Strategic Support)	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Health and Wellbeing		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

This report seeks authority for the Council to become a member of the new statutory Integrated Care Partnership for Cheshire and Merseyside (to be known as the Cheshire & Merseyside Health and Care Partnership) and to agree its terms of reference.

Recommendation(s):

- (i) That the Council agrees to become a member of the Cheshire & Merseyside Health and Care Partnership,
- (ii) That the terms of reference of the Cheshire & Merseyside Health and Care Partnership set out in the Appendix be adopted,
- (iii) That the Cabinet Member – Health and Wellbeing be nominated to be the Council's representative on the Cheshire & Merseyside Health and Care Partnership
- (iv) That delegated authority be given to the Chief Executive to nominate such officers to the Cheshire & Merseyside Health and Care Partnership as considered appropriate, and
- (v) That delegated authority be given to the Chief Legal and Democratic Officer & Monitoring Officer to make such amendments to the Constitution as are necessary as a result of this decision.

Agenda Item 8

Reasons for the Recommendation(s):

The Council must become a member of the Integrated Care Partnership as this is a statutory requirement under section 116ZA of the Health and Social Care Act 2022.

Alternative Options Considered and Rejected: (including any Risk Implications)

The establishment of the ICP is required by legislation and any delay in this could have reputational risks attached to it. This can be reduced by the agreeing to the recommendations in this report.

The Council could seek to make further amendments to the terms of reference but these would need to be agreed between all the local authorities and NHS partners.

What will it cost and how will it be financed?

(A) Revenue Costs

N/A see below.

(B) Capital Costs

N/A see below.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

There are no direct financial implications of this decision as this report is seeking to approve a statutory committee and the appointment of members to the committee. Any decisions made by the ICP which would involve budgetary implications for the Council would need to be made in accordance with the Council's constitutional requirements.

In the event that officers are appointed to the Committee, then this will have a financial implication in terms of time only, which would be managed within existing budgets

Legal Implications:

Integrated Care Partnerships are a fundamental part of the Integrated Care System which was established by the Health and Social Care Act 2022.

Under section 116ZA, each integrated care board and local authority within the integrated care board (ICB) area must establish a joint committee for the board's area. The ICB must consist of at least one member of the ICB and one member from each local authority and the ICP itself can determine any other membership. The ICP can also determine its own procedures, such as quorum.

The ICP is responsible for the preparation of the Integrated Care Strategy which sets out how the population needs of the area can be met by the ICB, NHS England and local authorities.

Section 116B of the Health and Social Care Act 2002 provides that local authorities and ICBs must have regard to any Integrated Care Strategy and any joint Health and Wellbeing Strategy when exercising its functions.

Equality Implications:

There are no equality implications directly from implementing the recommendations within this report.

Impact on Children and Young People:

No implications directly from implementing the recommendations within this report.

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

Contribution to the Council's Core Purpose:

Protect the most vulnerable: The establishment of the ICP and the Council's participation will assist the Council in delivering this element of the Council's core purpose.

Facilitate confident and resilient communities: The establishment of the ICP and the Council's participation will assist the Council in delivering this element of the Council's core purpose.

Commission, broker and provide core services: The establishment of the ICP and the Council's participation will assist the Council in delivering this element of the Council's core purpose.

Place – leadership and influencer: The establishment of the ICP and the Council's participation will assist the Council in delivering this element of the Council's core purpose.

Agenda Item 8

Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7395/23) and the Chief Legal and Democratic Officer (LD.5595/23) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

The constituent local authorities and partners in the NHS have been working together on the terms of reference in accordance with the relevant legislation and these are presented in this report.

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer:	David McCullough
Telephone Number:	Tel: 0151 934 2008
Email Address:	david.mccullough@sefton.gov.uk

Appendices:

Draft Terms of Reference for the Cheshire & Merseyside Health and Care Partnership.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Government reforms of the NHS under the Health and Social Care Act 2022 created new integrated care systems with responsibility across wider geographical footprints. The new integrated care system (ICS) for the Council's area covers the footprints of the nine local authorities in Cheshire and Merseyside. Finances are directed to the Cheshire and Merseyside area and can then be devolved down to local areas (known as "Place"). Our "Place" operates through the Cheshire West Health and Care Partnership, which is comprised of partners from across the health services in Sefton.
- 1.2 As part of the statutory governance arrangements, the ICS is required to set up an integrated care partnership for Cheshire and Merseyside, with local authority membership from each "Place".
- 1.3 The Integrated Care Partnership (ICP) will drive the strategic direction and plans across the Cheshire and Merseyside area, and this work needs to be aligned with other strategies and the work of the local Health and Wellbeing Boards. The ICP allows organisations to work together more closely to collectively improve the health of residents across Cheshire and Merseyside. In particular, it has responsibility for agreeing an Integrated Care Strategy across the region to address the broad health and social care needs of the population across the region, including the wider determinants of health, such as employment, environment and housing. Integrated Care Boards and local authorities will be required to have regard to the ICP strategy when making decisions, commissioning and delivering services.
- 1.4 The ICP will comprise of health and care partners from across Cheshire and Merseyside including one councillor from each local authority, as well as two Directors of Adult Social Care and two Directors of Public Health from across the region. The ICP will have representation from across the broader sector,

Agenda Item 8

including the Ambulance Service, Fire and Rescue, housing, voluntary sector, carers, primary care, social care providers, university sector and provider collaboratives. This will ensure a wide range of views are heard.

- 1.5 A copy of the terms of reference are attached to this report.
- 1.6 Until this point, the ICP has been operating in “shadow” form and the intention is that all constituent authorities are taking papers to councils to ensure the ICP is fully operational by November 2023.

Cheshire and Merseyside Health and Care Partnership

Terms of Reference

Background

Integrated care systems (ICSs) are statutory partnerships that bring together NHS organisations, local authorities and others to take collective responsibility for planning services, improving health and reducing inequalities across geographical areas.

ICSs comprise two key components:

- **integrated care boards (ICBs):** statutory bodies that are responsible for planning and funding most NHS services in the area
- **integrated care partnerships (ICPs):** statutory committees that bring together a broad set of system partners (including local government, the voluntary, community, faith and social enterprise sector (VCFSE), NHS organisations and others) to develop a health and care strategy for the area.

This dual structure was designed to support ICSs to act both as bodies responsible for NHS money and performance at the same time as acting as a wider system partnership.

ICPs are established in legislation by the insertion of a new Section 116ZA to the Local Government and Public Involvement in Health Act 2007. Section 116ZA of the 2007 Act imposes an express obligation on an ICB and all relevant local authorities whose area coincides with or falls wholly or partly within the ICBs area to establish an ICP as a joint committee.

In the Cheshire and Merseyside Integrated Care System, the ICP is named as the Cheshire and Merseyside Health and Care Partnership (HCP).

These Terms of Reference set out the membership, remit, responsibilities, and reporting arrangements of the joint committee.

Role and Purpose

The Cheshire and Merseyside HCP is a broad alliance of organisations and representatives concerned with improving the care, health and wellbeing of the population, jointly convened by local authorities and the NHS as equal partners in order to facilitate joint action to improve health and care outcomes and experiences, influence the wider determinants of health, and plan and deliver improved integrated health and care.

Its primary purpose will be to act in the best interests of residents across Cheshire & Merseyside, rather than representing the interests of any individual organisation.

Agenda Item 8

The role and purpose of the HCP does not duplicate that of the nine Cheshire and Merseyside Health and Wellbeing Boards. The HCP will work in conjunction where appropriate to help achieve common objectives and aims to benefit local populations.

The HCP provides the opportunity for a Cheshire & Merseyside forum to support and enhance work programmes to improve population health outcomes and reduce health inequalities by addressing complex, long term issues which need an integrated approach across Cheshire & Merseyside.

