



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 18th April, 2024 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 10 April 2024

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.

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 Meeting

(Pages 5 - 20)

Minutes of the meeting held on 29 February 2024.

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.

(A) Public Question(s)

(B) Public Petition – Petition to stop the telegraph poles

(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. Council Housing Governance and Management Arrangements

(Pages 21 - 30)

Report of the Assistant Director of Place (Economic Growth and Housing)

8. Continuation of the Public Spaces Protection Order -Dog Control

(Pages 31 - 80)

Report of the Assistant Director of Place (Highways and Public Protection)

9. Financial Management 2024/25 to 2027/28 - Revenue and Capital Budget Update 2024/25 - Additional Estimates

(Pages 81 - 84)

Report of the Executive Director of Corporate Resources and Customer Services

10. Membership of Committees 2023/24

To consider any changes to the membership of any Committees etc.

11. Motion submitted by Councillor Prendergast - Removal of Temporary Cycle Lanes

(Pages 85 - 86)

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12. Motion Submitted by Councillor Danny Burns - End Fuel Poverty cut Standing Charges on Domestic Energy Bills

(Pages 87 - 88)

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13. Motion Submitted by Councillor Atkinson - Support to Women in Public Life

(Pages 89 - 90)

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14. Motion Submitted by Councillor Spring - Sefton 50th Anniversary

(Pages 91 - 92)

Copy attached

- 15. Motion Submitted by Councillor Lappin - Local Government Pay to Council: A Fully Funded, Proper Pay Rise for Council and School Workers** (Pages 93 - 94)

Copy attached

- 16. Motion Submitted by Councillor Morris - Openreach** (Pages 95 - 96)

Copy attached

- 17. Motion Submitted by Councillor Carlin - Support for calling for a Ceasefire in Palestine and Israel** (Pages 97 - 98)

Copy attached

18. Exclusion of Press and Public

The Council is recommended to pass the following resolution:

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.

- 19. Acquisition of Magdalen House, 30 Trinity Road, Bootle - Exempt Appendix** (Pages 99 - 100)

Exempt appendix of the Executive Director of Corporate Resources and Customer Services

20. Re-admittance of the Public

The Council meeting will now move back into open session to consider the following agenda item

- 21. Acquisition of Magdalen House, 30 Trinity Road, Bootle** (Pages 101 - 106)
Report of the Executive Director of Corporate Resources and Customer Services

THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

COUNCIL

MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 29 FEBRUARY, 2024

PRESENT: Councillor June Burns (in the Chair)
Councillor Carragher (Vice-Chair)

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

93. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D'Albuquerque, Halsall, Christine Maher, McGinnity, Morris and Wilson.

94. DECLARATIONS OF INTEREST

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

95. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council Meeting held on 18 January 2024 be approved as a correct record.

96. MAYOR'S COMMUNICATIONS

Mayor 2024/25

The Mayor advised that she had been nominated for the office of the Mayor of Sefton for a further year for 2024/25, and the appointment would take place at the Annual Council meeting to be held on 16 May 2024 at Bootle Town Hall. Given the circumstances, the Mayor had made a

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decision not to have an installation dinner, and this meant that there would be no requirement to adjourn the Annual Meeting.

Holocaust Memorial Service

The Mayor thanked her fellow councillors who attended the Holocaust Memorial Service on Sunday 28 January at Christ Church, Southport. As always, it was a humbling service and the large councillor turnout was very much appreciated.

Gala Charity Ball

Tickets were still available for the Mayor's Gala Charity Ball on Saturday 6 April 2024. The response had been fantastic and the Mayor thanked her fellow councillors who had purchased tickets already.

New Year Celebrations

The Mayor had attended some wonderful Chinese New Year Celebrations over the last few weeks, starting on 31 January 2024 with the Lord Mayor of Liverpool's Chinese New Year Dinner. Following this, there was Chinatown's New Year Celebrations on 11 February 2024 in Liverpool and the celebrations concluded on Monday 12 February 2024 with Southport Soroptimists New Year Celebrations in Southport.

North West Air Ambulance

On Tuesday 20 February 2024 the Mayor was invited to visit the North West Air Ambulance facility in Manchester. This was a great event and a real insight into what they do. The Mayor considered that it was sometimes forgotten that this was a charity organisation and needed help and support to continue running.

Liverpool School of Tropical Medicine

The Mayor would be visiting the Liverpool School of Tropical Medicine where, amongst other things, venom was extracted from snakes for research.

97. MATTERS RAISED BY THE PUBLIC

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

1.	Mr. Jeffrey Holloway to Councillor Hardy (Cabinet Member – Communities and Housing)
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together with the response given.

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The member of the public who had submitted the question was in attendance at the Council meeting and a supplementary question was responded to by the Cabinet Member - Communities and Housing.

RESOLVED:

That the question and response, as set out in the schedule, be noted.

98. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Mayor reported that no questions had been raised by Members of the Council.

99. ASSET MANAGEMENT STRATEGY AND ASSET DISPOSAL POLICY 2024/25

Further to Minute No. 128 of the meeting of the Cabinet held on 8 February 2024, the Council considered the report of the Executive Director of Corporate Resources and Customer Services advising that the Asset Management Strategy and Asset Disposal Policy set out the vision and aspirations for the effective management of the Council's corporate asset portfolio and outlining the role it played in supporting and shaping the Council's agenda for the 2030 vision. Aside from its staff, the Council's next biggest resource was its land and property and it was vital that this resource was managed and used effectively and efficiently to ensure that the Council derived maximum benefit from its assets in support of its strategic aims and priorities. The Asset Management Strategy and Asset Disposal Policy would provide a framework for the planning, prioritisation, management and funding of the Council's asset base. The Asset Management Strategy and Asset Disposal Policy was a statutory document that the Council was required to have in place and would be reviewed on an annual basis.

The following appendices were attached to the report:

- Appendix 1 - Asset Management Strategy
- Appendix 2 - Asset Disposal Policy

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

RESOLVED:

That approval be given to:

- (1) the updated Asset Management Strategy; and
- (2) the updated Asset Disposal Policy.

100. PRUDENTIAL INDICATORS 2024/25

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Further to Minute No. 129 of the meeting of the Cabinet held on 8 February 2024, the Council considered the report of the Executive Director of Corporate Resources and Customer Services indicating that the CIPFA Prudential Code for Capital Finance in Local Authorities was introduced following the Local Government Act 2003. It detailed a number of measures / limits / parameters (Prudential Indicators) that were required to be set each financial year. The approval of these limits would provide a benchmark to measure actual performance against, to help ensure that the Council complied with relevant legislation, was acting prudently and that its capital expenditure proposals were affordable.

The following appendix was attached to the report:

- Appendix A – Summary of Prudential Indicators.

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

RESOLVED: That

- (1) the Prudential Indicators, as detailed in the report, be approved as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- (2) it be noted that relevant Prudential Indicators will be revised as required and that any changes will be submitted to the Cabinet and then to the Council for approval;
- (3) it be noted that the estimates of capital expenditure may change as grant allocations are received; and
- (4) authority be delegated to the Executive Director of Corporate Resources and Customer Services in consultation with the Cabinet Member – Regulatory, Compliance and Corporate Services to manage the Authorised Limit and Operational Boundary for external debt, as detailed in section 6 of the report.

101. TREASURY MANAGEMENT POLICY AND STRATEGY 2024/25

Further to Minute No. 130 of the meeting of the Cabinet held on 8 February 2024, the Council considered the report of the Executive Director of Corporate Resources and Customer Services that set out proposed policy and strategy documents for the Treasury Management Policy; the Treasury Management Strategy; and the Minimum Revenue Provision Policy Statement.

The following appendices were attached to the report:

- Appendix A – Treasury Management Policy 2024/25
- Appendix B – Treasury Management Strategy 2024/25

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- Appendix C – Minimum Revenue Provision Policy Statement 2024/25

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

RESOLVED:

That approval be given to the:

- (1) the Treasury Management Policy Document for 2024/25;
- (2) the Treasury Management Strategy Document for 2024/25; and
- (3) the Minimum Revenue Provision Policy Statement 2024/25.

102. CAPITAL STRATEGY 2024/25

Further to Minute No. 131 of the meeting of the Cabinet held on 8 February 2024, the Council considered the report of the Executive Director of Corporate Resources and Customer Services indicating that the Capital Strategy set out the long-term context in which capital expenditure, borrowing and investment decisions were made and considered the impact of these decisions on the priorities within the Council's Core Purpose and the promises made in the 2030 Vision for Sefton. At the heart of the Capital Strategy was the Council's core objective to continue to deliver financial sustainability. As such a flexible capital investment programme was more important than ever as a method to stimulate and enable economic growth and strategic investment, ensuring best use of existing assets and of generating future income streams to pay for and deliver day to day services.

The following appendix was attached to the report:

- Appendix A – Capital Strategy 2024/25

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

RESOLVED:

That the Capital Strategy as set out at Appendix A to the report be approved.

103. ROBUSTNESS OF THE 2024/25 BUDGET ESTIMATES AND THE ADEQUACY OF RESERVES – LOCAL GOVERNMENT ACT 2003 - SECTION 25

Further to Minute No. 132 of the meeting of the Cabinet held on 8 February 2024, the Council considered the report of the Executive Director of Corporate Resources and Customer Services indicating that, to comply

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with statute, the Chief Financial Officer was required to report to Council prior to the approval of the budget and the setting of the Council Tax, to give assurance that the budget was robust and that there were adequate reserves and balances. The report was based on the proposals presented. The Local Government Act 2003, (section 25 as amended) required the Chief Financial Officer to report formally on the following issues:

- a) An opinion as to the robustness of the estimates made and the tax setting calculations; and
- b) The adequacy of the proposed financial reserves.

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

RESOLVED: That

- (1) it be noted that the Local Government Act 2003, (Section 25 as amended) requires the Chief Financial Officer to report formally the issues of an opinion as to the robustness of the estimates made and the tax setting calculations; and the adequacy of the proposed financial reserves; and
- (2) the Council be recommended to have regard to the matters raised in the report during the final stages of determining the budget for 2024/25.

104. REVENUE AND CAPITAL BUDGET PLAN 2024/25 – 2026/27 AND COUNCIL TAX 2024/25

Further to Minute No. 133 of the meeting of the Cabinet held on 8 February 2024, the Council considered the report of the Executive Director of Corporate Resources and Customer Services that set out:

- An assessment of the Council's current financial position and approach to the 2024/25 Budget Plan and preparation for the additional two-year budget period 2025/26 to 2026/27.
- An update on the Government's announcement of resources that are available to the Council for 2024/25.
- The Council's current financial position and the assumptions built into the Medium-Term Financial Plan.
- The proposed Budget for 2024/25; and,
- The proposed Capital Programme for 2024/25 to 2026/27.

The report also set out the financial strategy of the Council and the national and local financial context within which it was operating. The Council had a statutory requirement to remain financially sustainable and to balance its budget every year.

The following appendices were attached to the report:

- Individual School Budgets 2024/25

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- Budget Saving Proposals
- Draft Council Budget Summary 2024/25
- Capital Programme 2024/25 – 2026/27

The Council also considered supplementary notes on the final charges set by levying bodies and the final demands set by all precepting authorities (including parishes) and a copy of the draft Council Tax resolution for 2024/25, which had been published prior to the Council meeting.

It was moved by Councillor Atkinson, seconded by Councillor Fairclough:

That:

Budget 2024/25 and Medium-Term Financial Plan from 2025/26 to 2026/27

- (1) the update of the Medium-Term Financial Plan for the period 2024/25 to 2026/27 be noted;
- (2) the Revenue Budget for 2024/25 be approved, and officers be authorised to undertake all of the necessary actions to implement the budget changes and proposals as detailed within the report;
- (3) the release of the Environmental Warranty Earmarked Reserve and the transfer of the amount released to General Balances, as set out at Section 9 of the report, be approved;
- (4) the commencement of all appropriate activity required to implement the budget savings proposals as detailed in the report, including for example, consultation with employees and engagement with partners and contractual changes as the programme develops, be approved;
- (5) it be noted that officers will comply with agreed HR policies and procedures including relevant consultation with Trade Unions and reports to the Cabinet Member (Regulatory, Compliance & Corporate Services) as required.
- (6) the Schools' Forum decisions on the Dedicated Schools Grant and Individual School Budgets, as set out at Section 12 of the report, be noted;
- (7) the allocation of specific grants as detailed in the report, as set out at Section 13, be approved;
- (8) subject to the recommendations above, the overall Council Tax resolution for 2024/25 including Police, Fire, Mayoral and Parish Precepts, be approved;

Capital Programme 2024/25 to 2026/27

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- (9) the full list of projects in Appendix D to the report be approved for inclusion within the Capital Programme;
- (10) a supplementary capital estimate for £7.387m for the Corporate Essential Maintenance Programme Phase 2 funded by capital receipts, as set out at Section 17 of the report, be approved;
- (11) a supplementary capital estimate for £1.865m for Green Sefton Equipment and Machinery funded by prudential borrowing, as set out at Section 17 of the report, be approved; and
- (12) a supplementary capital estimate for £0.400m for the ICT Data Centre Move, funded by capital receipts, be approved.

Councillors Pugh, Prendergast, and Atkinson each gave a statement expressing the views of their political groups on the content of the report and the budget proposals.

Following debate on the report, an **amendment** was moved by Councillor Pugh, seconded by Councillor Lloyd-Johnson:

That the budget proposals set out in the report be amended by the addition of the following words:

SOUTHPORT PIER REFURBISHMENT

Council, on 15th September 2022, approved a Supplementary Capital Estimate of £3m, funded through Prudential Borrowing, for a scheme to replace the decking of Southport Pier.

A subsequent report to Cabinet in June 2023 highlighted that more extensive work would be required and that costs of the scheme could exceed an additional £10m. It was agreed that engagement would take place with partners to secure additional funding to complete the scheme, as well as ongoing maintenance costs.

Southport Pier is a critical visitor attraction that holds significant importance to Sefton's economy and brand. It is also a Grade-II listed structure. The Pier has now been closed since December 2022.

It is proposed that the Council allocates a further £2m to the scheme, funded by Prudential Borrowing, which would cost £0.140m per year in additional borrowing costs.

This will be funded by the following currently vacant posts being deleted from the Council's staffing establishment:

Economic Growth & Housing	Housing Standards	Compliance Officer
Highways and	Transport and	Senior Engineer Development

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Public Protection	Highways Infrastructure	Control
Operational In-House Services	Green Sefton	FCERM Risk Management Officer (0.2)
Operational In-House Services	Green Sefton	Information & Technical Assistant

Following debate and in accordance with Rule 97 of Chapter 4 in the Constitution, the voting on the amendment was recorded and the Members of the Council present at the time, voted as follows:

FOR THE AMENDMENT: Councillors Brodie-Browne, Brough, Dodd, Evans, Keith, Lloyd-Johnson, Prendergast, Pugh, Riley, Shaw, Lynne Thompson and Sir Ron Watson.

AGAINST THE AMENDMENT: Councillors Atkinson, Bradshaw, Danny Burns, Byrom, Carlin, Carragher, Cluskey, Corcoran, Cummins, Desmond, Dowd, Doyle, Fairclough, Grace, Hansen, Hardman, Hardy, Harrison Kelly, Hart, Harvey, Howard, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Lunn-Bates, Ian Maher, McKee, Moncur, Murphy, Myers, O'Brien, Catie Page, Christopher Page, Richards, Robinson, Roche, Roscoe, Spencer, Spring, Thomas, Tweed, Veidman, Waterfield, Webster and the Mayor.

The Mayor declared that the Amendment was lost by 12 votes to 47.

In accordance with Rule 97 of Chapter 4 in the Constitution, the voting on the **Motion** was recorded and the Members of the Council present at the time, voted as follows:

FOR THE MOTION: Councillors Atkinson, Bradshaw, Danny Burns, Byrom, Carlin, Carragher, Cluskey, Corcoran, Cummins, Desmond, Dowd, Doyle, Fairclough, Grace, Hansen, Hardman, Hardy, Harrison Kelly, Hart, Harvey, Howard, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Lunn-Bates, Ian Maher, McKee, Moncur, Murphy, Myers, O'Brien, Catie Page, Christopher Page, Richards, Robinson, Roche, Roscoe, Spencer, Spring, Thomas, Tweed, Veidman, Waterfield, Webster and the Mayor.

AGAINST THE MOTION: Councillors Brodie-Browne, Brough, Dodd, Evans, Keith, Lloyd-Johnson, Prendergast, Pugh, Riley, Shaw, Lynne Thompson and Sir Ron Watson.