The HCP, as an Integrated Care Partnership, has a statutory responsibility to prepare, approve and publish an Integrated Care Strategy for the Cheshire and Merseyside ICS, setting out how the assessed needs in relation to Cheshire & Merseyside are to be met by the exercise of functions of:

- the Integrated Care Board
- NHS England
- the nine local authorities whose areas coincide with the ICB area

In preparing this strategy the HCP must involve:

- the Local Healthwatch organisations whose areas coincide with or fall wholly or partly within its area
- the people who live and work in Cheshire & Merseyside

The strategy will have due regard to and respond to the Health and Wellbeing Strategies and Joint Strategic Needs Assessments of each of the nine local authority areas.

Membership and Attendees

Members

Membership of the HCP (as an Integrated Care Partnership) is set out in legislation and must have as a minimum:

- one member appointed by the ICB
- one member appointed by each of the nine local authorities.

Legislation also allows for members to be appointed by the HCP itself.

In all cases, HCP membership will be renewable on an annual basis. Each participant organisation or body will be expected to have formally nominated or confirmed their nominated member by 1st August of each year. Changes in membership during the year are allowed and must be notified to the HCP promptly and before attendance at the next meeting.

Where members are not available to attend meetings, a substitute nominated by organisation may attend on their behalf.

The Chair of the HCP will discuss attendance with any member who fails to attend three consecutive HCP Meetings. The Chair of the HCP will refer any ongoing concerns regarding non-attendance of a member to their organisation with a

Agenda Item 8

recommendation that consideration be given to whether it is appropriate for the individual to continue as a member of the HCP.

The full membership of the Cheshire and Merseyside HCP is:

Organisation / Area	Position
NHS Cheshire and Merseyside ICB	ICB Chair
	Chief Executive
	Assistant Chief Executive
	Executive Director of Finance
	Executive Medical Director
Cheshire East Council	x1 Councillor
Cheshire West and Chester Council	x1 Councillor
Halton Council	x1 Councillor
Knowsley Council	x1 Councillor
Liverpool City Council	x1 Councillor
Sefton Council	x1 Councillor
St Helens Borough Council	x1 Councillor
Warrington Borough Council	x1 Councillor
Wirral Council	x1 Councillor
Other Local Authority Representatives	x2 Directors of Adult Social Care? – drawn from across the 9 responsible Local Authorities.
	x2 Directors of Public Health - drawn from across the 9 responsible Local Authorities
North West Ambulance Service	x1 Representative
Cheshire Police	x1 Representative
Merseyside Police	x1 Representative
Cheshire Fire and Rescue	x1 Representative
Merseyside Fire and Rescue	x1 Representative
Voluntary, Community, Faith and Social Enterprise Sector	x2 Representatives
Liverpool City Region Local Enterprise Partnership	x1 Representative
Cheshire and Warrington Local Enterprise Partnership	x1 Representative
Primary Care	x2 Representatives
CMAST Provider Collaborative	x1 Representative
MHLD Provider Collaborative	x1 Representative
Carer	x1 Representative
Housing	x1 Representative
Healthwatch	x2 Representatives
Higher Education / University	x2 Representatives

The Other Local Authority Representatives will be notified to the HCP by the nine local authorities.

Members are expected to adopt a partnership approach to working together, as well as listening to the voices of citizens, patients and the public of Cheshire and Merseyside.

Agenda Item 8

Members will commit to working collaboratively, openly and supporting the development and role of the HCP.

Attendees

Only members of the HCP, or their nominated substitute, can participate in HCP meetings, but the Chair may invite relevant organisations to send a representative to an HCP meeting as necessary in accordance with the business of the HCP.

Chair Arrangements

The Chair of the HCP will be drawn from one of the nominated HCP members from the nine local authorities.

The Chair will be appointed on an annual basis at the first meeting of the year (in September) by the local authority members of the HCP present at the meeting. Individuals wanting to be considered for the Chair role will need to be nominated and seconded by one other local authority member of the Board and agreed by way of a majority vote.

The HCP will also have two Joint Vice Chairs – one being the Cheshire and Merseyside ICB Chair and the other being an appointed representative of the VCFSE sector. In the absence of the Chair at a meeting of the HCP, it will be agreed in advance which of the two Vice Chairs will Chair the meeting on that occasion.

Quoracy

The meeting will be quorate if at least 50% of the members are present. If the quorum has not been reached, then the meeting may proceed if those attending agree, but no decisions requiring agreement by the ICB or local authorities may be taken unless at least 50% of the Committee members drawn from these two bodies are present.

If any member of the HCP has been disqualified from participating in the discussion and/or decision-making for an item on the agenda, by reason of a declaration of a conflict of interest, then that member shall no longer count towards the quorum.

Decision making and authority

As far as is possible the HCP will make its decisions by consensus of the members present at the meetings of the HCP.

The HCP has been established as a Joint Committee under S116ZA Health & Social Care Act 2022.

It has not been established under S65Z6 or S75 arrangements between the NHS and Local Authority member organisations of the HCP, and as such does not have the authority as a committee to exercise joint functions or hold or make decisions on a pooled budget arrangements.

The HCP is authorised to create any relevant sub-groups in order to take forward specific programmes of work considered necessary by the membership.

Meeting arrangements

The HCP will meet up to six times each year. Additional meetings may take place as required.

The HCP Chair, in consultation with and with the agreement of both Vice Chairs, may convene further meetings to discuss particular issues of relevance to the HCP and which cannot wait until the next meeting.

The HCP may meet virtually or in hybrid format when necessary and members attending using electronic means will be counted towards the quorum.

Meetings of the HCP will be held in public. Where meetings are held virtually, arrangements will be made to ensure members of the public can attend and be able to observe the meeting.

The HCP may convene development sessions, which will be held in private and which will not be formal meetings of the HCP.

A copy of the agenda and related reports for each HCP meeting will be sent to each HCP Member at least five clear days before the date of that meeting. Agendas and papers for meetings held in public will be published on the website of NHS Cheshire and Merseyside Integrated Care Board

The HCP shall be supported with a secretariat function. In addition to publication of agendas and supporting papers the secretariat will prepare and circulate minutes of meetings within 10 working days and maintain an action and decision log, as well as a register of interests of HCP members.

As a Joint Committee of the ICB and Councils, local authority members will be bound by their Council's Code of Conduct for the meeting and should declare any interests under that Code.

The Agenda for meetings of the HCP will be agreed by the Chair and Vice Chairs. Members of the Committee can request items to be considered at meetings of the HCP by contacting the Chair two weeks prior to the publication date of papers for the relevant meeting.

Reporting and Accountability

The HCP will receive reports from the Cheshire and Merseyside Health and Wellbeing Boards, which will inform its own priorities and strategy. and the HCP will also provide reports to the Health and Wellbeing Boards on matters concerning delivery of the Integrated Care System priorities and outcomes framework.

The HCP will also provide reports to the ICB, providing a summary of any specific programmes of work undertaken, including the issues considered and recommended

Agenda Item 8

actions, and any key outputs (in particular the Integrated Care Partnership Strategy) from its meetings.

Behaviours and Conduct

The HCP shall conduct its business in accordance with any national guidance. The seven Nolan Principles of Public Life shall underpin the committee and its members.

HCP members should:

- Inform the Chair of any interests they hold which relate to the business of the HCP.
- Inform the Chair of any previously agreed treatment of the potential conflict / conflict of interest.
- Abide by the Chair's ruling on the treatment of conflicts / potential conflicts of interest in relation to ongoing involvement in the work of the HCP.
- Inform the Chair of any conflicts / potential conflicts of interest in any item of business to be discussed at a meeting. This should be done in advance of the meeting wherever possible.
- Declare conflicts / potential conflicts of interest in any item of business to be discussed at a meeting under the standing "declaration of interest" item.
- Abide by the Chair's decision on appropriate treatment of a conflicts / potential conflict of interest in any business to be discussed at a meeting.
- Abide by their own respective organisation's Code of Conduct

As well as complying with requirements around declaring and managing potential conflicts of interest, HCP members should:

- Attend meetings, having read all papers beforehand
- Arrange for their substitute to attend on their behalf, if necessary
- Act as 'champions', disseminating information and good practice as appropriate
- Comply with the HCP administrative arrangements including identifying agenda items for discussion, the submission of reports etc.
- Consider the equality, diversity and inclusion implications of the discussions they undertake at HCP meetings

Review

The HCP will review its effectiveness, including these terms of reference, on an annual basis and earlier if required.

Agenda Item 9

Report to:	Council	Date of Meeting:	Thursday 16 November 2023
Subject:	Elected Member Development – Mandatory Courses for All Councillors		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member Regulatory Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek Council's formal approval for completion requirements in respect of the courses designated as mandatory for elected members, as detailed in paragraph 1.0 to the report, and for Climate Change training to be added as a mandatory course, as detailed in paragraph 2.0.

Recommendations:

Council is requested to approve:

- (1) The Elected Member mandatory course completion requirements, as detailed in paragraph 1.0 to the report.
- (2) That Climate Change training be designated as mandatory for Elected Members with a completion requirement of every four years (per Councillor Term of Office).

Agenda Item 9

Reasons for the Recommendation(s):

To obtain formal Council approval for completion requirements for elected member mandatory courses and for Climate Change training to be added as a mandatory course for completion by councillors.

Alternative Options Considered and Rejected: (including any Risk Implications)

Not applicable

What will it cost and how will it be financed?

(A) Revenue Costs

None directly

(B) Capital Costs

None directly

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): There are no direct financial costs associated with the courses listed as mandatory in the Member Development Programme as all of the courses are provided in-house.	
Legal Implications There are no legal implications.	
Equality Implications: There are no direct equality implications – but the mandatory Equality and Diversity Awareness course helps foster Councillor awareness of equality issues and actively promotes equality.	
Impact on Children and Young People None directly	
Climate Emergency Implications: The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
Comment: The course on Climate Emergency training is now included in the Member Development Handbook for Councillors to undertake via e-Learning. This is currently an optional course subject to Council giving approval for it to be added to the list of mandatory courses for elected members.	

Contribution to the Council's Core Purpose:

<p>Protect the most vulnerable: The Member Development Programme offers a number of mandatory courses to help Councillors fulfil their role in protecting the vulnerable in our community – i.e., Safeguarding Adults Awareness, Safeguarding Children and Young People, Corporate Parenting and Equality and Diversity Awareness.</p>
<p>Facilitate confident and resilient communities: The Member Development Programme helps provide Councillors with the requisite skills and knowledge help them effectively lead and support their residents to help facilitate confident and resilient local communities.</p>
<p>Commission, broker and provide core services: Not directly applicable</p>
<p>Place – leadership and influencer: Not directly applicable</p>
<p>Drivers of change and reform: Not directly applicable</p>
<p>Facilitate sustainable economic prosperity: Not directly applicable</p>
<p>Greater income for social investment: Not directly applicable</p>
<p>Cleaner Greener Sefton Council is committed to protecting the environment and the Council plays a vital role in determining how the Borough tackles the Climate emergency. Designation of the Climate Change training as mandatory for elected members will help ensure they are fully apprised of the issues.</p>

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 7418/23) and the Chief Legal and Democratic Officer (LD 5618/23) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

None

Implementation Date for the Decision

Immediately following the Council meeting.

Agenda Item 9

Contact Officer:	Amy Dyson
Telephone Number:	0151-934 2045
Email Address:	amy.dyson@sefton.gov.uk

Appendices:

None

Background Papers:

None

1.0 Mandatory Training for All Councillors

1.1 On 21 April 2022, full Council approval was given for the courses listed below to be mandatory for all Councillors.

- (1) Information Compliance, Sharing and Guarding (e-learning)
- (2) Safeguarding Adults Awareness (e-learning)
- (3) Safeguarding Children and Young People (e-learning)
- (4) Corporate Parenting (held remotely on Teams – held 4 times per year to maximise take-up)
- (5) Equality and Diversity Awareness

1.2 At its first meeting on 1 November 2022, the Member Development Steering Group (MDSG) considered how often elected members should be required to repeat each of these mandatory courses and agreed that the mandatory courses (2), (3), (4) and (5) should be completed every four years (per Councillor Term of Office) with the exception of (1). Information Compliance, Sharing and Safeguarding which should be completed on an annual basis, in line with the requirement for Council officers.

2.0 Climate Change Training

Climate Change training is currently listed as an optional course in the Member Development Handbook. However, given the Council's commitment to responding to the climate emergency as set out in the Climate Emergency Strategy which plays a key part in the Council's decision making, and the fact that Climate Change is a mandatory course for completion by staff, as per Minute 23 of the Minutes of the meeting held on 23rd August 2023, the MDSG has requested that Council's approval be given for Climate Change (e-learning) to be added as mandatory course for elected members with a completion requirement of every four years.

The Climate Change Reference Group has also requested that Climate Change should be designated as a mandatory course for elected Members.

- 3.0** The MDSG therefore, seeks formal Council approval for the recommended completion requirements for the mandatory courses detailed in 1.0 above and the addition of Climate change training to be designated as mandatory for elected members with a completion requirement of every four years per Councillor Term of Office.

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Agenda Item 10

Report to:	Council	Date of Meeting:	Thursday 16 November 2023
Subject:	Financial Management 2023/24 to 2026/27 - Revenue and Capital Budget Update 2023/24 – Additional Estimates		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	All Wards
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

This report sets out a supplementary estimate for approval in the Council's Capital Programme following recommendation by Cabinet on 2 November 2023.

Recommendation(s):

Council is recommended to approve a supplementary capital estimate of £0.012m for the works at Foul Lane funded by capital receipts.

Reasons for the Recommendation(s):

To approve updates to the capital programme so that they can be applied to schemes in the delivery of the Council's overall financial strategy.

Alternative Options Considered and Rejected: (including any Risk Implications)

N/A

What will it cost and how will it be financed?

(A) Revenue Costs

None.

(B) Capital Costs

The works at Foul Lane, Southport are estimated to cost £0.012m funded by capital receipts.

Agenda Item 10

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None	
Legal Implications: None	
Equality Implications: There are no equality implications.	
Impact on Children and Young People: No	
Climate Emergency Implications: The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	N
The allocations of funding outlined in this report may be spent on projects that will have a high climate change impact as they could relate to new build, rebuild, refurbishment, retrofit and demolition proposals. Environmental consideration will be taken into account when specific projects are designed and tendered – which will help to mitigate negative impacts.	

Contribution to the Council's Core Purpose:

Effective Financial Management and the development and delivery of sustainable annual budgets support each theme of the Councils Core Purpose.

Protect the most vulnerable: see comment above
Facilitate confident and resilient communities: see comment above
Commission, broker and provide core services: see comment above
Place – leadership and influencer: see comment above
Drivers of change and reform: see comment above
Facilitate sustainable economic prosperity: see comment above
Greater income for social investment: see comment above
Cleaner Greener: see comment above

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7413/23) and the Chief Legal and Democratic Officer (LD.5613/23) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

N/A

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer:	Graham Hussey
Telephone Number:	Tel: 0151 934 4100
Email Address:	graham.hussey@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

1. Land at Foul Lane, Southport

- 1.1. Cabinet in March 2023 approved the disposal of land at Foul Lane, Southport (the former park and ride site) to Homes England as part of the Asset Maximisation: Phase 2 Disposals Programme.
- 1.2. Following disposal, works have been identified to divert the Council's electricity supply for a car park on the opposite side of the road which has been retained in Council ownership. It is therefore requested that a portion of the capital receipt is utilised for these necessary works to the value of £12,000.