The Mayor declared that the Motion was carried by 47 votes to 12 and it was

RESOLVED: That:

Budget 2024/25 and Medium-Term Financial Plan from 2025/26 to 2026/27

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- (1) the update of the Medium-Term Financial Plan for the period 2024/25 to 2026/27 be noted;
- (2) the Revenue Budget for 2024/25 be approved, and officers be authorised to undertake all of the necessary actions to implement the budget changes and proposals as detailed within the report;
- (3) the release of the Environmental Warranty Earmarked Reserve and the transfer of the amount released to General Balances, as set out at Section 9 of the report, be approved;
- (4) the commencement of all appropriate activity required to implement the budget savings proposals as detailed in the report, including for example, consultation with employees and engagement with partners and contractual changes as the programme develops, be approved;
- (5) it be noted that officers will comply with agreed HR policies and procedures including relevant consultation with Trade Unions and reports to the Cabinet Member (Regulatory, Compliance & Corporate Services) as required.
- (6) the Schools' Forum decisions on the Dedicated Schools Grant and Individual School Budgets, as set out at Section 12 of the report, be noted;
- (7) the allocation of specific grants as detailed in the report, as set out at Section 13, be approved;
- (8) the overall Council Tax resolution for 2024/25 including Police, Fire, Mayoral and Parish Precepts, be approved;
- (9) it be noted that at its meeting on 18 January 2024, the Council calculated the following amounts for the year 2024/2025 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 1992 (as amended):
 - (a) 86,458.90 Band D equivalent properties, for the whole area [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as shown in the table below:

Parish	Council Tax Base (Band D Equivalent Properties)
Aintree Village	2,079.90

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Formby	9,222.30
Hightown	874.00
Ince	
Blundell	174.00
Little Altcar	450.50
Lydiate	2,110.20
Maghull	6,920.9
Melling	1,118.20
Sefton	327.60
Thornton	772.50

(10) the Council Tax requirement for the Council's own purposes for 2024/2025 (excluding Parish Precepts) is £168,284,468;

(11) the following amounts be calculated by the Council for the year 2024/2025 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:

(a)	£726,174,566	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b)	-£556,415,925	Being the aggregate amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£169,758,641	Being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (item R in the formula in Section 31B of the Act).
(d)	£1,963.46	Being the amount at 3(c) above (item R), divided by the amount at 1(a) above (item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts).
(e)	£1,474,173	Being the aggregate amount of all special items (Parish Precepts) referred to in Section 34(1) of the Act.
(f)	£1,946.41	Being the amount at 3(d) above, less the amount given by dividing the amount at 3(e) above by the amount at 1(a) above (item T), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
(g)		The amounts below, being the amounts given by adding to the amount at 3(f) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council in accordance with Section 34(3) of the Act as basic amounts of its Council Tax for the year for dwellings in those parts of its area to which special items relate.

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<u>Parish</u>	£
Aintree Village	2,030.32
Formby	1,959.00
Hightown	1,975.01
Ince Blundell	1,963.65
Little Altcar	1,959.00
Lydiate	2,054.03
Maghull	2,070.11
Melling	1,981.87
Sefton	1,992.20
Thornton	1,961.94

(h) The amounts below being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Proportion of Band D	Property Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
<u>Parish</u>								
Aintree Village	1,353.55	1,579.14	1,804.73	2,030.32	2,481.50	2,932.68	3,383.87	4,060.64
Formby	1,306.00	1,523.67	1,741.33	1,959.00	2,394.33	2,829.67	3,265.00	3,918.00
Hightown	1,316.67	1,536.12	1,755.56	1,975.01	2,413.90	2,852.79	3,291.68	3,950.02
Ince Blundell	1,309.10	1,527.28	1,745.47	1,963.65	2,400.02	2,836.38	3,272.75	3,927.30
Little Altcar	1,306.00	1,523.67	1,741.33	1,959.00	2,394.33	2,829.67	3,265.00	3,918.00
Lydiate	1,369.35	1,597.58	1,825.80	2,054.03	2,510.48	2,966.93	3,423.38	4,108.06
Maghull	1,380.07	1,610.09	1,840.10	2,070.11	2,530.13	2,990.16	3,450.18	4,140.22
Melling	1,321.25	1,541.45	1,761.66	1,981.87	2,422.29	2,862.70	3,303.12	3,963.74
Sefton	1,328.13	1,549.49	1,770.84	1,992.20	2,434.91	2,877.62	3,320.33	3,984.40
Thornton	1,307.96	1,525.95	1,743.95	1,961.94	2,397.93	2,833.91	3,269.90	3,923.88
<u>All Other Parts of the Council's Area</u>	1,297.61	1,513.87	1,730.14	1,946.41	2,378.95	2,811.48	3,244.02	3,892.82

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- (12) it be noted that for the year 2024/2025 the major precepting authorities have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Proportion of Band D	Property Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
<u>Precepting Authority</u>								
Merseyside Fire & Rescue Authority	60.83	70.97	81.11	91.25	111.53	131.81	152.08	182.50
Merseyside Police and Crime Commissioner	176.65	206.09	235.53	264.97	323.85	382.73	441.62	529.94
Liverpool City Region Combined Authority	12.67	14.78	16.89	19.00	23.22	27.44	31.67	38.00

- (13) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2024/2025 for each part of its area and for each of the categories of dwellings:

Proportion of Band D	Property Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
<u>Parish</u>								
Aintree Village	1,603.70	1,870.98	2,138.26	2,405.54	2,940.10	3,474.66	4,009.24	4,811.08
Formby	1,556.15	1,815.51	2,074.86	2,334.22	2,852.93	3,371.65	3,890.37	4,668.44
Hightown	1,566.82	1,827.96	2,089.09	2,350.23	2,872.50	3,394.77	3,917.05	4,700.46
Ince Blundell	1,559.25	1,819.12	2,079.00	2,338.87	2,858.62	3,378.36	3,898.12	4,677.74
Little Altcar	1,556.15	1,815.51	2,074.86	2,334.22	2,852.93	3,371.65	3,890.37	4,668.44

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COUNCIL - THURSDAY 29TH FEBRUARY, 2024

Lydiate	1,619.50	1,889.42	2,159.33	2,429.25	2,969.08	3,508.91	4,048.75	4,858.50
Maghull	1,630.22	1,901.93	2,173.63	2,445.33	2,988.73	3,532.14	4,075.55	4,890.66
Melling	1,571.40	1,833.29	2,095.19	2,357.09	2,880.89	3,404.68	3,928.49	4,714.18
Sefton	1,578.28	1,841.33	2,104.37	2,367.42	2,893.51	3,419.60	3,945.70	4,734.84
Thornton	1,558.11	1,817.79	2,077.48	2,337.16	2,856.53	3,375.89	3,895.27	4,674.32
<u>All Other Parts of the Council's Area</u>	1,547.76	1,805.71	2,063.67	2,321.63	2,837.55	3,353.46	3,869.39	4,643.26

- (14) the Council's basic amount of Council Tax for 2024/2025 is not deemed to be excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992;

Capital Programme 2024/25 to 2026/27

- (15) the full list of projects in Appendix D to the report be approved for inclusion within the Capital Programme;
- (16) a supplementary capital estimate for £7.387m for the Corporate Essential Maintenance Programme Phase 2 funded by capital receipts, as set out at Section 17 of the report, be approved;
- (17) a supplementary capital estimate for £1.865m for Green Sefton Equipment and Machinery funded by prudential borrowing, as set out at Section 17 of the report, be approved; and
- (18) a supplementary capital estimate for £0.400m for the ICT Data Centre Move, funded by capital receipts, be approved.

105. MEMBERSHIP OF COMMITTEES 2023/24

The Mayor confirmed that Councillor Howard had been appointed as the Cabinet Member for Regeneration and Skills by the Leader.

The Mayor reported that the Labour Group wished to make changes to the membership of the following Committees:

Audit and Governance Committee

Councillor Byrom to be a substitute member for Councillor John Joseph Kelly in place of Councillor Howard.

Overview and Scrutiny Committee (Children's Services and Safeguarding)

Councillor Harvey to be a member of the Committee in place of Councillor Howard.

COUNCIL - THURSDAY 29TH FEBRUARY, 2024

Councillor Grace to be a substitute member for Councillor Hardman in place of Councillor Harvey.

Overview and Scrutiny Committee (Regeneration and Skills)

Councillor Ian Maher to be a member in place of Councillor Howard.

Councillor Corcoran to be the Vice Chair in place of Councillor Howard.

Joint Consultative Committee for Teaching Staffs

Councillor Webster to be a member in place of Councillor Howard.

Liverpool City Region Combined Authority Overview and Scrutiny Committee

Councillor Robinson to be a representative in place of Councillor Howard.

Councillor Hart to be the Scrutiny Link in place of Councillor Howard.

RESOLVED:

That the changes as detailed above be approved.

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Agenda Item 7

Report to:	Cabinet Council	Date of Meeting:	4 April 2024 18 April 2024
Subject:	Council Housing Governance and Management Arrangements		
Report of:	Assistant Director of Place (Economic Growth and Housing)	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Communities and Housing		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

This report: seeks delegated authority for the formal adoption of a suite of council housing policies required to facilitate the management and maintenance of any new Council owned homes as part of the Council Housing Programme; details the future governance arrangements for the management of the Council's homes; and also seeks approval for an Early Acquisition Scheme including delegated authority to acquire additional properties for council housing provision.

Recommendation(s):

Cabinet is asked to:

- (1) Give authority to the Assistant Director of Place (Economic Growth and Housing) in consultation with the Cabinet Member for Communities and Housing to review and approve a suite of council housing policies to be adopted to facilitate the operational housing management of new council housing.
- (2) Give authority to the Assistant Director of Place (Economic Growth and Housing) in consultation with the Cabinet Member for Communities and Housing to agree any amendments and/or additions to the suite of policies including the adoption of any future policies that may be required.
- (3) Note the proposal to create a Housing Advisory Board as part of the future governance arrangements in respect of housing management.
- (4) Recommend to Council that Council approves a supplementary capital estimate of £750,000, for an Early Acquisition Scheme to acquire additional properties for Council housing to be included within the Capital Programme, funded through historic right to buy sharing agreement receipts and Homes England grant funding where this may be available and suitable.
- (5) If the supplementary capital estimate is approved by Council, Cabinet delegate

Agenda Item 7

authority to the Executive Director of Corporate Resources and Customer Services and the Assistant Director of Place (Economic Growth and Housing), in consultation with the Cabinet Member for Communities and Housing and the Cabinet Member for Regulatory, Compliance and Corporate Services, to approve acquisitions to the Council Housing Programme up to a value of £750,000 funded through historic right to buy sharing agreement receipts and Homes England grant funding where this may be available and suitable.

Council is asked to:

- (1) Approve a supplementary capital estimate of £750,000, for an Early Acquisition Scheme to acquire additional properties for Council housing to be included within the Capital Programme, funded through historic right to buy sharing agreement receipts and Homes England grant funding where this may be available and suitable.

Reasons for the Recommendation(s):

To ensure that the Council has the necessary policies and governance arrangements in place ready to manage new council housing. Approval at this stage will allow the Council to progress to be operationally ready to take homes into management.

Given the homes at Buckley Hill Lane are not due for handover until early 2025, there is opportunity for the Council to consider early acquisitions to the Council Housing Programme to bring additional homes into management to help meet housing need as demand for social housing increases. The Council is seeing growing pressures on its homelessness service and temporary accommodation provided and early acquisitions into the programme could help to support this.

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

No alternative option in respect of the policy adoption is available. The Council is required to have a range of policies in place that will help to meet legislative and regulatory requirements for the management and maintenance of the Council's homes.

The Council could choose not to set up and operate a Housing Advisory Board. This option is not recommended. A number of existing stock holding local authorities operate a board type of arrangement. The creation of a Housing Advisory Board provides additional and strengthened governance arrangements to the landlord service that the Council will provide to future tenants. The Housing Advisory Board provides a good opportunity for tenants to help shape the service, be involved in and participate in decision making on key matters of the management and maintenance of the Council's homes. This also supports the new regulatory standard of 'Transparency, Influence and Accountability Standard' enabling opportunity for tenants to influence strategies, policies and services. The new standard will take effect from 1st April 2024 as part of the revised consumer standards and Code of Practice published by the Regulator of Social Housing. See Appendix 1.

The Council could choose not to support early acquisitions into the Council Housing Programme. However, given the Council intends to be operationally ready to manage homes in advance of the properties at Buckley Hill Lane being handed over there are

opportunities available to start bringing homes into management earlier and respond to the housing and homelessness pressures being faced in Sefton.

What will it cost and how will it be financed?

(A) Revenue Costs

Revenue costs will be required for the ongoing and long-term housing management and maintenance of the properties once they are in Council ownership. The cost of this service will be off set against the rental income that the Council will receive.

A full financial appraisal cannot be included within this report at this stage given property information, rent calculations and other financial information will only be known once a property is identified for acquisition. However, full financial appraisals will be produced for each property or properties proposed to be acquired including the initial capital and revenue implications, the ongoing revenue implications and the associated risks – both financial and non-financial – and how these will be managed. This will be presented to the delegated decision makers to support the decision and to ensure the acquisitions provide value for money.

(B) Capital Costs

Capital funding will be required to fund the acquisition of any properties. A sum of £750,000 is identified to provide an envelope for early acquisitions. Sufficient funding is available to support early acquisitions in the form of historic right to buy sharing agreement receipts following the Councils stock transfer to One Vision Housing.

Implications of the Proposals:

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

There are no direct financial implications that will arise following the approval of recommendations one to three within this report. There are however financial implications linked to the delivery of council housing and the ongoing management and maintenance of homes.

There will be a staffing requirement to the management of the Housing Advisory Board which will be met within the Housing and Investment Service.

Early acquisitions will require funding for the acquisitions as a capital cost and any associated costs such as legal fees. The cost of ongoing management and maintenance of the housing stock will be met from rental income from tenants.

Legal Implications:

In becoming a landlord of social housing, the Council is required to comply with all relevant legislation in managing and maintaining its homes. As a Local Authority Registered Provider, the Council will be regulated by the Regulator of Social Housing and required to comply with the standards set for local authorities. The policies detailed in this report will support the Council in meeting legislative and regulatory requirements. Proposed governance arrangements will provide additional oversight, accountability and tenant involvement in decisions around the management and maintenance of the

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Council's homes.

Equality Implications:

An Equality Impact Assessment has been undertaken and no negative impacts have been identified. The EIA found that the provision of council housing and subsequent landlord service will have a positive impact on the protected characteristics of age and disability. The EIA will be reviewed and updated at the relevant review point and as work continues with the operational requirements to enable the Council to provide council housing.

The application of policies will need to take account of any possible impacts on individuals. This will be fully assessed and recorded for the policies.

Impact on Children and Young People:

In acquiring and/or developing new council housing, the Council will seek to meet and support any gaps in the existing social housing provision which may include future provision of homes to support looked after children and care leavers.

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

The report recommendations are to support the introduction of a suite of housing policies and the creation of a Housing Advisory Board both of which will have a neutral impact at this time. New homes will be developed to high energy efficiency standards which will help to reduce energy costs for tenants living in council homes. Future policies will need to consider decarbonisation possibilities.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

New council housing will provide secure, quality homes to those most in housing need. Homes will be let wherever possible at social rent level which offers the most affordable route to social housing. New homes will be developed to high energy efficiency standards which will help to reduce energy bills for tenants.

Facilitate confident and resilient communities:

Provision of new council housing will provide additional housing choice to local communities in Sefton. Homes will be offered through Council tenancies enabling stability for households and families in housing need creating sustainable, confident, and resilient communities. A new housing management and maintenance service will be in place for tenants of any new Council owned homes and will support tenants and communities through this service.

<p>Commission, broker and provide core services: Provision of new council housing will become a core service. A new housing management and maintenance service will be provided to future tenants of the Council's home with functions delegated to an appointed housing management agent to deliver. Homes will be let through the existing allocations scheme, Property Pool Plus which is already in place as a core service.</p>
<p>Place – leadership and influencer: Not applicable.</p>
<p>Drivers of change and reform: New council housing will offer homes at social rent adding to the existing provision of social housing in Sefton and providing an alternative social housing offer to those in housing need.</p>
<p>Facilitate sustainable economic prosperity: Having a good place to live is essential for the future success and prosperity of our residents. Development of new council housing will generate direct and indirect employment and training opportunities supporting economic prosperity. Supply chains such as contractors, suppliers, technical and professional services will be supported throughout the development process.</p>
<p>Greater income for social investment: Rental income generated by new council housing can be reinvested back to deliver the positive social impacts outlined in this paper.</p>
<p>Cleaner Greener: Newly developed council housing will provide high quality homes and be energy efficient with low carbon design measures.</p>

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD7576/24) and the Chief Legal and Democratic Officer (LD.5676/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not applicable.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

Contact Officer:	Suzanne Blundell
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Appendices:

The following appendices are attached to this report:

Appendix 1 - Regulator of Social Housing Consumer Standards April 2024

<https://assets.publishing.service.gov.uk/media/65defb37f1cab30011fc4838/4. Annex 3 - Consumer Standards - FINAL.pdf>

Background Papers:

Cabinet (06/04/2023) – Item 154 – Council Housing Business Plan

1. Introduction/Background

- 1.1 In November 2023 Cabinet approved the acquisition of 18 apartments from Sandway Homes at the Buckley Hill Lane development site in Netherton and the supplementary capital estimate for the scheme was approved by Full Council on 18th January 2024.
- 1.2 Sandway Homes, with their appointed contractor Challenger Building Services, have made a start on site with the 18 apartments programmed to be handed over to the Council early in 2025.
- 1.3 In April 2023 Cabinet approved the Council Housing Business Plan which set out proposals for the Council to deliver around 46 homes as part of a first phase of acquisitions for the programme. The report noted that a budget of approximately £5m is available accrued through the Right to Buy Sharing Agreement with One Vision Housing and S106 Commuted Sum income.