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Agenda Item 11

Report to:	Cabinet Council	Date of Meeting:	2 November 2023 16 November 2023
Subject:	Treasury Management Position to September 2023		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	All Wards
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

This report provides Members with a review of the Treasury Management activities undertaken to 30th September 2023. This document is the mid-year report to Cabinet and Council, as well as the second report of the ongoing quarterly monitoring provided to Audit & Governance Committee whose role it is to carry out scrutiny of treasury management policies and practices.

Recommendation(s):

Members are requested to note the Treasury Management update to 30th September 2023, to review the effects of decisions taken in pursuit of the Treasury Management Strategy and to consider the implications of changes resulting from regulatory, economic and market factors affecting the Council's treasury management activities.

Reasons for the Recommendation(s):

To ensure that Members are fully apprised of the treasury activity undertaken to 30th September 2023 and to meet the reporting requirements set out in Sefton's Treasury Management Practices and those recommended by the CIPFA code.

Alternative Options Considered and Rejected: (including any Risk Implications)

N/A

What will it cost and how will it be financed?

(A) Revenue Costs

Agenda Item 11

The financial position on the external investment budget to the end of September indicates a surplus to the end of the period. The forecast to the end of the financial year also shows that investment income will exceed the level set in the budget.

(B) Capital Costs

None.

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets): A surplus in investment income has been forecast for 2023/24 financial year due to prevailing market conditions.</p>									
<p>Legal Implications: The Council has a statutory duty under the Local Government Act 2003 to review its Prudential Indicators and Treasury Management Activities.</p>									
<p>Equality Implications: There are no equality implications.</p>									
<p>Climate Emergency Implications:</p> <p>The recommendations within this report will</p> <table border="1"> <tr> <td>Have a positive impact</td> <td>No</td> </tr> <tr> <td>Have a neutral impact</td> <td>Yes</td> </tr> <tr> <td>Have a negative impact</td> <td>No</td> </tr> <tr> <td>The Author has undertaken the Climate Emergency training for report authors</td> <td>No</td> </tr> </table> <p>The Council has during 2023/24, invested its reserves and balances overnight with either banks or money market funds in order to maintain high security and liquidity of such balances. It has not had the opportunity to invest in longer term financial instruments or investment funds for which there may be a chance to consider the impact on the Council's Climate Emergency motion.</p> <p>In the event that the Council has more surplus balances available in future that may lead to longer term investing, the Council will take account of the climate emergency when discussing the options available with the Treasury Management Advisors.</p>		Have a positive impact	No	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	No
Have a positive impact	No								
Have a neutral impact	Yes								
Have a negative impact	No								
The Author has undertaken the Climate Emergency training for report authors	No								

Contribution to the Council's Core Purpose:

Protect the most vulnerable: n/a
Facilitate confident and resilient communities: n/a
Commission, broker and provide core services: n/a
Place – leadership and influencer: Support strategic planning and promote innovative, affordable and sustainable capital investment projects through application of the CIPFA

Prudential Code.
Drivers of change and reform: The Treasury Management function ensures that cash flow is adequately planned and cash is available when needed by the Council for improvements to the borough through its service provision and the Capital Programme.
Facilitate sustainable economic prosperity: Pursuit of optimum performance on investments activities and minimising the cost of borrowing and the effective management of the associated risk continues to contribute to a balanced budget for the Council.
Greater income for social investment: n/a
Cleaner Greener: n/a

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD7389/23) is the author of the report.

The Chief Legal and Democratic Officer (LD5589/23) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

N/A

Implementation Date for the Decision

With immediate effect.

Contact Officer:	Graham Hussey
Telephone Number:	Tel: 0151 934 4100
Email Address:	graham.hussey@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

Agenda Item 11

1. Background to the Report

- 1.1. As recommended under CIPFA's revised 2021 Code of Practice on Treasury Management in Public Services, the Council's Treasury Management Policy and Strategy document for 2023/24 (approved by Council on 2nd March 2023) included a requirement for regular updates to be provided on the investment activity of the Authority. This report is the second of such reports for the year and presents relevant Treasury Management information for the period ending 30th September 2023.
- 1.2. The report includes information on the investments held / entered into during the period and the interest rates obtained (with a comparison of performance against a standard benchmark figure). In addition, the report highlights whether there has been any variance from the Treasury Management Policy and Strategy and the Council's approved Prudential Indicators (the operational boundaries within which the Council aims to work).

2. Investments Held

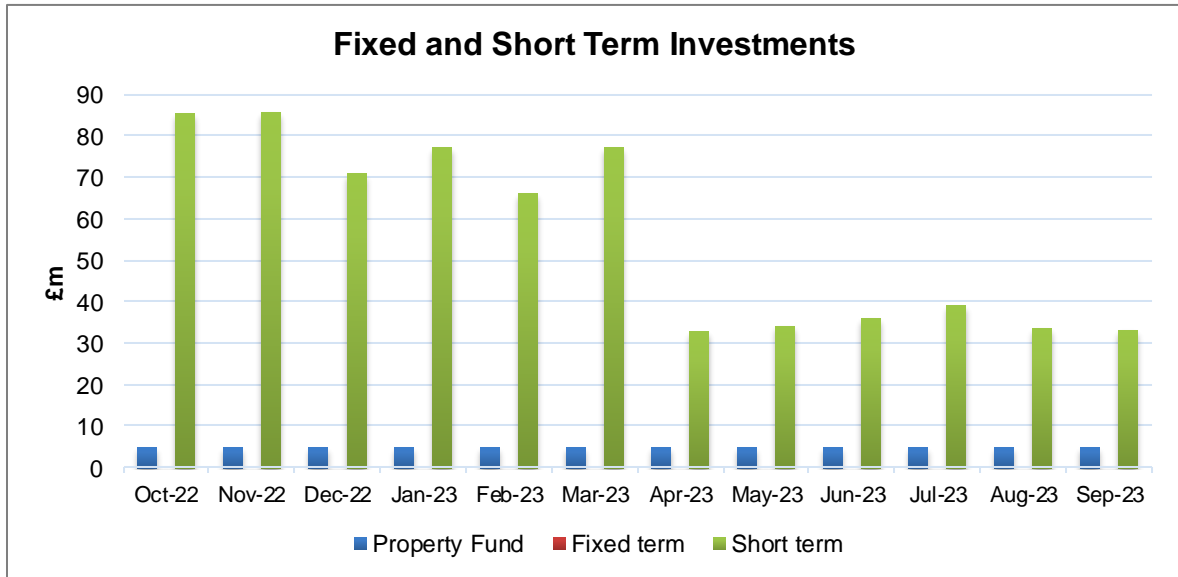
- 2.1. Investments held at the 30/09/2023 comprise the following:

Institution	Deposit £m	Rate %	Maturity	Rating
Money Market Funds:				
Aberdeen	3.83	5.24	01.10.23	AAA
Aviva	3.83	5.32	01.10.23	AAA
BNP Paribas	3.22	5.28	01.10.23	AAA
Goldman-Sachs	3.83	5.22	01.10.23	AAA
HSBC	3.30	5.21	01.10.23	AAA
Invesco	3.83	5.33	01.10.23	AAA
Morgan Stanley	3.83	5.27	01.10.23	AAA
Federated	3.83	5.35	01.10.23	AAA
Insight	3.83	5.30	01.10.23	AAA
Total	33.33			
Property Fund:				
CCLA	5.00	4.49	n/a	n/a
Total	5.00			
TOTAL INVESTMENTS	38.33			

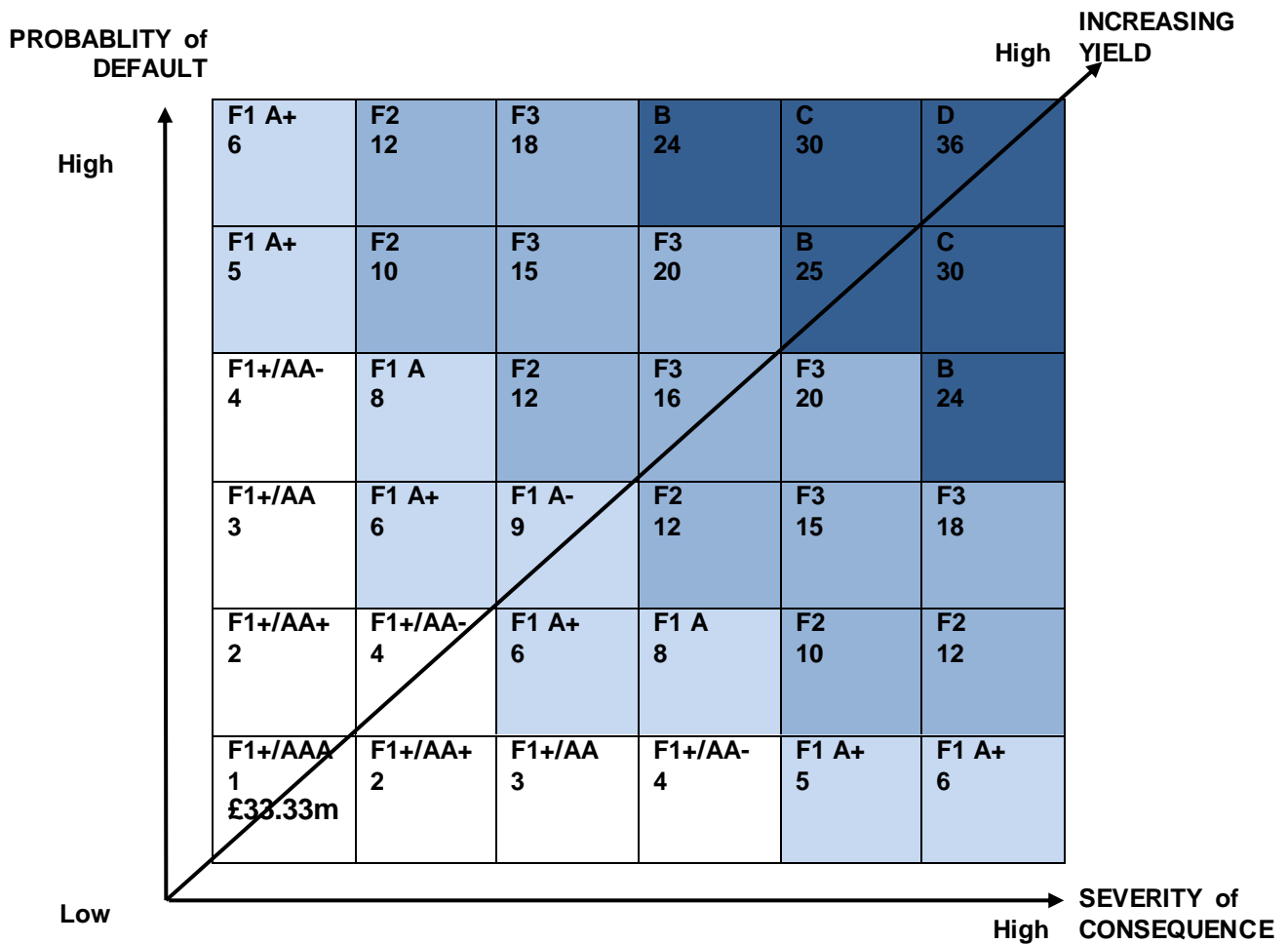
- 2.2. The Authority holds significant invested funds, representing grant income received in advance of expenditure plus balances and reserves held. The cash is initially held in a number of highly liquid Money Market Funds to ensure security of the funds until they are required to be paid out. This approach is consistent with the Council's approved Treasury Management Policy and Strategy for 2023/24. The balance of investments is therefore expected to fall over the coming months as the income is fully expended.

- 2.3. All of the investments made since April 2023 have been with organisations on the current counterparty list. The maximum level of investment permitted in the Treasury Management Strategy in any one institution, or banking group, is currently £15m. Whilst the maximum should be retained, in light of current economic conditions, a day to day operational maximum of 10% of the total portfolio is currently being imposed for investments. This will spread the risk for the Council but will have a small detrimental impact on the returns the Council will receive in the future. The Council has remained within that boundary during the year. At present, it is not expected that there will be any need to review this limit.
- 2.4. The Council will only invest in institutions that hold a minimum Fitch rating of A- for banking institutions, or AAA for money market funds. The ratings applied to investment grade institutions, and the much riskier speculative grade institutions, as defined by Fitch, have been placed into a risk matrix (paragraph 2.8).
- 2.5. An investment has been made with the Church, Charities and Local Authority Investment Fund (CCLA) in June 2014. CCLA invest in commercial property which is rented out to enterprises such as retail units, warehousing, and offices. The majority of properties owned are in the south of the country where the market is often more buoyant than the north. The Council has in effect bought a share of the property portfolio and returns paid are in the region of 4%. This is seen as a long-term investment with the potential for the capital value of the investment to vary as property prices fluctuate.
- 2.6. The Net Asset Value (NAV) of the Property Fund has decreased over a 12-month period to August 2023 from 347.79p per unit to 284.97p per unit, a decrease of 18%. The fund is considered to be a long-term investment and fluctuations in value are to be expected with this type of asset. The investment market over the past 12 months has been turbulent and driven by interest rates rather than property fundamentals. The CCLA is well positioned in the property market and has experienced no material change in tenant default rates with income levels remaining stable and reliable. The fund has a high industrial weighting with future growth potential and is making a strategic shift away the weaker office sector. The overall value of the Council's investment in the fund still remains higher than the original principal sum invested. It should also be noted that much of the fluctuation mentioned above took place in the latter half of 2022 and NAV prices have now stabilised in recent months. The situation will continue to be monitored closely however, and advice taken from the Council's treasury advisers should its position in the fund need to be reviewed. The income yield on the Property fund at the end of August 2023 was 4.49% which is above the level of returns received in the past.
- 2.7. The ratio of overnight deposits (short term) to fixed term investments and the property fund is shown below:

Agenda Item 11



2.8. The matrix below shows how the Council has set its risk appetite by being risk averse and putting security and liquidity before yield when investing:



SEFTON RISK TOLERANCE:

Risk Level	Score	Grade	Amount Invested
LOW	1 - 4	Investment Grade	£33.33m

LOW - MEDIUM	5 - 9	Investment Grade	£0
MEDIUM	10 - 20	Investment Grade	£0
HIGH	21 - 36	Speculative Grade	£0

2.9. The Council will continue to maximise any investment opportunities as they arise, but in light of current economic conditions and uncertainty around interest rates it is not envisaged that any substantial increase in returns can be achieved for the remainder of the current financial year. Cash balances available for investment will be held in overnight deposits to allow the council to respond to any exceptional demands for cash as they arise. The possibility for making long term deposits at potentially improved rates will be reviewed once economic conditions stabilise.