2. Regulation of Social Housing

- 2.1 The Council has registered with the Regulator of Social Housing as a provider of social housing based on the intention to acquire homes in the near future. The Regulator of Social Housing operates a regulatory framework which sets to promote a viable, efficient and well-governed social housing sector able to deliver quality homes and services for current and future tenants. This includes a set of standards that Registered Providers are required to meet, setting required outcomes and specific expectations. The Regulator takes a co-regulatory approach to regulation meaning that councillors of local authorities are responsible for ensuring that providers are being managed effectively and meeting regulatory requirements.
- 2.2 Compliance is assessed against a set of Economic and Consumer Standards. Only one of the Economic Standards applies to Local Authority Registered Providers, this being the Rent Standard, whilst all Consumer Standards apply.
- 2.3 The Social Housing (Regulation) Act 2023 received Royal Assent in July 2023 bringing forward some of the biggest reforms to social housing, and in particular the regulation of social housing in decades. Largely a result of the tragic events at Grenfell Tower which saw serious issues on the safety and quality of social

housing identified as well as the way in which social housing tenants are treated by their landlords.

2.4 The law brings forward some ground-breaking changes, including a new set of consumer standards which will be effective from 1st April 2024. The new consumer standards are:

- The Safety and Quality Standard – requires landlords to provide safe and good quality homes and landlord services to tenants.
- The Transparency, Influence and Accountability Standard – requires landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints when necessary, influence decision making and hold their landlord to account. This standard incorporates Tenant Satisfaction Measure requirements.
- The Neighbourhood and Community Standard – requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
- The Tenancy Standard – sets requirements for the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords.

3. Council Housing Policies

3.1 A number of policies are necessary to ensure that the Council can effectively manage its homes and the tenancies that will be in place with tenants. A suite of policies have been reviewed and are in the process of being drafted ready for adoption. The full list includes:

- Aids and Adaptions Policy
- Anti-social Behaviour Policy
- Damp and Mould Policy
- Decant Policy
- Council Housing Domestic Abuse and Violence Policy
- Neighbourhood Policy
- Placement and Support for Care Experienced Policy
- Property Safety and Compliance Policy
- Rent Arrears and Credit Management Policy
- Rent Setting Policy
- Repairs and Maintenance Policy
- Resident Involvement Policy
- Right to Buy Policy
- Service Charge Policy
- Tenancy Policy
- Void Policy

3.2 In addition to the above list, there are a number of existing policies that the Council has in place that will be relevant to the management and maintenance of new council housing. This includes:

- Corporate Complaints Policy
- Equality, Diversity and Inclusion Strategy
- Data Protection Policy
- Property Pool Plus Policy

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- 3.3 The suite of policies will require review at relevant points, and this will be staggered to ensure that this review process can be effectively managed given that the proposal is to adopt the policies at the same time. Policies will also require review upon legislative and/or regulatory changes, as well as learning from best practice such as publications from the Housing Ombudsman Service. Whilst the above list of policies is comprehensive, there may be need for additional policies to be developed and adopted.
- 3.4 Future tenants of council homes will be consulted on any policy changes that may be required and the Housing Advisory Board as described further in this report will play an important role in the review and consultation.

4. Housing Advisory Board

- 4.1 Officers have been reviewing and considering options for governance arrangements for the Council Housing Programme with a view to ensuring that appropriate, proportionate and robust arrangements are in place with key officers and Members to enable oversight and accountability in light of regulatory and legislative requirements, particularly the consumer regulatory changes that are currently in the process of being introduced and that will be effective from 1st April 2024.
- 4.2 The Transparency, Influence and Accountability Standard is relevant to tenant engagement and requires housing providers to meet the following required outcome:
- “Registered providers must take tenants’ views into account in their decision-making about how landlord services are delivered and communicate how tenants’ views have been considered”.
- 4.3 The recommended proposal is to create a Housing Advisory Board who will have the following role in respect of the Council’s housing management:
- Review the Business Plan
 - Review capital and revenue budgets
 - Prepare, discuss and review draft reports on key decisions informing recommendations to Cabinet / Council
 - Review high-level performance statistics
 - Consult and review policy changes
 - Consult on Regulatory / Legislative draft consultation responses
 - Review and monitoring of risk
- 4.4 The Housing Advisory Board will support Cabinet in the oversight of its housing management services to tenants and provide added opportunity for tenants to be involved in the management of their homes, including to influence decision-making about how landlord services are delivered supporting the required outcome of the Transparency, Influence and Accountability Standard detailed in paragraph 4.2.

- 4.5 The frequency of meetings, size of the board and composition will need to reflect number of homes that the Council has within management. This is something that will develop in time as the number of homes in management increases and something that will be kept under review. Composition of the board will include Councillor representation, Senior Officer representation, representation of the housing management agent for the Council's homes and as the Council Housing Programme grows and develops over time, there may be opportunity to include tenant representation. Terms of reference for the Housing Advisory Board will be developed in accordance with the below timescales.

Implementation and Timescale

- 4.6 At present, there is an Officer Steering Group in place who act as a Programme Board providing an additional level of governance to the Council Housing Programme and created to develop the work programme and operational matters required to bring forward council housing in Sefton, manage the strategic decision-making process and programme risk.
- 4.7 As we move closer to acquiring the properties at Buckley Hill Lane, which is forecast to be January 2025, the proposal is to phase the Steering Group into a Shadow Board circa. 6 months before handover of the properties and the Shadow Board then into the formal Housing Advisory Board as the properties are handed over and taken into management. Details and timescales for the transition are set out below.
- 4.8 *Shadow Board* - Create a shadow board around September 2024. Items for discussion/agenda will be those required in advance of on-boarding properties including lead in updates to take the homes into management. The Shadow Board will not include a tenant representative as the Board will be operational in advance of any properties being in management and tenanted. The Shadow Board proposal is for Sandway Homes to be in attendance as a key stakeholder to the Council's first bulk acquisition and to provide input as the properties move closer to completion.
- 4.9 *Housing Advisory Board* - As properties are taken into management and the Council becomes a landlord, the Shadow Board will transition to a formal Housing Advisory Board. The Housing Advisory Board will likely evolve as the Council Housing Programme expands and more homes are taken into management. The composition of the Housing Advisory Board will be kept under review, including the future opportunity for tenant representation.

5. Early Acquisition Programme

- 5.1 Recommendations one to three of this report relate to the operational readiness of the Council to become a social housing landlord. Cabinet and Council has previously approved the acquisition of 18 new apartments from Sandway Homes at the Buckley Hill Lane development. These homes will be ready for handover in early 2025. In advance of this, there is opportunity to acquire a number of properties earlier from the open market where housing need and demand is identified for a property type or to meet a specific need such as adapted properties or move on accommodation for households in temporary accommodation.

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- 5.2 Demand for the Council's homelessness and housing options service remains very high with pressures being faced around the provision of temporary accommodation for homeless households and move on accommodated for those households currently living in temporary accommodation.
- 5.3 This report identifies an envelope of up to £750,000 of capital funding from the existing capital receipts held from the Right to Buy Sharing Agreement with One Vision Housing through which early acquisitions are to be funded.
- 5.4 Property acquisitions of this nature on the open market mean that the Council may need to move relatively quickly to progress an offer. Each acquisition will be supported by a financial appraisal and approval sought in accordance with the recommendations in this report. A full financial appraisal cannot be included within this report at this stage given property information, rent calculations and other financial information will only be known once a property is identified for acquisition. However, full financial appraisals will be produced for each property or properties proposed to be acquired including the initial capital and revenue implications, the ongoing revenue implications and the associated risks – both financial and non-financial – and how these will be managed. This will be presented to the delegated decision makers to support the decision and to ensure the acquisitions provide value for money.
- 5.5 A future report will be brought to Cabinet to update on the progress of early acquisitions within the Council Housing Programme.

6. Conclusion

- 6.1 Delivering new council housing and progressing early acquisitions will provide an additional opportunity to provide social housing across Sefton and to help to meet housing need within the borough and respond to homeless pressures. In becoming a social housing landlord, the Council will be regulated by the Regulator of Social Housing and expected to comply with the regulatory framework. This framework is currently going through a period of change with new standards set to be introduced in April 2024.
- 6.2 A suite of policies is set out to be developed and adopted as required by legislation and/or regulatory requirements which will provide effective governance associated with the management of new council housing for Sefton. Developing a Housing Advisory Board will further strengthen governance of the management of new homes, supporting Cabinet and importantly offering opportunity for tenants to be involved in the shaping of landlord services. It is acknowledged that as the Council Housing Programme progresses, the board will need to be reviewed and to ensure tenant representation is proportionate.

Agenda Item 8

Report to:	Licensing and Regulatory Committee Council	Date of Meeting:	Monday 11 March 2024 Thursday 18 th April 2024
Subject:	Continuation of the Public Spaces Protection Order -Dog Control		
Report of:	Assistant Director of Place (Highways and Public Protection)	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member – Regulatory Compliance & Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To provide information concerning dog control and an overview of the public consultation on the proposed extension of the existing Public Spaces Protection Order Dog Control 2021 for a further three years.

Recommendation(s):

Licensing and Regulatory Committee is requested to recommend that Council gives its approval for the extension of the Public Spaces Protection Order Dog Control 2021 for a further three years:

Council is requested to approve the extension of the Public Spaces Protection Order Dog Control 2021 for a further three years:

Reasons for the Recommendation(s):

The proposal is intended to continue enforcement powers that address irresponsible dog control and protect the public from anti-social behaviour that is having or is likely to have a detrimental effect on the quality of life of those in the locality.

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

Members could take no action, following the PSPO consultation. In doing so, Members should note that the existing PSPO- Dog Control 2021 will expire on the 28th April 2024 resulting in only very limited powers to tackle irresponsible dog ownership. Existing Bye laws are dated in extent and coverage across the Borough. Crucially they fail to allow a Fixed penalty notice (FPN) to be issued and for the offender to discharge their liability for prosecution by making payment. All offences would result in prosecution which is both costly in time and resources and would leave the offender with a criminal record.

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What will it cost and how will it be financed?

(A) Revenue Costs

The consultation responses identified that a significant number of respondents considered that the information provided for the PSPO – dog Control 2021 could be improved . A review of information provision including signage will be necessary and subject to its outcome may result in additional costs to ensure that relevant and adequate information / signage is provided and maintained. These costs are subject to the outcome of the review , previous estimates for signage provision ranged up to £10,000 and will need to be met from Services existing revenue budgets.

It is not anticipated that there will be any material change in the amount of income. received from fixed penalty notices. Indeed, it is hoped that changes to irresponsible dog owners' behaviour will mean fewer FPN's being issued. An additional contribution towards income is not anticipated

(B) Capital Costs

None

Implications of the Proposals:

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

There is potentially an increased cost associated with making improvements to information and signage for the PSPO, but this would need to be accommodated within existing budgetary provision.

Legal Implications: The consultation process has adhered to statutory requirements and guidance. The decision-making process, if members determine to proceed with extension of the PSPO -Dog Control, will follow the necessary and appropriate decision-making route.

Equality Implications:

The equality Implications have been identified and mitigated. The current PSPO provides exemptions for assistance dogs which will continue if the order is extended.

Impact on Children and Young People: Yes, the restrictions & requirements within the order will help protect children & young people from irresponsible dog ownership and dog behaviours.

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 PSPO ensures continued protection by ensuring that dogs are prohibited from entering enclosed playgrounds and certain sports facilities and effectively controlled on a lead in other locations such as picnic areas and cemeteries thereby ensuring children can play without disturbance in a secure environment and persons using sensitive locations are protected.
Facilitate confident and resilient communities: Controls over irresponsible dog owners and dog behaviours assists in enabling the whole community to feel safe and enjoy public spaces.
Commission, broker and provide core services: Effective controls over dog fouling and other aspects of irresponsible dog ownership and behaviours assists in keeping streets and public spaces cleaner and controlling anti-social behaviour
Place – leadership and influencer: The PSPO – Dog Control provides a strong message to our communities that irresponsible dog ownership, and anti-social behaviour is not acceptable, and the Council is doing what it can to prevent it.
Drivers of change and reform: Extending this PSPO will continue to encourage responsible dog ownership by ensuring dogs are on a lead or prohibited from entering key areas to the benefit of the community and will seek to reduce the levels of dog fouling within the Borough.
Facilitate sustainable economic prosperity: Effective controls over dog fouling and other aspects of irresponsible dog ownership and behaviours assists in keeping streets and public spaces cleaner, and controlling anti-social behaviour, which in turn assist in supporting a positive environment for businesses.
Greater income for social investment: Not applicable
Cleaner Greener Extending the PSPO will ensure enforcement powers continue to be available to require dog fouling to be picked up forthwith, this will impact upon dog walker's behaviour and the level of dog fouling. Ability for officers to request dogs leashed on direction is helpful in diffusing situations and preventing adverse impacts on the wider natural environment.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7564/24.....) and the Chief Legal and Democratic Officer (LD.5664/24....) have been consulted and any comments have been incorporated into the report.

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(B) External Consultations

Following approval by the Public Engagement & Consultation Panel a public consultation began on 22nd January 2024 for 4 weeks.

Details of the consultation engagement are outlined further in this report.

Implementation Date for the Decision

Immediately following the Committee / Council meetings.

(Please delete as appropriate and remove this text)

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Email Address:	steve.smith@sefton.gov.uk

Appendices:

The following appendices are attached to this report:

Appendix 1 – Sefton Metropolitan Borough Council Public Spaces Protection Order (Dog Control) 2021

Appendix 2 – Correspondence received from the Dog's Trust

Background Papers:

Local Government Association -PSPO Guidance for Councils

https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

Home Office Anti-Social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers- Statutory guidance for frontline professionals

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf

1. Introduction/Background

1.1. A public spaces protection order (PSPO) can be introduced by a Council under the Anti-social Behaviour, Crime and Policing Act 2014, Part 4 (section 59) where:

- activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect

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- the effect or likely effect of these activities:

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- is, or is likely to be, persistent or continuing in nature
- is, or is likely to be, unreasonable

- 1.2. A PSPO can last for up to three years, after which it must be reviewed, after which it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.
- 1.3. Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act regarding consultation, publicity and notification.
- 1.4. Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives, parish or community councils that are in the proposed area covered by the PSPO must be notified.

2. Sefton's Current PSPO for Dog Control

- 2.1. The current PSPO for Dog Control came into force on the 28th April 2021 and will end on 28th April 2024 (if not extended) .
- 2.2. The following requirements / restrictions summarised below are included within the current Order (Appendix 1).
 - Failure to remove your dog's fouling forthwith.
 - Restrict the number of dogs that can be walked by one person to a maximum of 6 dogs on or off the lead.
 - Prohibit dogs from entering enclosed playgrounds.
 - Prohibit dogs from entering marked or fenced sports pitches during specified times.
 - Dogs to be kept on a lead within defined picnic sites and family areas in parks.
 - Dogs to be kept on a lead within all designated carriageways (A and B classified Road) and footways.
 - Dogs to be kept on a lead within all cemeteries and crematoria.
 - Dogs to be placed on a lead when directed by an authorised officer to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to members of the public.
 - Dog leads must be no greater than 2 metres in length when used in the locations specified above.
- 2.3. A £75 fixed penalty notice (£50 if paid within 10 days) can be issued if someone fails to comply with the requirement / restrictions within the Order.
- 2.4. There are several bye laws that include reference to dog control including: banning dogs from cemeteries (contradicting the current PSPO); limitations on dogs within certain parts of the seashore; Dogs Fouling Footways/ Grass Verges only and restriction on dogs in public walks and pleasure grounds. These are limited to specific locations and crucially fail to allow a Fixed penalty notice (FPN) to be issued and for the offender to discharge their liability for prosecution by making payment. All offences would result in prosecution which is both costly in time and resources and would leave the offender with a criminal record.

3. Activity during current PSPO

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- 3.1. During the period of the current PSPO-Dog Control 2021 enforcement of the restrictions has primarily been undertaken by the Council's Contractor with FPN's issued for non-compliance.
- 3.2. The Officers have undertaken high visibility patrols and engagement in key locations which provides a deterrent, particularly relevant for dog fouling offences. The knowledge of and ability to issue FPN's is key to their effectiveness.

3.3. Fixed Penalty Notices served by type:

(FPNs served by offence type)	2021	2022	2023	2024 (Jan)	Grand Total
dog to enter and remain on a bowling green		1			1
dog to enter and remain in a fenced multi use games area		2	3	1	6
dog to enter and remain in a fenced sport pitch		1			1
dog to enter and remain in an enclosed playground			13	23	36
dog to enter and remain on a marked sports pitch during a restricted period		2	28		30
failed to place a dog on a lead of not more than 2 metres in length when directed to do so		4	2	1	7
failed to remove dog fouling forthwith	3	6	8		17
dog not on a lead of less than 2 metres in length in a cemetery / crematoria		27	32	2	61
dog not on a lead of less than 2 metres in length in a designated family / picnic area		86	77	3	166
dog not on a lead of less than 2 metres in length on an A or B road / footway		23	17		40
walking with more than 6 dogs		1			1
Grand Total	3	165	91	7	366

Where a FPN is not paid a prosecution for the offence is perused. This resulted in 8 cases and convictions in 2022 with fines & costs totalling £2,024 and 5 convictions in 2023 with fines & costs awarded of £2,024

3.4. Requests for Service – Sefton Council

Row Labels	2021	2022	2023	2024	Grand Total
Dangerous/Aggressive Dogs		6	3		15
Dog Fouling	334	309	174	34	851

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PSPO dog control	13	3	17		33
Request for Dog Fouling Notice	15	8	2		25
Grand Total	368	326	196	34	924

3.5. The number of stray dogs seized by the Council.

	2021	2022	2023	Grand Total
Seized dogs	56	85	75	216

3.6 Incidents recorded by Merseyside Police

Owner or person in charge allowing dog to be dangerously out of control in any place (whether or not a public place) injuring any person or assistance dog.

Between 2021 & January 2024 Merseyside Police recorded 564 incidents of dogs out of control where injury occurred. Over 70% of these were in a public place

	2021	2022	2023	2024(January)	Total
Offences reported total	127	194	229	14	564

Green Sefton Observations

- 3.7 Key issues and anecdotal reports from Green Sefton confirm dog fouling remains an issue in all parks and coastal sites with the littering of significant number of dog fouling bags also identified. Dogs are often encountered in enclosed children's play areas and dogs witnessed being aggressive to park users and other dogs.
- 3.8 Numerous instances of disturbance by dog walkers to the roosting birds in coastal areas have been noted and on some occasions dog walkers have been observed allowing or encouraging their dogs to disturb the birds. There remains ongoing vandalism of PSPO signage throughout the Borough and particularly in the North.
- 3.9 Green Sefton's community rangers continue to hold education events often involving the Dogs Trust at parks throughout the borough and discuss the PSPO with dog owners at all our sites when on patrol.
- 3.10 There were 35 formal dog control PSPO related comments / complaints / compliments via the Council's iCasework system to Green Sefton between September 2021 and November 2023.
- 3.11 Whilst dog fouling continues to be raised as a problem, it is clear that a major source of anti-social behaviour arises from dogs off leads. This impacts on those who do have their dogs under control and also on those site users who do not have dogs, or may be wary around dogs, with tPage 37ion that some people are starting to avoid some parks or areas of coast. The Burials & Cremation Manger also noted the

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lack of respect some dog owners have when visiting sensitive locations such as Cemeteries & Crematoria and the impact this has on other people visiting and paying respects.

4. Public Consultation Engagement

- 4.1. A consultation began on 22nd January 2024 for a 4-week period, 340 online responses were received.
- 4.2. Seven questions were agreed upon and asked whether the order should be extended; the frequency of irresponsible dog ownership; the impact of the PSPO and whether current information surrounding it was adequate. Full details of the questions can be found in the results section of this report.
- 4.3. An easy read version was developed and the wording of this was used for all versions of the consultation.
- 4.4. The consultation ran online through Your Sefton Your Say. Hard copies and audio versions were made available. Alternative language forms were available on request.
- 4.5. The Consultation was promoted through the Council website, My Sefton, social media local press, Green Sefton and all notice boards in Sefton Parks, recreational areas, and cemeteries.
- 4.6. The following groups were all contacted via email to inform them of the consultation taking place and to identify any particular requests or requirements that group members may have.
 - Sefton CVS
 - Merseyside Sight Loss Council
 - Migrant Workers Sefton Community
 - People First Merseyside
 - South Sefton Visually Impaired Group
 - Dogs Trust

5 Merseyside Chief Constable and Merseyside Police & Crime Commissioner

- 5.1 Both the Chief Constable and Police & Crime Commissioner were consulted on the proposed extension of the order. The Police & Crime Commissioner confirmed that She is “ happy to support and endorse the extension up until 28th April 2027”.

5. Parish & Town Councils:

- 5.1. All Parish & Town Councils across Sefton were contacted to inform them of the consultation taking place and the following responses were received from the clerks to the Council's.
- 5.2. Aintree Village Parish Coun

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“The two Committees [Finance and General Purposes Committee and the Park and Amenities Committee] met and agreed to support your proposal to extend the Public Spaces Protection Order and the areas that are covered by the proposed Order within Harrow Drive Park.”

5.3 Formby Parish Council;

“I have looked at the schedule 6 and this does not include the playground at Alt Lane, which has previously allowed dogs to pass through on leads to access the dog recreation area. However, this is being addressed as part of the section 106 from the Liverpool Road development and so this should be included as a dog exclusion zone for the next order.

Also the new community garden at Lonsdale Road should be included.”

5.4 Maghull Town Council

“Thank you for the consultation documentation which you have sent through.

Can I ask why the parks in Maghull and Lydiate have been left off? The PSPO is borough wide from memory but our parks are not included. There is no point sending this out for consultation for the people of Maghull when the first question will be “where are our parks?”

If you could look into this and get back to me I'd be grateful.”

[please note: Parks in Maghull & Lydiate are included within Schedule 6 of the current order and Maghull Town Council have been advised]

6. Animal charities/welfare groups:

- 6.1. The Dog's Trust responded to the consultation and made comment in respect of several areas of dog control including; dog fouling, dogs on leads, walking a specified number of dogs and exclusion of dogs from certain areas. The full response can be found in appendix 2.

7. Public Consultation Results

- 7.1. A total of 340 responses to the consultation were received online.
- 7.2. The consultation asked respondents if they were 'dog owners'. This was to identify whether views on the PSPO were from dog owners or non-dog owners. The results show an even split with 50.59% dog owners and non dog owners 49.41%.
- 7.3. The results of the consultation can be seen in the following section.

8. Executive Summary

- 8.1. Irresponsible dog control has remained an issue during the lifetime of the current PSPO – Dog Control 2021 and is reflected in the level of data and comment shown in section three of this report along with the comments made in response to this consultation.

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- 8.2. This behaviour continues to have a detrimental effect and continuation of enforcement powers to control dogs will reduce the likelihood of the effect continuing or recurring.
- 8.3 The PSPO consultation has been broad ranging reaching out to relevant groups and residents alike. It has produced a significant number of responses. These have been overwhelmingly supportive of extending the order, with 82.06% (279 /340) of respondents saying it should be extended.
- 8.4 35% of respondents who said yes to the extension were dog owners, whilst only eight of the fifty-nine respondents (13%) who said no, were dog owners.

There were 282 comments in relation to extending the PSPO, with some key themes being the focus for this continuing, they were:

- Need to ensure and encourage responsible dog ownership and also cater for those whom dogs are a nuisance or perceived threat .
- Significant concern about Dog fouling, littering of dog bags along with a lack of bin provision or not frequent collections to allow for fouling to be disposed of.
- Need for enforcement that is seen by the public and lack of wardens within green spaces to advise and enforce.
- Additional information and signage being at a size that can be clearly seen.
- Too many dogs off leads and not under control

Comments include:

“People must take responsibility for their dogs, and this should be enforced.”

“I think the current PSPO is sufficient and it supports responsible dog ownership.”

“Because there are too many people who think the rules are for everyone else except themselves. By keeping the rules.....it helps to raise awareness of how people with dogs should behave in public places and for many will act as a deterrent for letting dogs off the lead in places where they shouldn't and clearing up their dogs excrement. Provides a safer environment for children and others. to say nothing of the spread of disease.”

“There needs to be something enforceable in place for the council to act on when the states activities take place. They cannot go unaddressed, particularly in a time when dangerous dogs have been in the headlines so frequently.”

“Does not make any difference if you have rules in place irresponsible dog owners will always ignore them”.

“Dogs need to expend energy and properly run.”

- 8.5 Since the PSPO was implemented 22% of respondents (196) stated that they have seen an improvement in stray dogs and dogs being on lead in certain areas (29.71%). Respondents noticed that there had been a lesser improvement with

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aggressive dogs (10%), dog fouling (12.65%) and responsible dog ownership (13.24%).

Sefton Council is liaising with Merseyside Constabulary to address issues around aggressive dogs which aims to see improvements within the Borough and with the public's concern about aggressive and dangerous dogs.

- 8.6 The current PSPO has had an impact upon the behaviour of dog owners with 24.41% of respondents indicating that the main behaviour change was knowing the areas where they were allowed to take their dogs, whilst 10.29% said that it had an impact on both taking a means of picking up dog fouling and picking it up.
- 8.7 The consultation shows that irresponsible dog ownership is still regularly observed and needs addressing, with over 60% of respondents having observed this on a daily or weekly basis. (34.71% daily and 30.29% weekly). Only 7.65% stated that they have never witnessed irresponsible dog ownership.
- 8.8 When asked if the information about the dog control order is good enough a significant number of respondents did not agree. As a result, a review of information provision will be undertaken taking onboard issues raised through, complaint, elected members, feedback from resident and visitors and enforcement officers. The review will involve relevant Council Services such as Green Sefton and Highways and discussions with the Communications Team to identify any additional pathways in which information can be distributed amongst Sefton residents and visitors.

Residents commented on the provision of signage as:

“Speaking as a daily visitor to the botanic gardens I can state that the notices about where a dog has or hasn't got to be on a lead are a joke. Not in a suitable spot and not clear and transparent enough.”

“More signage bigger, brighter, repeated throughout public spaces”

Another commented on the lack of available information being:

“More public awareness and social media engagement. People will be vocal when opposed to such an order, but ultimately, they are a minority and probably an offender.”

Respondents commented that more education by wardens was required for areas that, with one resident commenting that:

“I've yet to see an enforcement officer talking to dog owners, not necessarily just fining people but showing people that there are people about and the expectations.”

- 8.9 Respondents were asked if they had any additional comments as part of the consultation, the general themes that came from these and throughout the consultation responses include :
- There needed to be stricter enforcement for people who were found to be dog fouling.
 - More education and advice from wardens about areas where dogs are allowed and where they are prohibited.
 - More information in green spaces and on other platforms about the PSPO such as social media and visible signage.

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- More means of disposal of dog poo bags, people are seeing an increase in bags being left on the street as there is limited means of disposal.
- The PSPO needed to be continued to be able to tackle the issues of irresponsible dog ownership.

Comments include:

“There should be more resources to monitor irresponsible dog owners “

“dog licences should be reintroduced, fines for not cleaning up after dog poo should be higher and more rigorously applied, all dogs should be on a lead and more dogs muzzled in all public places “

“ Essential that order remains in place. Irresponsible dog owners will fail to control dogs and clean up after them. Not all people like dogs and I do not feel I should feel threatened or approached by a dog when out walking on a pavement or in a park which is not on a lead and under the control of its owner . I have myself removed dog excrement from the middle of the road near where I live to prevent cars / people walking / driving through it. Any level or amount of dog excrement on the street is not acceptable and a bad advert for Southport”

“There needs to be more publicity and PSPO need to be more visible. More signs in parks informing owners when dogs must be on lead”

9 Conclusion:

- 9.1 Extending the PSPO seeks to maintain the necessary controls, which are now firmly embedded, to address unreasonable anti-social behaviour that is or is likely to have a continuing, recurring detrimental effect on the quality of life of those in the locality and takes into consideration the outcome of the consultation and views expressed by respondents.
- 9.2 Extending the PSPO for a further 3 years will ensure a continuation of enforcement powers available to the Council to address irresponsible dog control. Not proceeding will see a reliance on very limited bye laws, an inability to tackle dog fouling in all areas or to issue any dog related Fixed Penalty Notices.

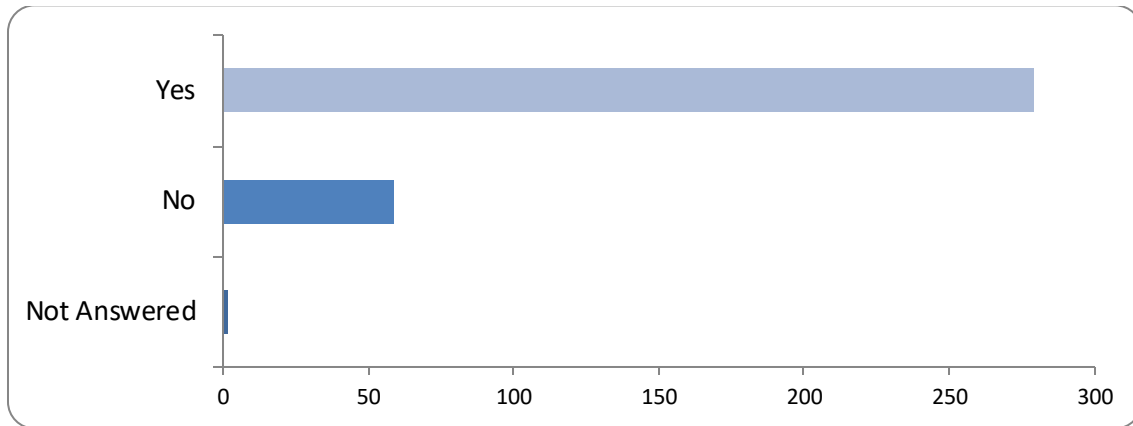
10 Consultation Results

1: Do you think we should extend the Dog Control Order for 3 more years until 2027?

Extending the Order

There were 338 responses to this part of the question.

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Option	Total	Percent
Yes	279	82.06%
No	59	17.35%
Not Answered	2	0.59%

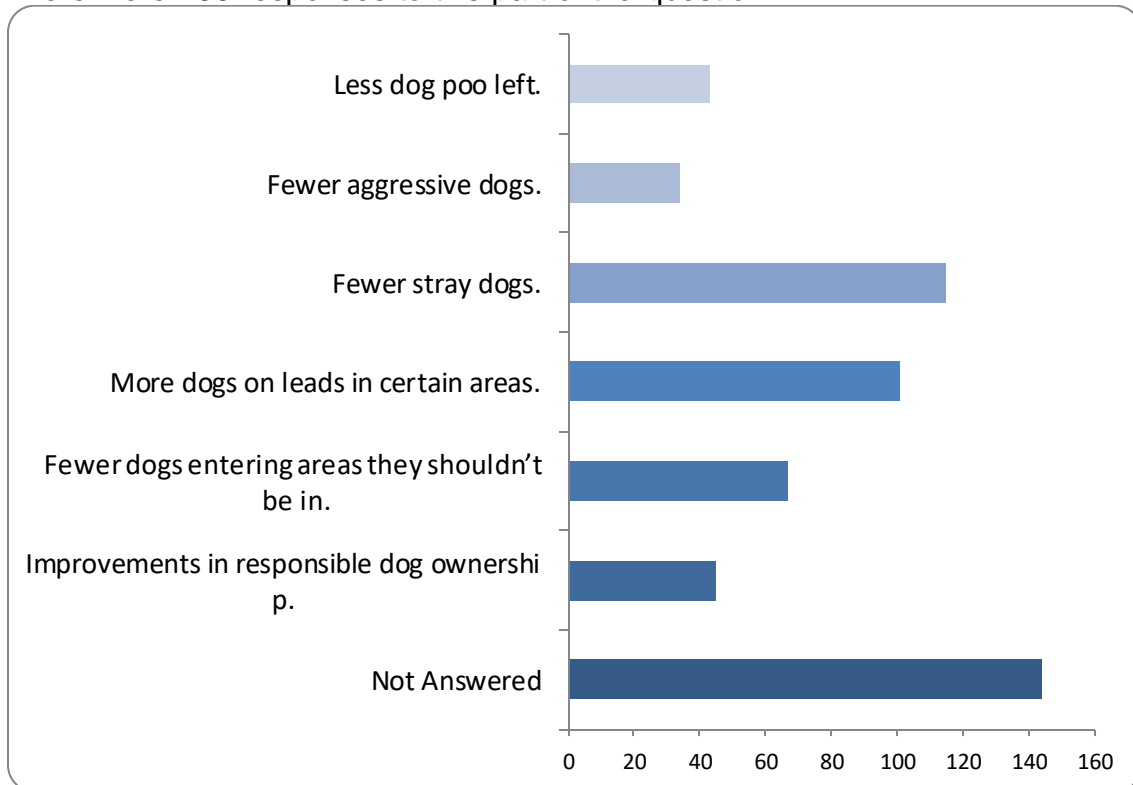
Comments about extending the order

There were 282 responses to this part of the question.