3. Interest Earned

3.1. The actual performance of investments against the profiled budget to the end of September 2023 and the forecast performance of investments against total budget at year end is shown below:

	Budget £m	Actual £m	Variance £m
September-23	0.602	1.059	0.457

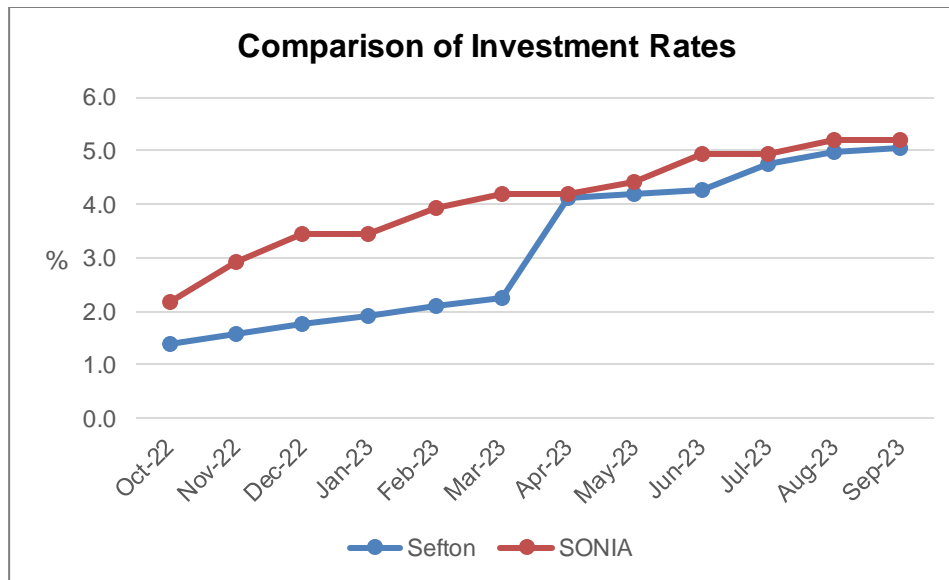
	Budget £m	Forecast £m	Variance £m
Outturn 2023/24	1.317	1.989	0.672

3.2. The forecast outturn for investment income shows the level of income to be above target against the budget for 2023/24. Investment rates have increased significantly in the past 12 months (see 3.4. below) largely in response to rises in interest rates. The forecast income for 2023/24 has therefore been set at a higher level when compared to previous financial years.

3.3. As mentioned in paragraph 2.9, it is not envisaged that increased rates will lead to a significant improvement in the forecast income from investments for the remainder of 2023/24 as cash balances are diminishing and held in short term deposits. Interest rate uncertainty has also made future returns difficult to forecast and a prudent approach has therefore been taken when forecasting returns for the rest of the year.

3.4. The Council has achieved an average rate of return on its investments of 5.06%. The chart below shows the average rate of return plotted against the SONIA benchmark.

Agenda Item 11



- 3.5. As can be seen from the chart above, Sefton's investments have slightly underperformed (by 0.12%) compared to SONIA to the end of September 2023, although the investment income received is above target as per the 2023/24 budget as shown in paragraph 3.1 (above).

4. Borrowing Strategy

- 4.1. As outlined in the Treasury Management Strategy approved by Council in March, the Authority's chief objective when borrowing has been to strike an appropriately low risk balance between securing lower interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective. The Authority's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.
- 4.2. There has been a substantial rise in the cost of taking out new loans, both short- and long-term, over the last 18 months. The Bank Rate rose by 1% from 4.25% at the beginning of April to 5.25% at the end of September. The Bank Rate was 2% higher than at the end of September 2022.
- 4.3. The Council has PWLB loan maturities of £11.9m scheduled during 2023/24 comprising several historic loans. The Council pursues a strategy of internal borrowing as per the Treasury Management Strategy approved by Council. Cash balances will therefore be reduced to replace maturing loans where possible and when interest rates on deposits remain lower than PWLB borrowing rates.
- 4.4. Following consultation with the Council's treasury advisers, it is considered prudent to continue to pursue the above strategy in view of recent interest rate uncertainty. The borrowing position will be kept under review however and further advice sought should the need arise to take out external borrowing from the PWLB.

5. Interest Rate Forecast

5.1. Arlingclose, the Council's treasury advisors, have provide the following economic and interest rate view as at September 2023:

	Current	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26
Official Bank Rate													
Upside risk	0.00	0.25	0.50	0.50	0.75	0.75	0.75	0.75	0.75	0.75	0.75	1.00	1.00
Central Case	5.25	5.25	5.25	5.25	5.00	4.75	4.25	4.00	3.75	3.50	3.25	3.00	3.00
Downside risk	0.00	0.00	-0.25	-0.50	-0.75	-1.00	-1.00	-1.00	-1.00	-1.00	-1.00	-1.00	-1.00

- UK inflation remained stubbornly high over much the period compared to the US and euro zone, keeping expectations elevated of how much further the Bank of England (BoE) would hike rates compared to the regions. However, inflation data published in the latter part of the period undershot expectations, causing financial markets to reassess the peak in BoE Bank Rate. This was followed very soon after by the BoE deciding to keep Bank Rate on hold at 5.25% in September, against expectation for another 0.25% rise.*
- Economic growth in the UK remained relatively weak over the period. In calendar Q2 2023, the economy expanded by 0.4%, beating expectations of a 0.2% increase. However, monthly GDP data showed a 0.5% contraction in July, the largest fall to date in 2023 and worse than the 0.2% decline predicted which could be an indication the monetary tightening cycle is starting to cause recessionary or at the very least stagnating economic conditions.*
- July data showed the unemployment rate increased to 4.3% (3mth/year) while the employment rate rose to 75.5%. Pay growth was 8.5% for total pay (including bonuses) and 7.8% for regular pay, which for the latter was the highest recorded annual growth rate. Adjusting for inflation, pay growth in real terms were positive at 1.2% and 0.6% for total pay and regular pay respectively.*
- Inflation continued to fall from its peak as annual headline CPI declined to 6.7% in July 2023 from 6.8% in the previous month against expectations for a tick back up to 7.0%. The largest downward contribution came from food prices. The core rate also surprised on the downside, falling to 6.2% from 6.9% compared to predictions for it to only edge down to 6.8%.*
- The Bank of England's Monetary Policy Committee continued tightening monetary policy over most of the period, taking Bank Rate to 5.25% in August. Against expectations of a further hike in September, the Committee voted 5-4 to maintain Bank Rate at 5.25%. Each of the four dissenters were in favour of another 0.25% increase.*
- Financial market Bank Rate expectations moderated over the period as falling inflation and weakening data gave some indication that higher interest rates were working. Expectations fell from predicting a peak of over 6% in June to 5.5% just ahead of the September MPC meeting, and to then expecting 5.25% to be the peak by the end of the period.*
- Following the September MPC meeting, Arlingclose, modestly revised its interest forecast to reflect the central view that 5.25% will now be the peak in Bank Rate. In the short term the risks are to the upside if inflation increases again, but over the remaining part of the time horizon the risks are to the downside from economic activity weakening more than expected.*

6. Compliance with Treasury and Prudential Limits

6.1. During the first half of 2023/24 financial year, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management

Agenda Item 11

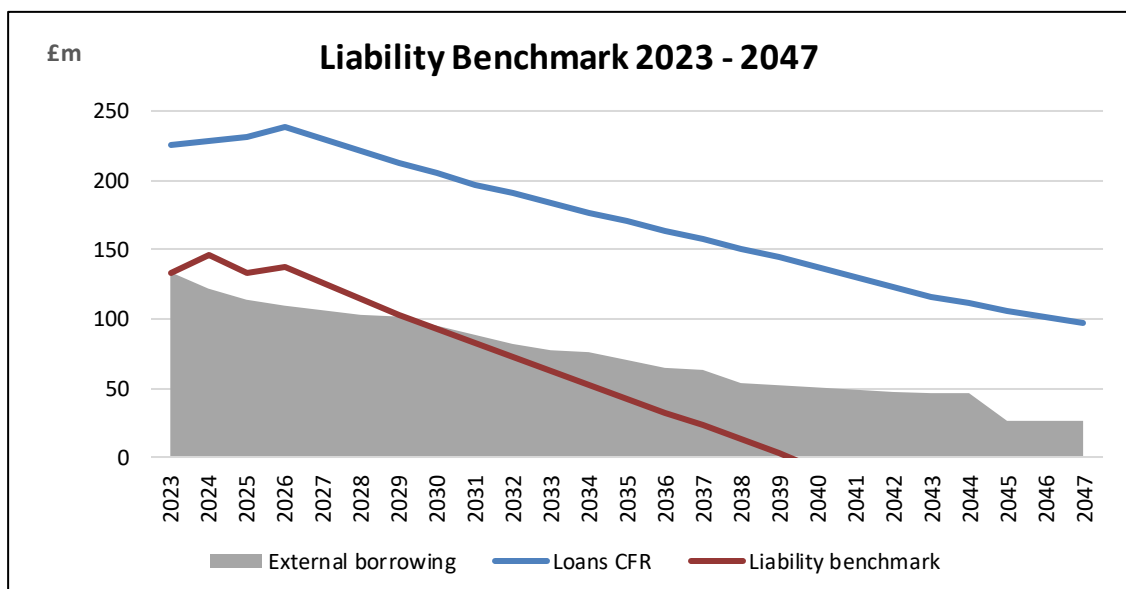
Strategy Statement and in compliance with the Council's Treasury Management Practices.