2: Sefton has had Dog Control Orders since 2017. Have you noticed any improvements? (please tick all that apply).

Any improvements?

There were 196 responses to this part of the question.



Option	Total	Percent
Less dog poo left.	43	12.65%
Fewer aggressive dogs.	34	10.00%
Fewer stray dogs.	115	33.82%
More dogs on leads in certain areas.	101	29.71%

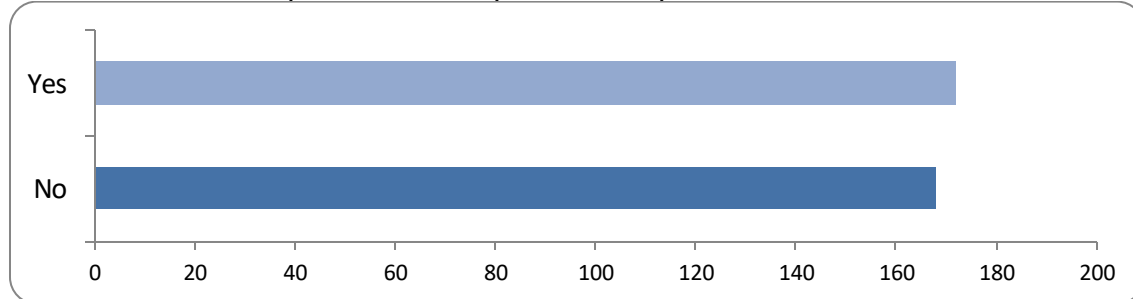
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Fewer dogs entering areas they shouldn't be in.	67	19.71%
Improvements in responsible dog ownership.	45	13.24%
Not Answered	144	42.35%

3: Are you a dog owner?

Dog owner

There were 340 responses to this part of the question.

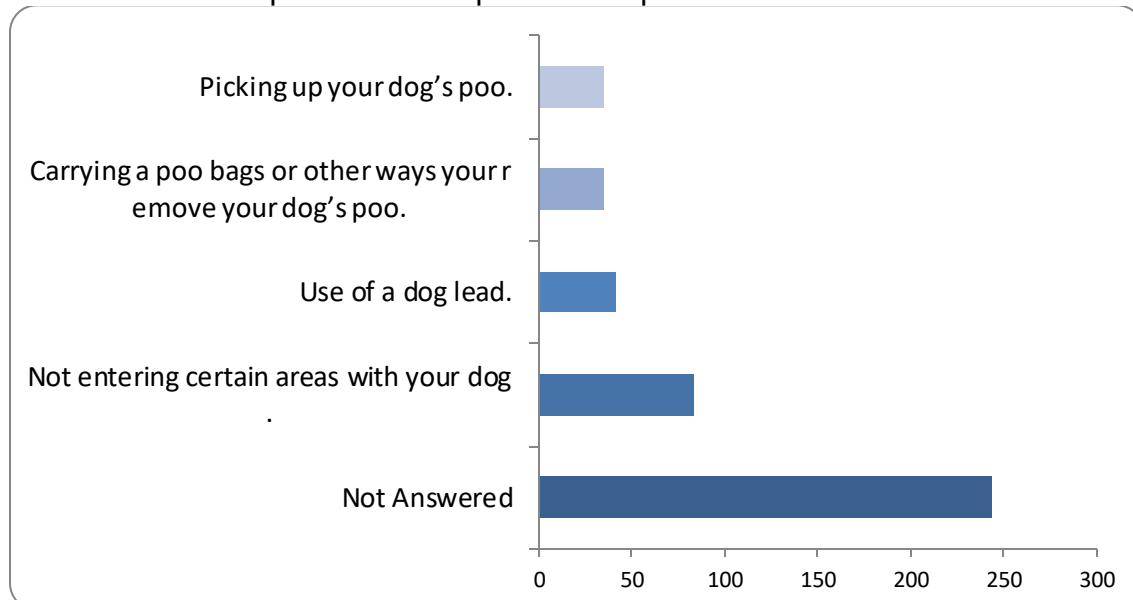


Option	Total	Percent
Yes	172	50.59%
No	168	49.41%
Not Answered	0	0.00%

If you are a dog owner, has the Dog Control order had an impact on your behaviour in any of the following ways?

Impact on behaviour

There were 96 responses to this part of the question.

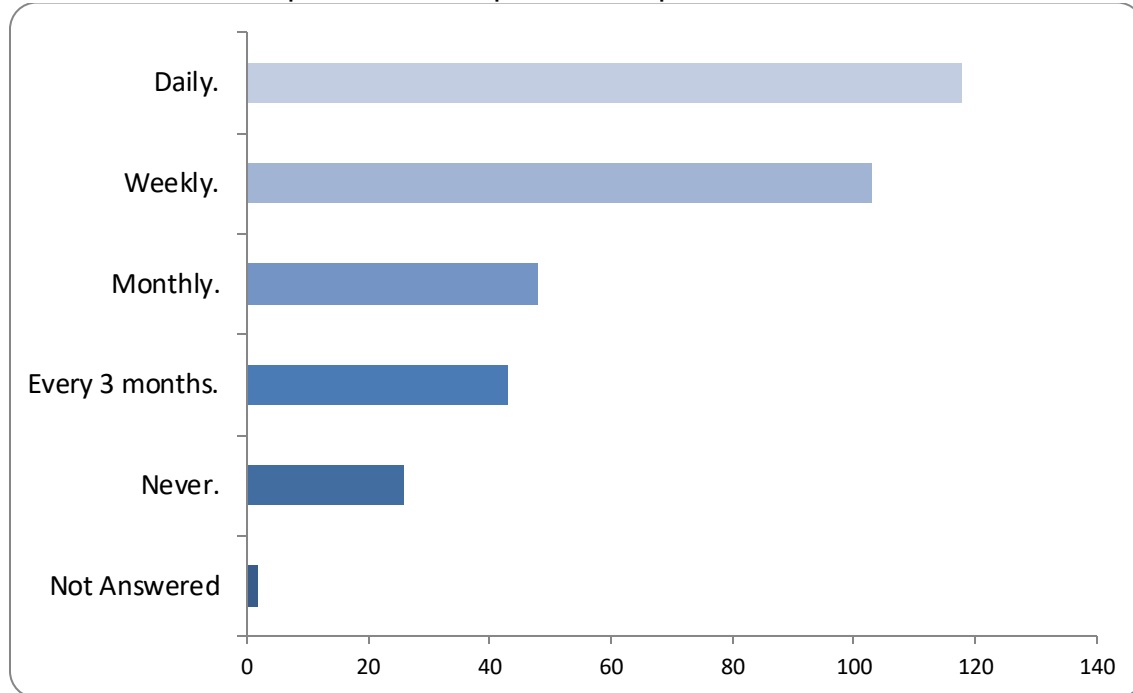


Option	Total	Percent
Picking up your dog's poo.	35	10.29%
Carrying a poo bags or other ways your remove your dog's poo.	35	10.29%
Use of a dog lead.	41	12.06%
Not entering certain areas with your dog.	83	24.41%
Not Answered	244	71.76%

5: How often have you seen irresponsible dog ownership in the last 12 months?

Frequency of irresponsible dog ownership.

There were 338 responses to this part of the question.

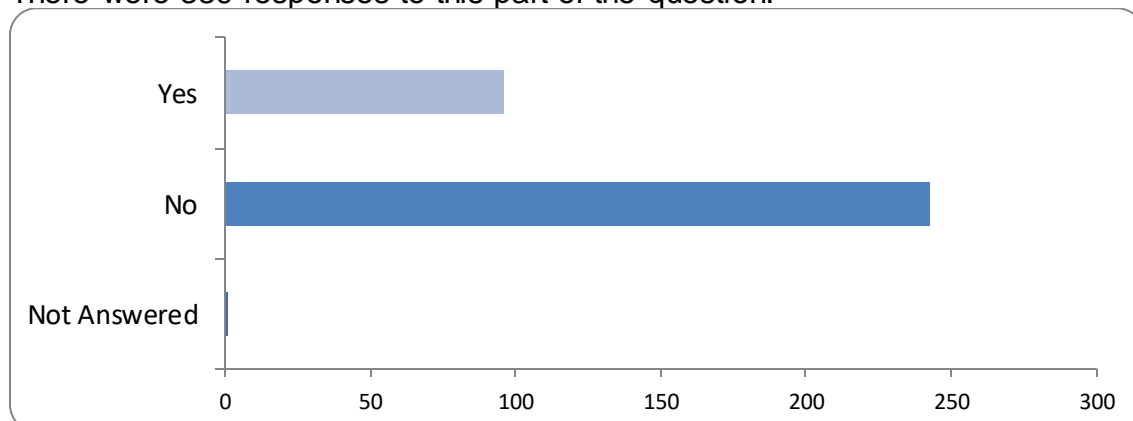


Option	Total	Percent
Daily.	118	34.71%
Weekly.	103	30.29%
Monthly.	48	14.12%
Every 3 months.	43	12.65%
Never.	26	7.65%
Not Answered	2	0.59%

6: Do you feel that the information about the Dog Control Order is good enough?

Information about the order

There were 339 responses to this part of the question.



Option	Total	Percent
Yes	96	28.24%

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No	243	71.47%
Not Answered	1	0.29%

Dog Control information improvements

There were 243 responses to this part of the question.

7: Do you have any comments about the Dog Control Order?

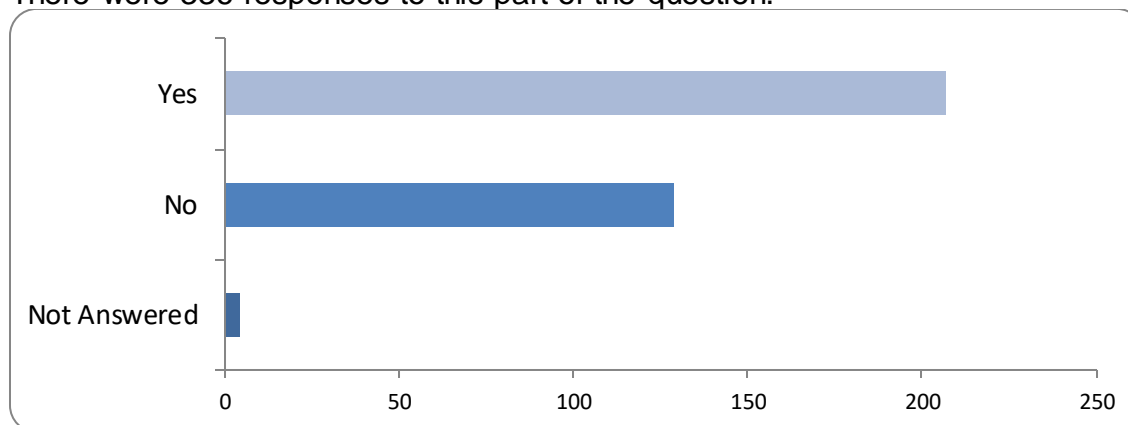
Comments

There were 232 responses to this part of the question.

8: Do you give consent to providing your details, in accordance with the Privacy Notice?

Consent

There were 336 responses to this part of the question.



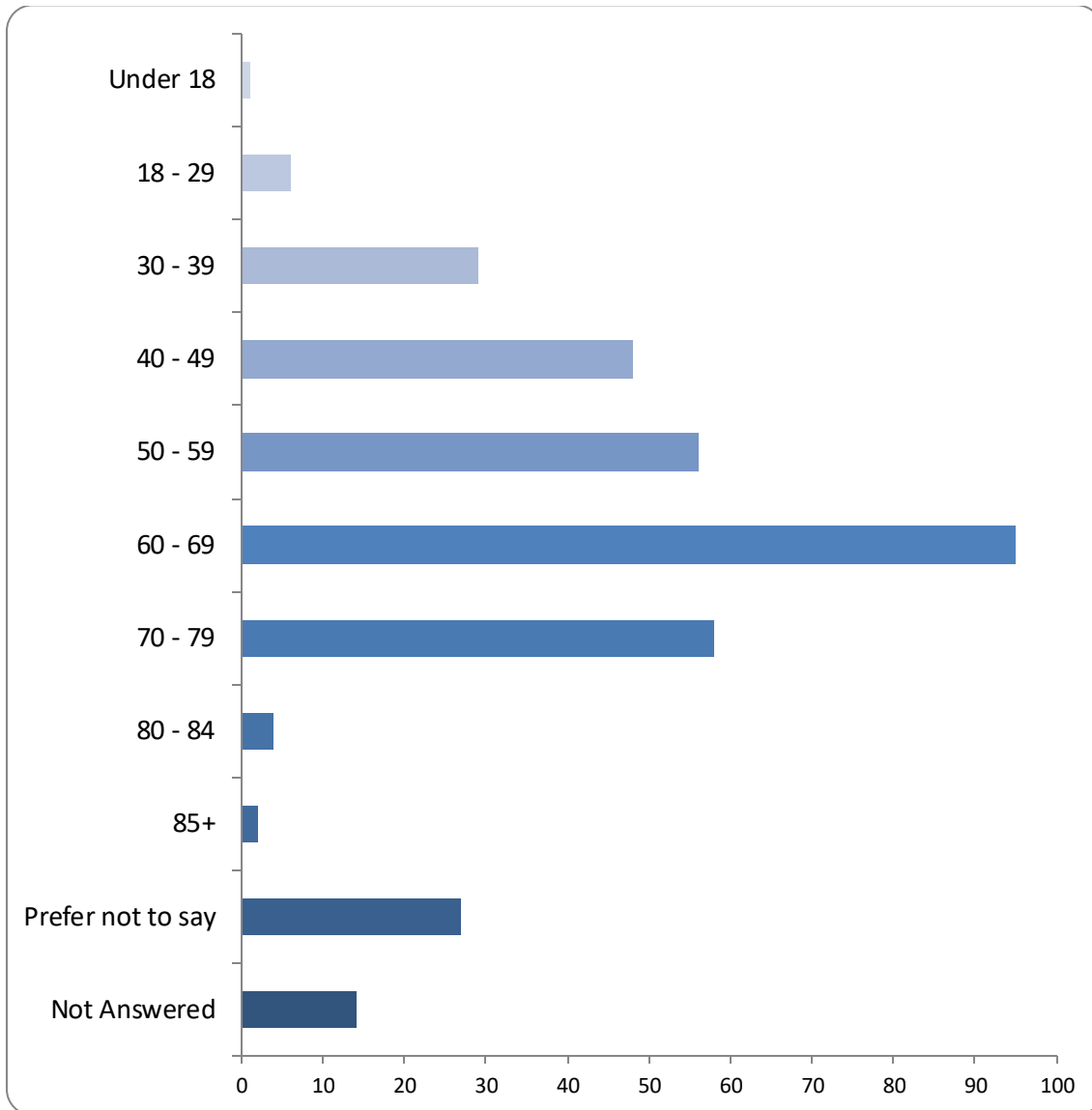
Option	Total	Percent
Yes	207	60.88%
No	129	37.94%
Not Answered	4	1.18%

9: How old are you?

Age

There were 326 responses to this part of the question.

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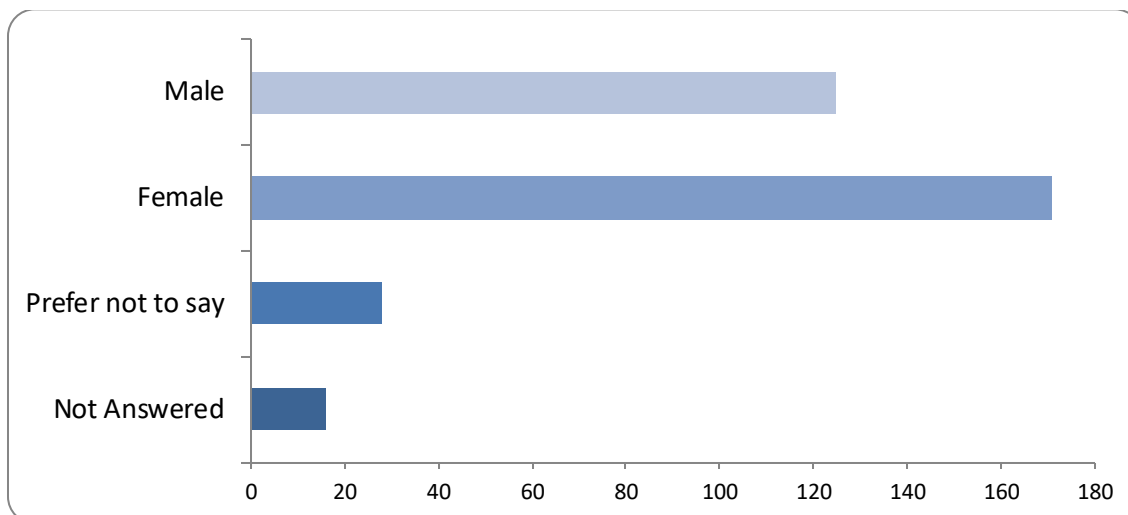
Option	Total	Percent
Under 18	1	0.29%
18 - 29	6	1.76%
30 - 39	29	8.53%
40 - 49	48	14.12%
50 - 59	56	16.47%
60 - 69	95	27.94%
70 - 79	58	17.06%
80 - 84	4	1.18%
85+	2	0.59%
Prefer not to say	27	7.94%
Not Answered	14	4.12%

10: Sex

Sex

There were 324 responses to this part of the question.

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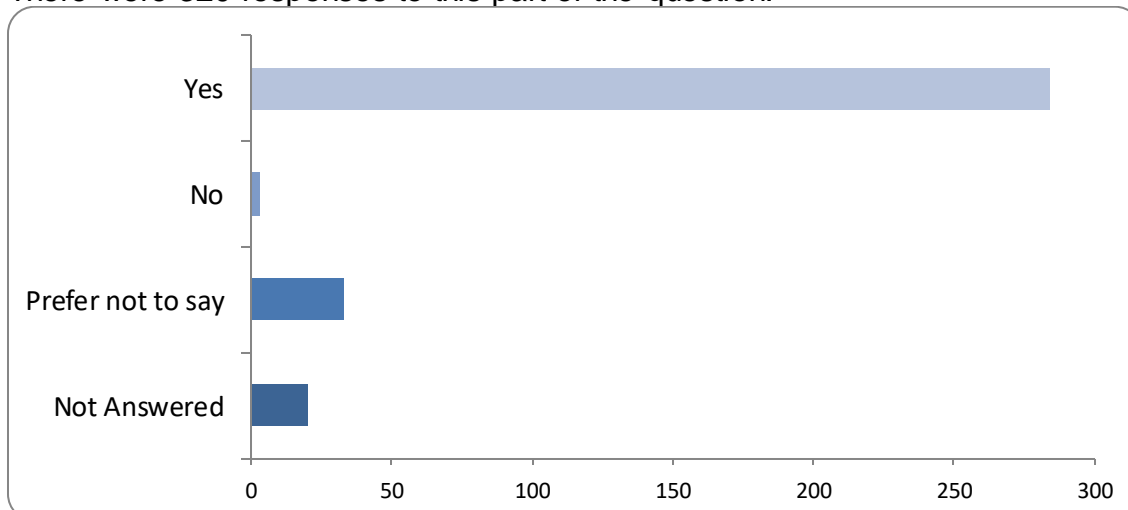


Option	Total	Percent
Male	125	36.76%
Female	171	50.29%
Prefer not to say	28	8.24%
Not Answered	16	4.71%

11: Is the gender you identify with the same as your sex registered at birth?

Gender

There were 320 responses to this part of the question.



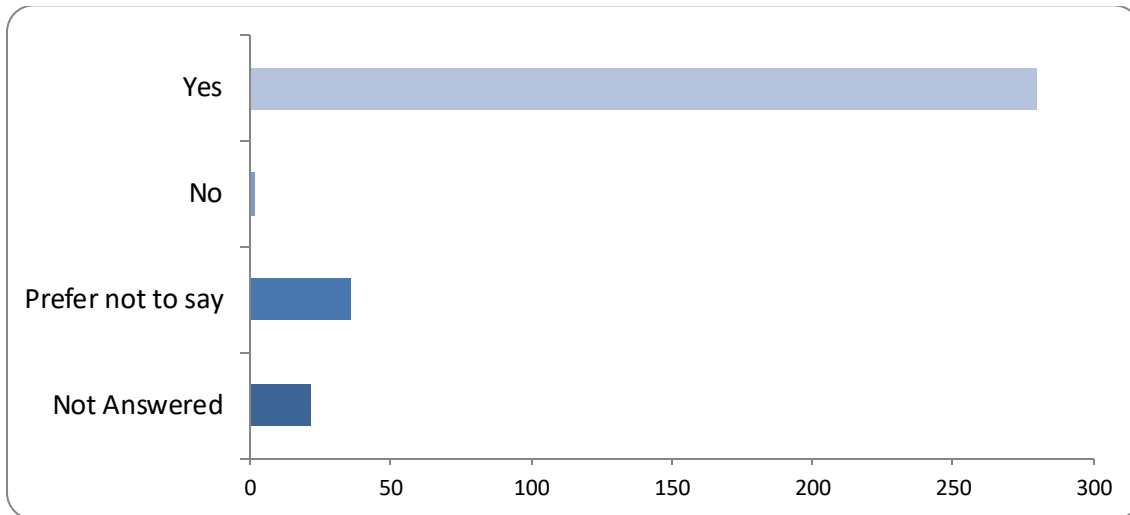
Option	Total	Percent
Yes	284	83.53%
No	3	0.88%
Prefer not to say	33	9.71%
Not Answered	20	5.88%

12: Do you currently live as your birth sex?

Gender identity

There were 318 responses to this question.

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Option	Total	Percent
Yes	280	82.35%
No	2	0.59%
Prefer not to say	36	10.59%
Not Answered	22	6.47%

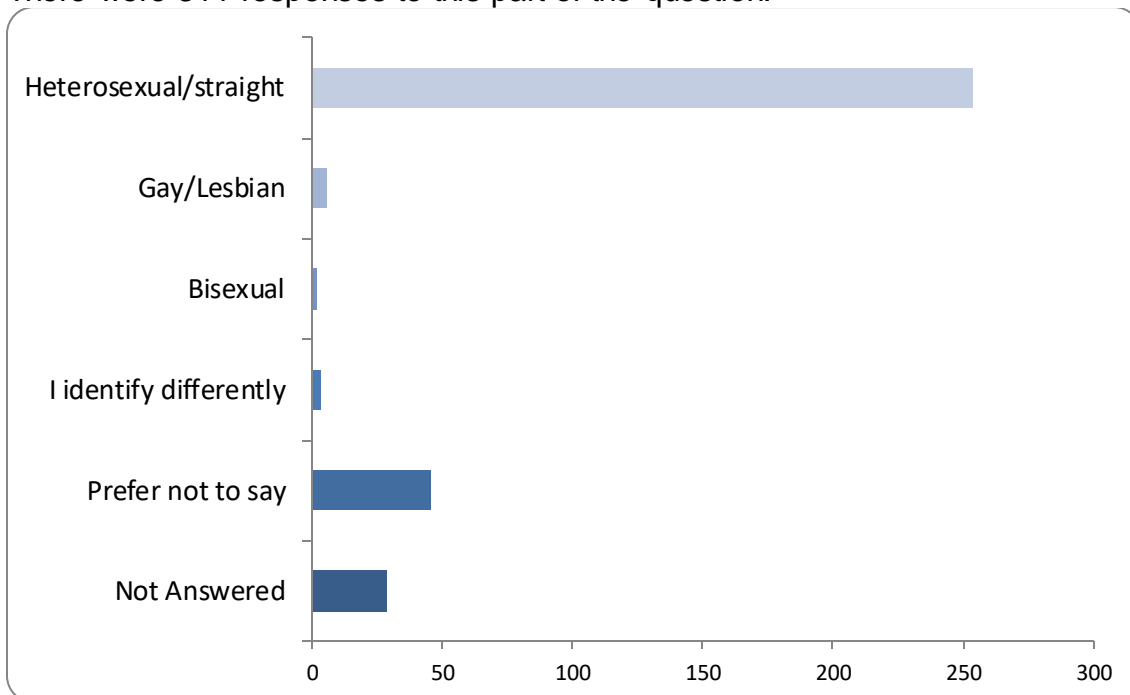
Gender identity

There were 3 responses to this part of the question.

13: Relationships - How would you describe your sexual orientation?

Sexual orientation

There were 311 responses to this part of the question.



Option	Total	Percent
Heterosexual/straight	254	74.71%
Gay/Lesbian	6	1.76%
Bisexual	2	0.59%
I identify differently	3	0.88%

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Prefer not to say	46	13.53%
Not Answered	29	8.53%

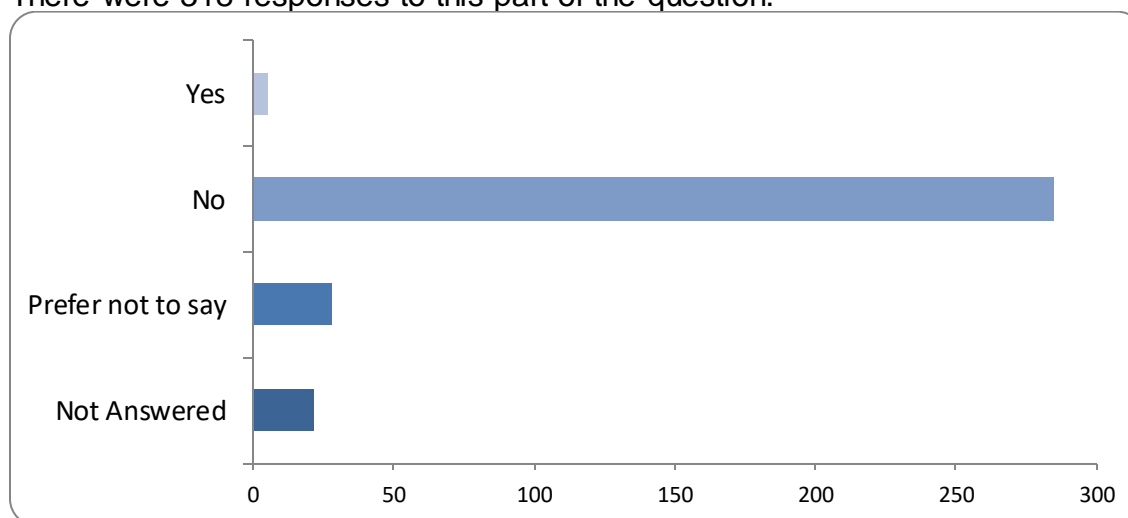
Please tell us how you identify.

There were 9 responses to this part of the question.

14: Are you cared for by Sefton Council?

Currently cared for

There were 318 responses to this part of the question.

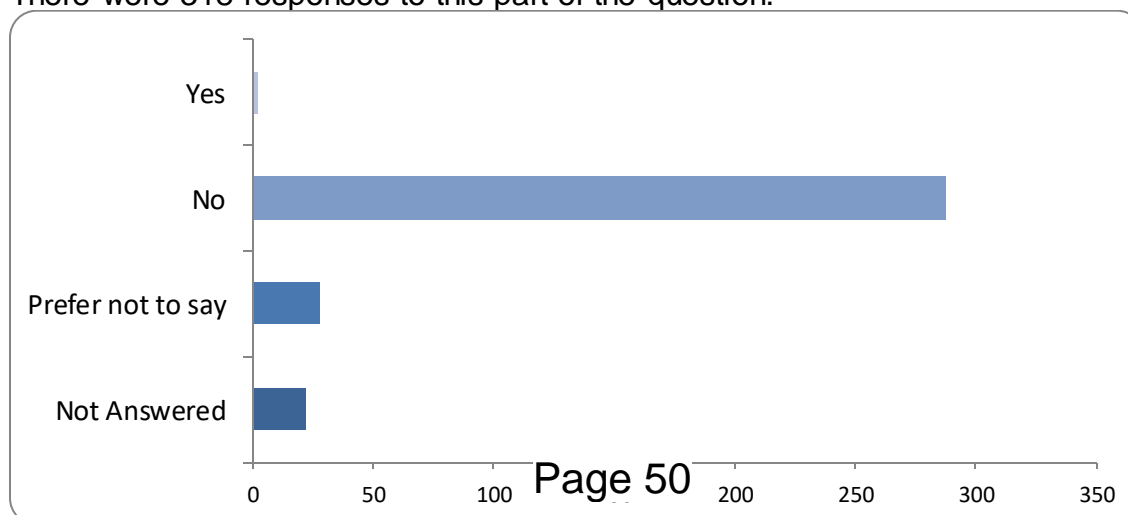


Option	Total	Percent
Yes	5	1.47%
No	285	83.82%
Prefer not to say	28	8.24%
Not Answered	22	6.47%

15: Have you ever been cared for as a child by Sefton Council or any other Council?

Care experienced

There were 318 responses to this part of the question.

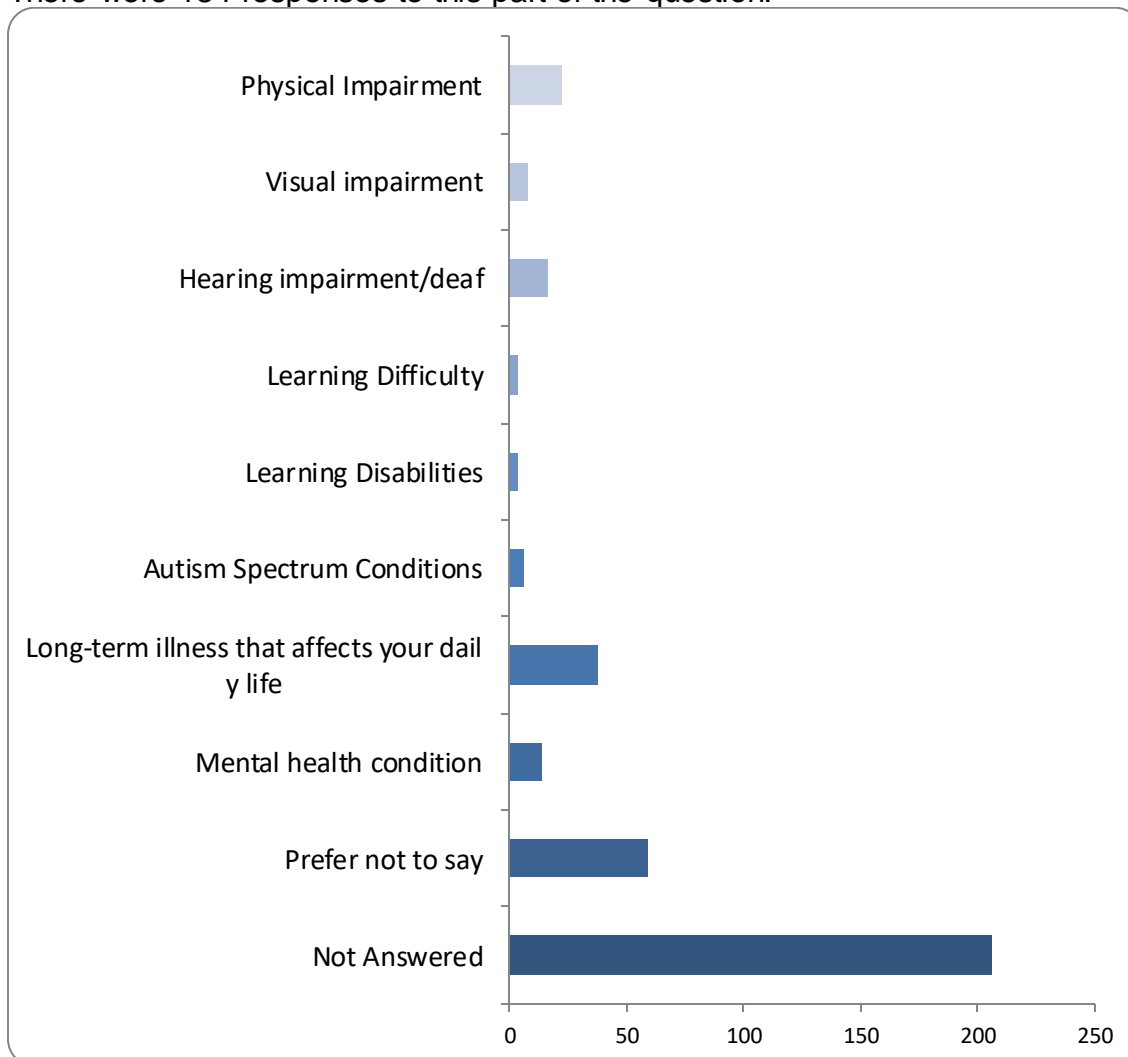


Option	Total	Percent
Yes	2	0.59%
No	288	84.71%
Prefer not to say	28	8.24%
Not Answered	22	6.47%

16: Disability: Do you have any of the following (please tick all that apply):

Disability

There were 134 responses to this part of the question.