6.2. The key treasury indicators compared to the actuals as at 30th September 2023 are shown below:

6.2.1. Liability Benchmark: This new indicator compares the Authority's existing borrowing against a liability benchmark that has been calculated to show the lowest risk level of borrowing. The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. It represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level of £10m required to manage day-to-day cash flow.

Liability Benchmark	31.03.23 Estimate £m	31.03.24 Estimate £m	31.03.25 Estimate £m	31.03.26 Estimate £m
Loans CFR	225.4	228.6	230.5	238.0
Less: Balance sheet resources	-102.6	-93.1	-106.9	-111.2
Net loans requirement	122.8	135.6	123.7	126.8
Plus: Liquidity allowance	10.0	10.0	10.0	10.0
Liability benchmark	132.8	145.6	133.7	136.8

A long term forecast for the liability benchmark plotted against external borrowing for the next 25 years can be seen in the chart below. The long-term liability benchmark assumes capital expenditure funded by borrowing in line with the approved capital programme, minimum revenue provision on new capital expenditure based on standard asset life and income, expenditure and reserves all increasing by inflation of 2.5% each year.



6.2.2. Maturity Structure of Borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

Maturity structure of fixed rate borrowing:	Upper Limit %	Lower Limit %	Actual %
Under 12 months	15	0	2
12 months to 24 months	20	0	6
24 months to 5 years	20	0	9
5 years to 10 years	45	10	21
10 years to 15 years	45	10	19
15 years +	50	30	43

6.2.3. External Debt: This indicator shows the levels of actual debt compared to the authorised limit and operational boundary set for the current financial year:

External Debt:	2023/24 £m
Authorised limit for external debt	190
Operational boundary for external debt	165
Actual external debt 30.09.23	129

6.2.4. Long-term Treasury Management Investments: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The prudential limits on the long-term treasury management limits are:

Long-term Treasury Management Investments:	2023/24 £m	2024/25 £m	2025/26 £m	No fixed date £m
Limit on principal invested beyond year end	15	10	5	15
Actual principal invested beyond year end	0	0	0	5

6.2.5. Interest Rate Risk Indicator: This indicator is set to control the Authority's exposure to interest rate risk. A target is set for the one-year impact of a 1% rise

Agenda Item 11

and a 1% fall in interest rates on the revenue account. This is measured by examining the parallel shifts in yield curves on borrowing net of treasury investments. The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at new market rates.

Interest Rate Risk Indicator	Limit
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£1m
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	£1m

The Bank Rate rose by 1% from 4.25% on 1st April to 5.25% by 30th September. As mentioned in 3.2 above, the Authority has experienced an over-achievement in investment income due to interest rate rises during the year. The impact of the increase has not exceeded the £1m tolerance set at the start of the year.

Agenda Item 12

Report to:	Council	Date of Meeting:	16 November 2023
Subject:	Members' Allowance Scheme 2023/24 to 2026/27		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	All
Cabinet Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To advise Members of a decision of the Independent Remuneration Panel recommending a Members' Allowance Scheme for the period 2023/24 to 2026/27; and seeking a decision of Council on the recommendations.

Recommendations

That:

- (1) an increase in Members' allowances for 2023/24, be linked to the local government pay settlement;
- (2) spinal column point 25 be used to calculate the increase in Members' allowances thereby increasing such allowances by 6.01%;
- (3) annual adjustments continue to be made in line with the local government pay settlement up to and including the 2026/27 municipal year;
- (4) the Special Responsibility Allowances paid to Chairs of committees be continued in their current form;
- (5) the calculation of the payment of Special Responsibility Allowances to Party Group Leaders be continued in their current form;
- (6) as soon as practicably possible, the scheme of Members Allowances for Sefton be published on the Council's website and in the Metro newspaper circulating in Sefton;
- (7) the Constitution be amended to include the agreed Scheme of Allowances for 2023/24; and
- (8) the Independent Remuneration Panel be thanked for their deliberations on this matter.

Agenda Item 12

Reason for Recommendation(s):

The Independent Remuneration Panel is required to recommend to the Council a Scheme of Members' Allowances.

Alternative Options Considered and Rejected: (including any Risk Implications)

The recommended changes could be rejected.

What will it cost and how will it be financed?

(A) Revenue Costs – Inflationary adjustments in respect of the Scheme of Members' Allowances will be built into the 2023-24 and subsequent years revenue budget. An uplift of 6.01% will increase the Scheme of Members' Allowances by £52,525.26 to a total of £963,117.85. The Mayoral Allowance will increase by £936 to £16,510.14.

(B) Capital Costs – Not applicable

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): See revenue costs section above.	
Legal Implications: The Local Authorities (Members Allowances) (England) Regulations 2003 (as amended) require authorities to make a scheme for the payment of allowances for members and before it makes or amends a scheme, to have regard to the recommendations of an Independent Remuneration Panel.	
Equality Implications: There are no equality implications.	
Impact on Children and Young People: None	
Climate Emergency Implications:	
The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
There are no direct climate emergency implications arising from this report.	

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable

Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD7416/23) has been consulted and any comments have been incorporated into the report. The Chief Legal and Democratic Officer (LD5616/23) is the author of this report.

(B) External Consultations

In formulating the report for the Independent Remuneration Panel contact was made with Liverpool City Region local authorities to find out information relating to their Schemes of Members' Allowances.

Implementation Date for the Decision

With immediate effect.

Contact Officer:	Paul Fraser
Telephone Number:	0151 934 2068
Email Address:	paul.fraser@sefton.gov.uk

Appendices:

Appendix A – Table of allowances showing 6.01% uplift.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Local Authorities (Members Allowances) (England) Regulations 2003 (as amended) require authorities to make a scheme for the payment of allowances for members and before it makes or amends a scheme, to have regard to the recommendations of an Independent Remuneration Panel.
- 1.2 The Independent Remuneration Panel met to consider proposals on 30 June 2023.
- 1.3 The Panel was requested to review Sefton's Scheme of Members' Allowances and that consideration be given to:

Agenda Item 12

- (1) (a) whether an increase in the allowance should be recommended to Council and that if so;
- (b) should the increase be linked to one of the indexation options referred to in paragraph 4 of the report and that if so;
- (c) how long should the annual adjustments in accordance with the indexation continue (up to a maximum of four years);
- (2) the Special Responsibility Allowances paid to Chairs of committees as referred to in paragraph 6 of the report; and
- (3) the payment of Special Responsibility Allowances to Party Group Leaders as referred to in paragraph 7 of the report.

1.4 Prior to consideration of the proposals referred to above the Panel received a presentation from the Service Manager - Finance on the Council's current financial position which included the current context and key issues 2023/24; and key issues for the period 2024/25 to 2026/27.