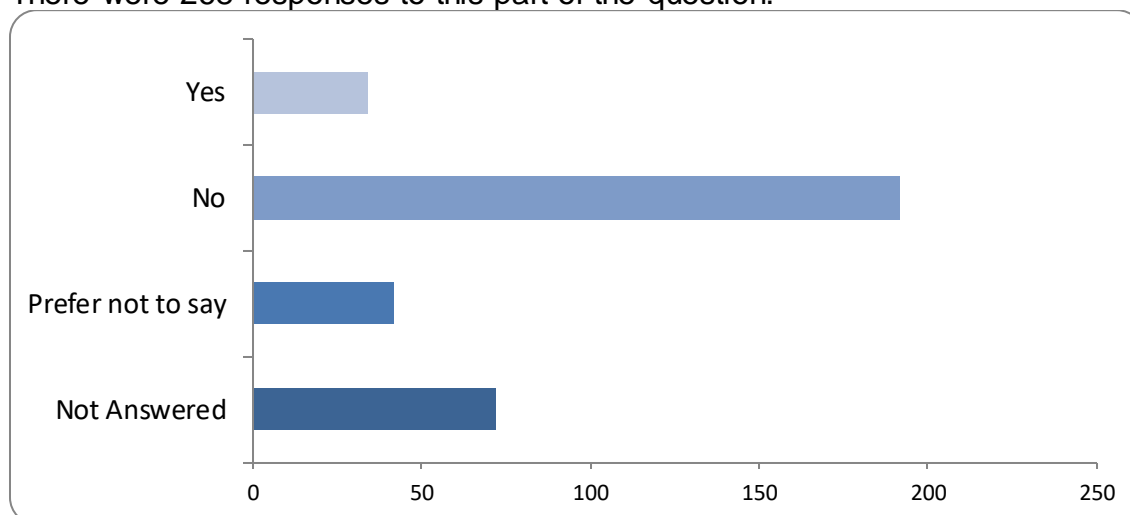
Option	Total	Percent
Physical Impairment	22	6.47%
Visual impairment	8	2.35%
Hearing impairment/deaf	16	4.71%
Learning Difficulty	4	1.18%
Learning Disabilities	4	1.18%
Autism Spectrum Conditions	6	1.76%
Long-term illness that affects your daily life	38	11.18%
Dementia	0	0.00%
Mental health condition	14	4.12%
Prefer not to say	59	17.35%
Not Answered	206	60.59%

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17: If you have Cancer, diabetes, or HIV this is seen as a disability under the Equalities Law. Or if you have ticked any of the boxes in question 16. Do you think of yourself as disabled?

Consider disabled?

There were 268 responses to this part of the question.

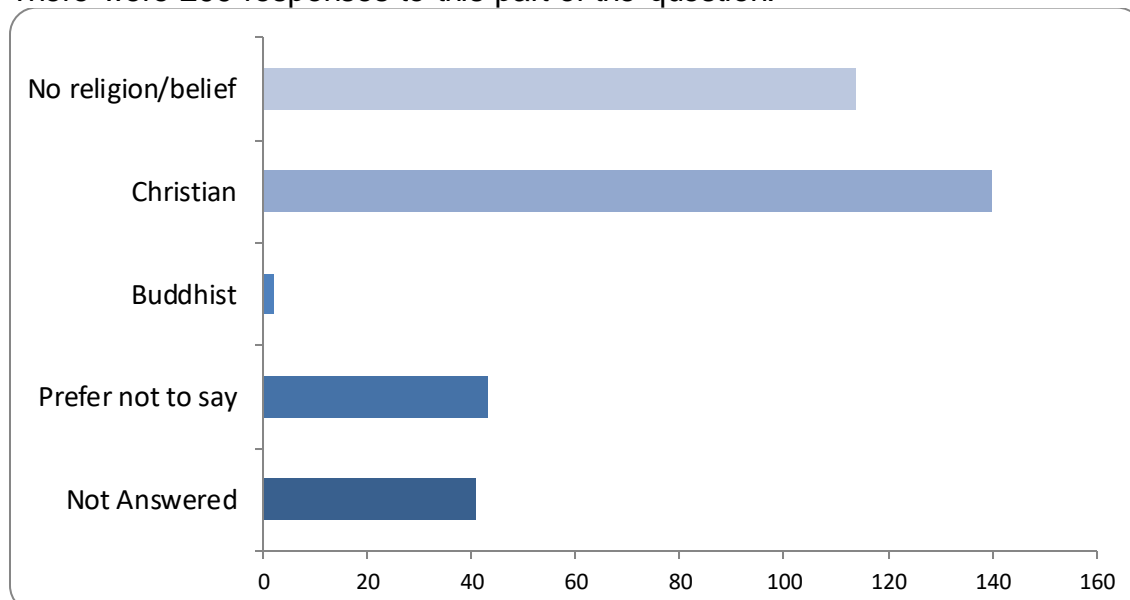


Option	Total	Percent
Yes	34	10.00%
No	192	56.47%
Prefer not to say	42	12.35%
Not Answered	72	21.18%

18: What is your religion/belief?

Religion or belief

There were 299 responses to this part of the question.



Option	Total	Percent
No religion/belief	114	33.53%

Christian	140	41.18%
Hindu	0	0.00%
Muslim	0	0.00%
Jewish	0	0.00%
Sikh	0	0.00%
Buddhist	2	0.59%
Prefer not to say	43	12.65%
Not Answered	41	12.06%

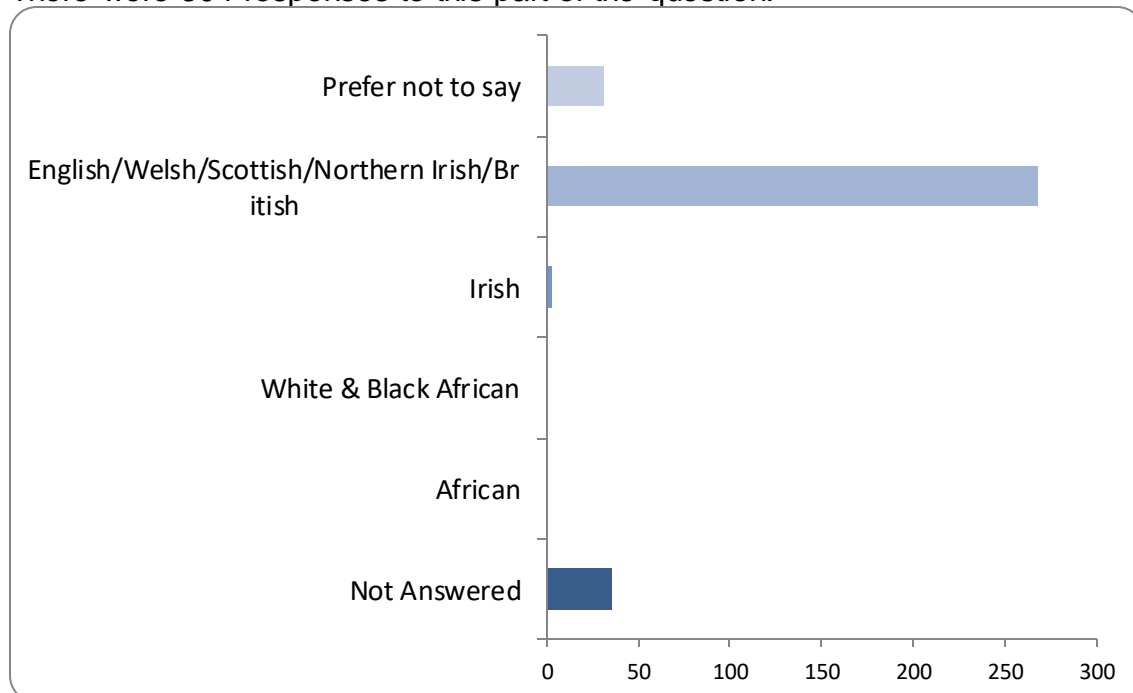
Other religion or belief?

There were 10 responses to this part of the question.

19: Race and Ethnicity - do you identify as:

Ethnicity

There were 304 responses to this part of the question.



Option	Total	Percent
Prefer not to say	31	9.12%
English/Welsh/Scottish/Northern Irish/British	268	78.82%
Irish	3	0.88%
Gypsy or Irish Traveller or Roma	0	0.00%
Polish	0	0.00%
Portuguese	0	0.00%
Latvian	0	0.00%
Lithuanian	0	0.00%
White and Black Caribbean	0	0.00%
White & Black African	1	0.29%
White & Asian	0	0.00%
Indian	0	0.00%
Bangladeshi	0	0.00%
Pakistani	0	0.00%

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Chinese	0	0.00%
African	1	0.29%
Caribbean	0	0.00%
Arab	0	0.00%
Not Answered	36	10.59%

Other ethnic background (please describe)

There were 9 responses to this part of the question

Appendix 1 – Sefton MBC Public Spaces Protection Order 2021

Sefton Metropolitan Borough Council

Public Spaces Protection

Order Dog Control

Anti-social Behaviour, Crime and Policing Act 2014, Part 4

Sefton Metropolitan Borough Council in exercise of the powers conferred on it by Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 makes the following Order —

1. Citation

This Order may be cited as the **Sefton MBC Public Spaces Protection Order [Dog Control]** and for the purposes of any enforcement proceedings, Notices, documents or correspondence the short title **Dog Control Order** may be given.

2. Interpretation

- (1) In this Order the expressions "the Authority" or "the Council" shall mean Sefton MBC whose principal offices are Magdalen House, 30 Trinity Road, Bootle, L20 3NJ.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act").
- (3) For the purposes of this Order a person who habitually has a dog in his/her possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- (4) Any reference in the Schedules to this Order to "prescribed charity" shall mean any of the following charities —

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- (a) **Dogs for the Disabled** (registered charity number 1092960);
- (b) **Support Dogs** (registered charity number 1088281);
- (c) **Canine Partners for Independence** (registered charity number 803680);
- (d) **Dog A.I.D.** (registered charity number 1098619);
- (e) **Dogs for Good** (registered charity number 1092960);
- (f) **Guide Dogs** (registered charity number 209617); and
- (g) **Hearing Dogs for Deaf People** (registered charity number 293358).

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3. Effect

(1) This Order shall come into force on **28th April 2021**

(2) This Order is made as the Council is satisfied on reasonable grounds that the two conditions prescribed by section 59(2) and (3) of the Act have been met, namely:

(a) **The first condition:**

(i) Activities carried on in a public place within the Authority's area have had a detrimental effect on the quality of life of those in the locality ("the Activities"); or

[ii] It is likely that activities will be carried on in a public place within the Authority's area ("the Activities") and that they will have a detrimental effect on the quality of life of those in the locality;

and such Activities are set out in the respective Schedules to this Order

(b) **The second condition:**

The effect, or likely effect, of the Activities —

(i) is, or is likely to be, of a persistent or continuing nature,

(ii) is, or is likely to be, such as to make the activities unreasonable, and

(iii) justifies the restrictions imposed by this Order.

(3) This Order relates to each public place referred to in **Schedules 1, 2, 3 4 and 5** to this Order ("the Restricted Areas") together with such other Schedules as may be included under any variation of the Order from time to time and —

(a) prohibits specified things from being done in the Restricted Area ("the Restrictions") as may be set out in the Schedules,

(b) requires specified things to be done by persons carrying on the activities in the Restricted Area ("the Requirements"), or

(c) does both of those things.

4. Requirement to provide name and address

(1) For the purposes of enforcing the provisions of this Order any person who appears to a duly authorised officer of the Authority or to a Police Officer to be in charge of any dog to which the provisions of this Order apply shall **Page 56**

confirm their full name, address and date of birth upon any request having been made in that respect whether verbally or in writing by any such officer and within such time as may be stipulated by that officer.

5. **Offence of failing to comply with this Order**

- (1) It is an offence for a person without reasonable excuse—
 - (a) to do anything that a person is prohibited from doing by a public spaces protection order, or
 - (b) to fail to comply with a requirement to which a person is subject under a public spaces protection order.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to the Order,
- (4) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

6. **Duration of Order**

- (1) This Order will remain in force for the period of **3 years** from the date that it comes into force specified in paragraph 3(1).
- (2) Before the time when this Order is due to expire, the Council may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent —
 - (a) an occurrence or recurrence after that time of the Activities, or
 - (b) an increase in the frequency or seriousness of the Activities after that time.
- (3) The Order may be so extended more than once.

6. **Variation and discharge of the Order**

- (1) The Council may vary this Order —
 - (a) by increasing or reducing the Restricted Areas;
 - (b) by altering or removing a prohibition or requirement included in the Order or adding a new one.

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- (2) Where the Council considers it appropriate to do so the Order may be discharged by the Council before the end of the period that the Order may remain in force specified in paragraph 5(1).

7. Challenging the validity of the Order

- (1) Under the provisions of section 66 of the Act an interested person may within 6 weeks of the making of this Order apply to the High Court to question its validity or the validity of any variation of this Order on the grounds specified in section 66(2) of the Act, namely –
 - (a) that the Council did not have power to make the Order or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied);
 - (b) that a requirement under Chapter 2 of Part 4 of the Act was not complied with in relation to the Order of variation.

Dated this **28th** day of **April 2021**

The Common Seal of the **Sefton Metropolitan Borough Council**

was hereunto affixed in the presence of -



.....

Duly Authorised Officer - David McCullough, Chief Legal and Democratic Officer

SCHEDULE 1

The fouling of land by dogs

1. The Restricted Areas

- (1) Any land within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. *The Requirements*

- (1) If a dog defecates at any time on land to which this Schedule applies a person who is in charge of that dog shall remove the faeces from the land forthwith **unless—**
 - (a) that person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land *has consented (generally or specifically) to his/her failing to do so.*

3 Exemptions

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

For the purposes of this Schedule —

- (a) placing faeces in a receptacle on the land which is provided for that purpose, or for the disposal of waste, shall be sufficient removal from the land;
- (b) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;

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SCHEDULE 2

The exclusion of dogs from land

1. The Restricted Areas

- (1) All enclosed children's playgrounds and all fenced sports pitches including multi use game sports facilities including bowling greens within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.
- (2) All marked sports pitches within the Metropolitan Borough of Sefton within defined dates which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. The Restrictions

- (1) A person in charge of a dog shall not take the dog, nor shall allow the dog to enter and to remain, on any land described in paragraph 1(1) of this Schedule at any time;
- (2) A person in charge of a dog shall not take the dog, nor shall allow the dog to enter and to remain, on any land described in paragraphs 1(2) of this Schedule at any time from

Football or Rugby pitches from **01 September to 31st May** inclusive

Cricket pitches from **01 April to 30th September** inclusive

unless in the case of either of the restrictions described under paragraphs 2(1) and (2)[2] respectively of this Schedule —

- (a) that person has a reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her doing so.

3. Exemptions

The offence does not apply to a person who

- (a) is registered as a blind person in a register compiled under section of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or
- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

SCHEDULE 3

Dogs on leads

1. **The Restricted Areas**

- (1) Any land within the Metropolitan Borough of Sefton which is used as a memorial, burial ground, cemetery or garden of remembrance together with any forecourt, terrace, yard or walkway providing access, and together with adjoining verges, landscaped areas and gardens.
- (2) Any land within the Metropolitan Borough of Sefton which is a designated carriageway (A or B classified roads) together with the adjoining footpaths and verges of such carriageways.
- (3) Any Land with the Metropolitan Borough of Sefton which is a designated Picnic Area or Family Area

2. **The Requirements**

- (1) A person in charge of a dog shall at all times keep the dog on a lead of not more than 2.0 metres in length unless:
 - (a) that person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.

3. **Exemptions**

The offence does not apply to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or
- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

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4. Definition of a lead

For the purposes of this Schedule the definition of a lead is

Any rope, cord, leash, or similar items used to tether control or restrain a dog but does not include any such item which is not actively used as a means of restraint so that the dog remains under a persons close control.

SCHEDULE 4

Dogs on leads by direction

1. The Restricted Areas

- (1) Any land within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. The Requirements

- (1) A person in charge of a dog shall comply with a direction given to him by an authorised officer or agent of the Council or by a police officer to put and keep the dog on a lead of not more than 2.0 metres in length unless —
 - (a) that person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.
- (2) For the purposes of this Schedule an authorised person may only give a direction under this Schedule to put and keep a dog on a lead if such restraint is necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to the public on any land to which this Schedule applies and the behaviour would have a detrimental effect on the quality of life of the public.