2. Indexation Options

- 2.1 The Panel considered information on increases in Members' allowances in relation to employee benefits, namely the local government pay settlement or pay growth for the private sector; and general inflationary measures relating to the consumer price index or the retail price index.
- 2.2 The Panel agreed that an increase in Members allowances for 2023/24 be linked to the local government pay settlement. The local government pay award for 2023/24 has now been agreed and that a flat rate increase of £1,925 (pro rata for part-time employees) be paid as a consolidated, permanent addition on all NJC spinal column points (SCP) 2 to 43 inclusive. This flat pay award results in different % increases across SCP's varying from an increase of 9.25% for SCP2 to 3.88% for SCP43.
- 2.3 At the time of the Panel's consideration (30 June 2023) the pay award had not been agreed. However, the Panel was aware that the employer's pay offer was that of a flat pay award of £1,925. The Panel was also advised that SCP25 (the top of Grade G) is used as a proxy for average Council pay and oncosts; so that the adoption of SCP25 would result in the use of the pay award that applied to the majority of SCPs; and that for 2023/2024 the flat pay award of £1,925 equated to an increase of 6.01% at SCP25.
- 2.4 A flat pay award was also agreed for 2022/23 and Member's allowances were uplifted using the same methodology as set out in paragraph 2.3.

3. Period of Annual Adjustments

- 3.1 The Local Authorities (Members' Allowances) (England) Regulations 2003, Part Three section 10 (4) states:

"(4) A scheme may make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority and where the only change made to a scheme in any year is that effected by such annual adjustment in accordance with such

index the scheme shall be deemed not to have been amended”.

Any increases in accordance with the above should be no longer than a period of four years.

A copy of the Regulations can be accessed using the link:

<http://www.legislation.gov.uk/uksi/2003/1021/made/data.pdf>

- 3.2 The Panel agreed that the annual adjustments continue for a four-year period up to and including the 2026/27 municipal year.

4. Special Responsibility Allowances for Chairs of Committees

- 4.1 The views of the Panel were sought on the Special Responsibility Allowances (SRA's) for Chairs of Committees.
- 4.2 Currently, the Chair of the Licensing and Regulatory Committee receives an SRA of Basic Allowance x 1 whilst the Chairs of the four Overview and Scrutiny Committees and the Chair of the Audit and Governance Committee each receive an SRA of Basic Allowance x 0.5.
- 4.3 It should be noted that Councillor Veidman, Cabinet Member – Planning and Building Control is also the Chair of the Planning Committee. In accordance with the Scheme of Members' Allowances only one Special Responsibility Allowance is paid per Member and therefore no allowance is claimed for the responsibility of Chairing the Planning Committee.
- 4.4 Consideration was given whether the current scheme should be continued or whether a revised allocation of resources should be implemented. The Panel gave consideration to dividing the sum of SRA's paid to the six Committee Chairs equally and therefore maintaining a cost neutral SRA figure.
- 4.5 The Panel agreed that SRA's paid to Chairs of committees be continued in their current form as that referred to in paragraph 4.2.

5. Party Group Leaders

- 5.1 Party Group Leaders receive an SRA as this is specifically referred to in the “Guidance on Members' Allowances for Local Authorities in England” published by the Department for Communities and Local Government. The guidance stipulates that:

“16. Where one political group is in control, and where an Authority has decided to pay special responsibility allowances, the Authority must make provision for the payment of a special responsibility allowance to at least one member of a minority group”.

- 5.2 When the Scheme was last reviewed for the 2019/20 Municipal Year, it was agreed that a banding structure be introduced regarding the SRA's paid to opposition party group leaders. The banding structure is that any group leader with 10 or more Members receive the full allowance (at the rate of 0.5 of the Basic Allowance) and any group with less than 10 Members receive one tenth of that allowance for each Member in the group.

Agenda Item 12

It is considered that this banding structure works well because the SRA's paid to opposition party group leaders can be easily adjusted following elections to reflect any changes in group membership.

- 5.3 The Panel agreed that the calculation of the payment of Special Responsibility Allowances to Party Group Leaders be continued in their current form.

6. Renunciation

- 6.1 A Councillor may, by giving notice in writing to the Executive Director of Corporate Resources and Customer Services, elect to forgo any part of their entitlement to an allowance under the Scheme.

- 6.2 For the purpose of this report it has been assumed that all allowances will be claimed.

7. Mayoral Allowance

- 7.1 The allowance paid to the Mayor does not fall within the Regulations for Members' Allowances. However, for ease of administration, it has been linked to the Scheme of Members Allowances. The allowance allocated to the Mayor for 2022/23 was £15,574.14. An uplift in the Mayoral allowance of 6.01% for 2023/24 results in an increase of £936 to £16510.14.

8. Conclusion

- 8.1 Council is requested to give consideration to the recommendations of the Panel.

- 8.2 The report and appendices considered by the Panel at its meeting held on 30 June 2023 can be accessed using the link:

<https://modgov.sefton.gov.uk/ieListDocuments.aspx?CId=206&MId=11273&Ver=4>

APPENDIX A

MEMBERS' ALLOWANCE SCHEME 2023/24 FOLLOWING INCREASE OF 6.01%

Position	How the Allowance is calculated	Level of Payment	Number of Councillors holding this position	Total Cost
Leader of the Council	Basic Allowance x 2.5	£27,206.78	1	£27,206.17
Cabinet Members (excluding the Leader of the Council)	Basic Allowance x 1.5	£18,137.43	9	£163,236.88
<u>Political Group Leaders:</u> Liberal Democrat Leader (9 Members)	Leaders with a membership of 10 or more members will receive a Special Responsibility Allowance which is 50% of the Basic Allowance (£5503.38) and any Political Group Leaders with fewer than 10 members will receive one tenth of £5503.38 per Member of the Group	£4,953.04	1	£7,704.73
Conservative Group Leader (5 Members)		£2,751.69	1	
Committee Chairs				
Licensing and Regulatory	Basic Allowance x 1	£11,006.76	1	£11,006.76
Overview and Scrutiny	Basic Allowance x 0.5	£5,503.38	4	£22,013.52
Audit and Governance	Basic Allowance x 0.5	£5,503.38	1	£5503.38
Councillors	Basic Allowance	£11,006.76	66	£726,446.41
			Total	£963,117.85

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COUNCIL MOTION

16 NOVEMBER 2023

PROPOSED BY: Councillor Pugh

SECONDED BY: Councillor Brodie Browne

CANCELLATION OF HS2

Following the cancellation of northernmost sections of HS2 this council views with concern the prospects for rail investment in the north and our sub region.

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COUNCIL MOTION

16 NOVEMBER 2023

PROPOSED BY: Councillor Pugh

SECONDED BY: Councillor Lynne Thompson

CAPITAL BUDGET

This Council has reviewed the report below on the Capital Budget and notes the recent variances and pressures within it.

- Financial Management 2023/24 to 2026/27 - Revenue and Capital Budget Update 2023/24 – Additional Estimates.

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COUNCIL MOTION 16 NOVEMBER 2023

Proposer: Cllr Tony Brough

Seconded : Cllr Mike Prendergast

Subject: Southport Pier Maintenance

The recent report undertaken and published by the Council's nominated Consultants Thomasons included a section (page 5 of the Steelwork Inspection Report) that referred to an earlier consultative report on the condition of Southport Pier in 2017.

At that time the consultants identified remedial works required be undertaken to the structure - that were costed and estimated at £8.8 m.

Quoting from the current report.

Quote – “At this time it was decided to adopt a ‘Maintenance Painting’ solution at a cost of £1.5, while continuing to maintain and repair defects as they materialised”.

The current condition of the Pier clearly demonstrates that the '**solution**' has failed.

Before the Council embarks upon a campaign to seek funding more than £13m to repair and refurbish the Southport's Pier can it be agreed by this chamber, that a realistic and budgeted provision for maintenance of the Pier is included in the Council's ongoing budgetary provisions and forward plan.

The adoption of an approved and costed maintenance provision would demonstrate Sefton Council's commitment to the Pier's refurbishment and its protection. It would also give comfort and confidence to external funders who will be concerned that without a formal commitment to ongoing maintenance of the structure, it's condition may again deteriorate to the point of closure and thereby discourage their appetite to contribute to the restoration project.

NOM:

Sefton Council recognises the need for a properly costed maintenance budget for the Southport Pier - and that the provision is formerly adopted into Sefton's ongoing budgetary provision.

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