3. Exemptions

The offence does not apply to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or
- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in

respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

5. Definition of a lead

For the purposes of this Schedule the definition of a lead is

Any rope, cord, leash, or similar items used to tether control or restrain a dog but does not include any such item which is not actively used as a means of restraint so that the dog remains under a persons close control.

SCHEDULE 5

Number of dogs walked by an individual

1. The Restricted Areas

- (1) Any land within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. The Requirements

- (1) A person in charge of a dog on land to which this order applies must restrict the number of dogs that can be walked by a single individual to six dogs unless
 - (a) they have reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

3. Exemptions

The offence does not apply to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or

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- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

SCHEDULE 6

Locations to which schedule 2 and 3 apply

1. List of Locations

Location	Post code	Marked sports pitches (within defined dates) - Dog exclusion	Bowling Greens (playing surface only) - Dog exclusion	enclosed children's playgrounds, fenced sports pitches including multi use game sports facilities (MUGA's) - Dog Exclusion	designated Picnic or family area - Dog on Lead
Abbeyfield Park	L30 1PF			Playground	
Ainsdale Village Park	PR8 3BQ			Playground	south/west end of site and contains fenced children's playground.
Ballswood	L31 3EB		*		
Barkfield Lane	L37 3JW			Playground	
Bedford Park	PR8 4HU	Football		Playground	Community garden bounded by footpaths and fenced playground. (towards longford Road)
Bootle Stadium	L20 9PQ	Football, Baseball			
Botanic Gardens	PR9 7NB		*	Playground	aviary, cafe/museum exterior, fernery and formal flowers

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					beds south of water feature/ up to the two bridges
Bowersdale Park	L21 3TX			Playground,MUGA	family area -is the area adjacent to cafe and children playground.
Brook Vale Playing Fields	L22 3YB	Football			
Buckley Hill	L29 1YB	Football			
Canning Road	PR9 7SP			Playground	
Carr Lane Rec	PR8 3EF	Football			
Compton Road	PR8 4HA			Playground	
Copy Farm	L30 7RN			Playground	family area - surrounds enclosed playground up to dog exercise area and woodland
Coronation Park, Crosby	L23 5RD		*	Playground, Ball Court (tennis), MUGA	
Crescent Bowls Moss Lane	L20 0EA		*		
Crosby Coastal Park	L22 5SR			Playground	
Crossens Recreation ground	PR9 8HT	Cricket	*	Playground, MUGA	
Deansgate Lane	L37 7EP	Football		MUGA	
Derby Park, Bootle	L20 9AA		*	MUGA, Playground	
Devonshire Rd Park	PR9 7BZ	Football		Playground	
Dodds Park	L31 9AB			MUGA	

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Duke St Park, Formby	L37 4AN	Football	*	Playground, Ball courts (tennis) MUGA	Pavillion and picnic area adjacent to childrens playground and tennis courts. Bounded by footpath from Dukes Street to Phillips Lane.
Fernbank Drive	L30 7RH			Playground	
Ferryside Lane Rec	PR9 9YL	Football			
Fleetwood Road	PR9 7QN			Playground	
Glenn Park	L31 6DA			Playground, MUGA	
Hall Lane Playing Field	L31 3DY	Football & Cricket			
Hapsford Road Park	L21 6NP			Playground	
Harrow Drive, Aintree Village	L10 8LD	Football	*	Playground, MUGA, Ball Court (Tennis)	
Hatton Hill Park, Litherland	L21 9JN		*	Playground MUGA	Picnic and family "Rose garden" area bounded by park pavilion and bowling greens.
Hesketh Park	PR9 9LB			Playground	lakeside path and the bands of lawn between the cafe/childrens playground and the lake - inner part of the site.
Hightown Childrens Park	L38 9EX			Playground	Whole site is family area apart from

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					fenced playground
Kenyons Lane	L31 9PU			Playground	
Killen Green	L30 0PF			Playground	Family picnic area fenced (former) bowling green.
Kings Gardens, Southport	PR8 1PQ		*	Playground	2 family areas - "sunken " Community Garden towards South of site and the area surrounding play builder next to fenced playground
King George V playing fields , Maghull Town hall	L31 7BB		**	Playground, Ball Court (Tennis)	
Kirkstone Park	L21 7NT			Playground	
Litherland Sports Park	L21 7QZ	Football & Rugby		MUGA, Athletics	
Lathom Gardens Park	L31 9PF			Playground	
Lonsdale Road	L21 0DS			Playground	
Marian Gardens	L30 3SW			Playground	Picnic / family "Rose Garden" area defined within a triangle of footpaths and contains the childrens playground.

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Menai Road Park	L20 6PG			Playground	
Meols Park Rec	PR8 5HL	Football		Playground	
Mersey Avenue Park	L31 9PJ			Playground	
Moorhey Play area	L31 5NH			Playground	
Moss Park	L31 9PA			Playground	
Moorside Park, Crosby	L23 2RT		*	Playground, MUGA	Picnic / family " rose garden" area with lawns and seating. contained within one corner of park (Moorside Road)
Netherton Activity Centre	L30 3TL	Football		MUGA (football)	
North Park	L20 5BY			Playground, Skate park	north east corner of park and is defined by low kick-rail fence.
Oakhill Park	L31 2LX		*		
Old Hall Park	L31 3DY			Playground	
Ollery Green/Deerbarn	L30 8RU			Playground	
Orrell Mount Park	L20 6DX	Football		Playground, MUGA	north end of park and encompasses fenced childrens playground and grassed area
Ovington Drive	PR8 6JW			Playground	
Pimbley Playing Field	L31 5NB	Football			

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Pinfold Lane	PR8 3QH			Playground	
Poets Park	L20 4SE			Playgrounds, MUGA	
Portland St Playing Fields	PR8 6LX	Football			
Potters Barn Park	L22 1RO			Skate Park/MUGA	
Preston New Road	PR9 8PR	Football			
Rainbow Drive Park	L31 1BW			Playground	
Ridgeway Park	L31 0BZ			Playground, Ball Court (basketball)	
Round Meade	L31 8DY			Playground	
Runnells Lane	L23 1UH			MUGA	
Russell Road Rec	PR9 7RF	football			
Sandbrook Road	PR8 3RQ	Football	*	Playground, MUGA	
Sandy Lane Park	L31 2LA	Football		Playground, Ball Courts (Tennis, basketball)	
Smithy Green	L37 3JZ	Football		Playground	
South Park	L20 7DA			Playground, MUGA	Family / picnic area around park hub pavillion with picnic benches.
Tarleton Road Rec	PR9 7QW	Football			
Victoria Park, Southport	PR8 2BZ		*	Playground	
Victoria Park, Crosby	L22 2AP			Playground, Ball Court(tennis) MUGA	Central zone of park - adjacent to fenced playgrounds and ball courts.
Waterloo Rd recreational ground	PR8 4QW	Rugby			

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<u>Cemeteries & Crematoria</u>					
Bootle, Linacre lane	L20 6 ES				
Duke Street Southport	PR8 5EL				
Liverpool Road, Birkdale	PR8 3DB				
Thornton, Lydiate Lane	L23 1TP				

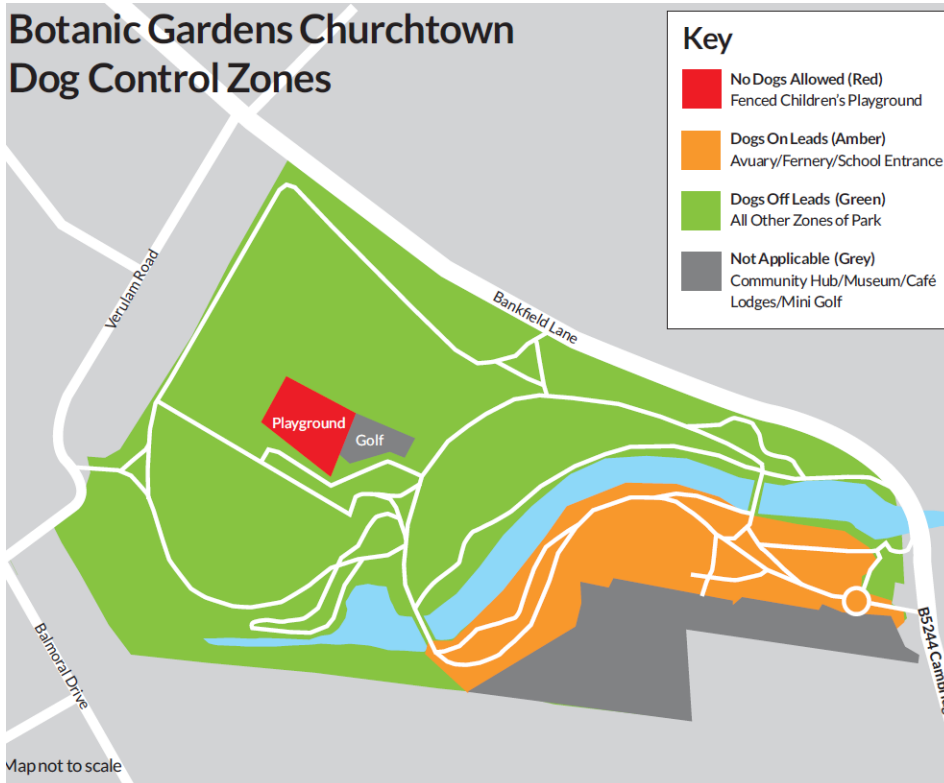
2 Location of Picnic / Family Areas (highlighted orange)



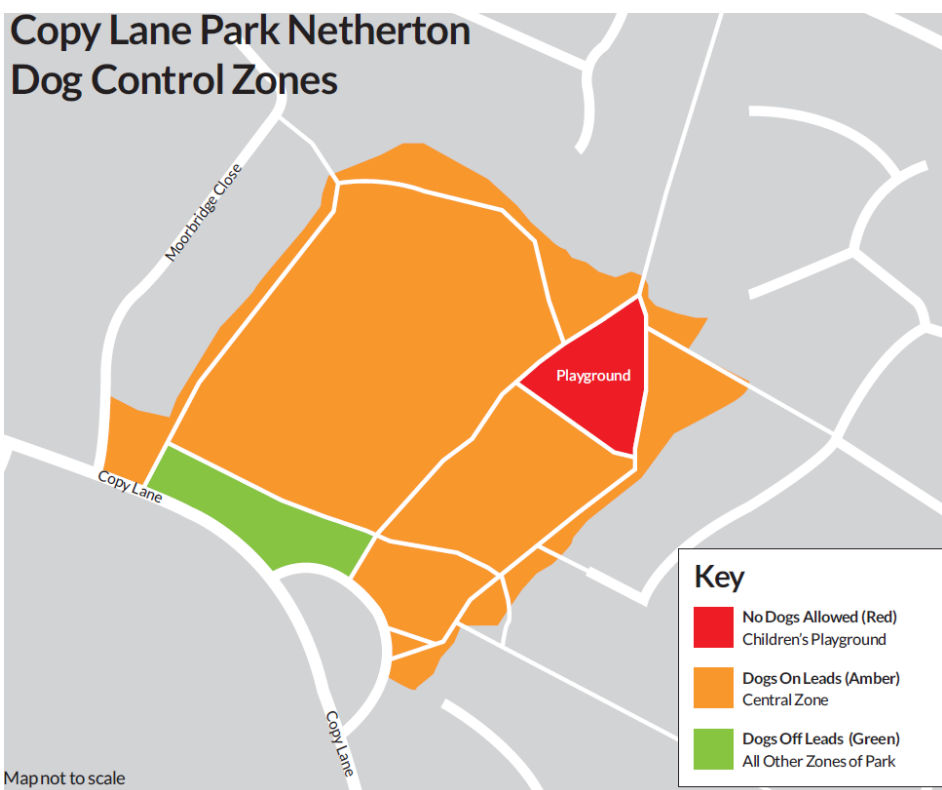
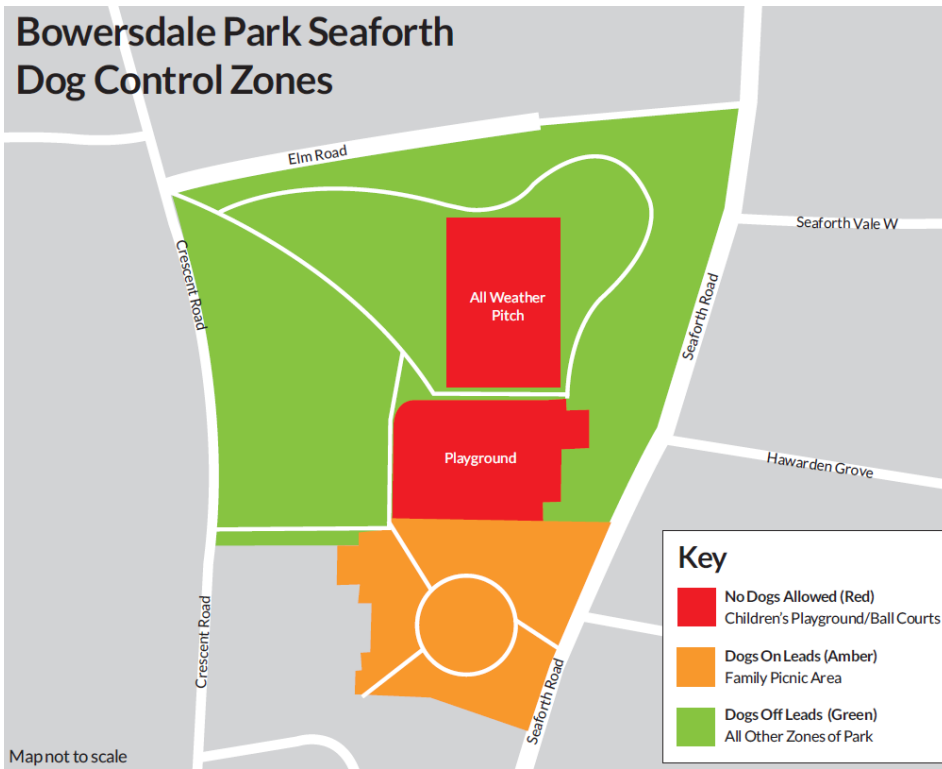
Bedford Park Birkdale Dog Control Zones

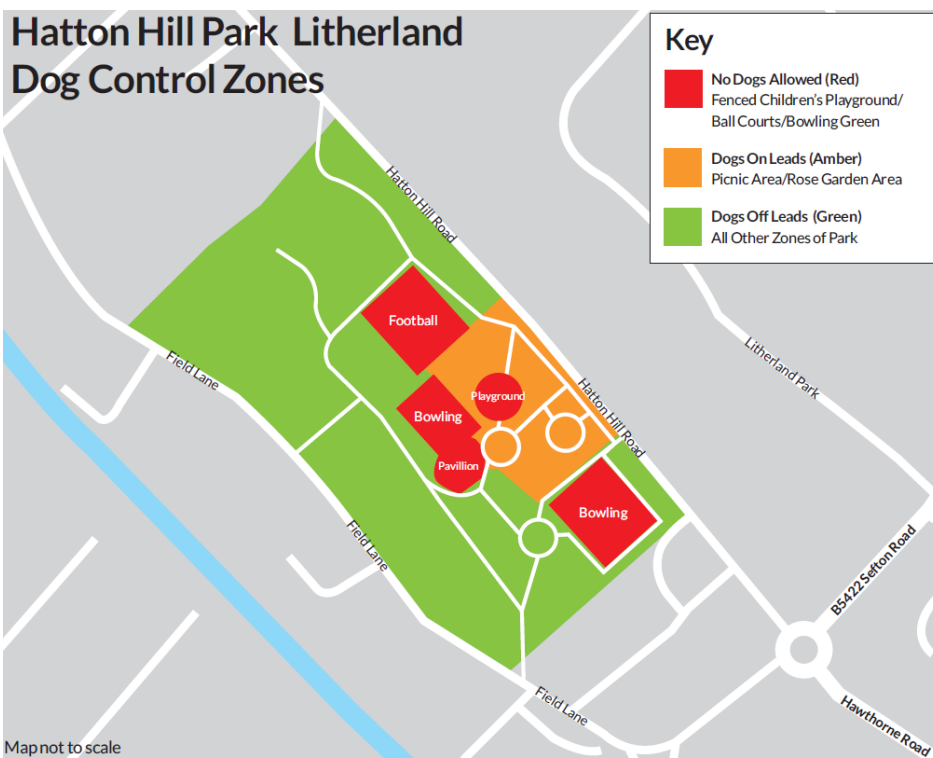
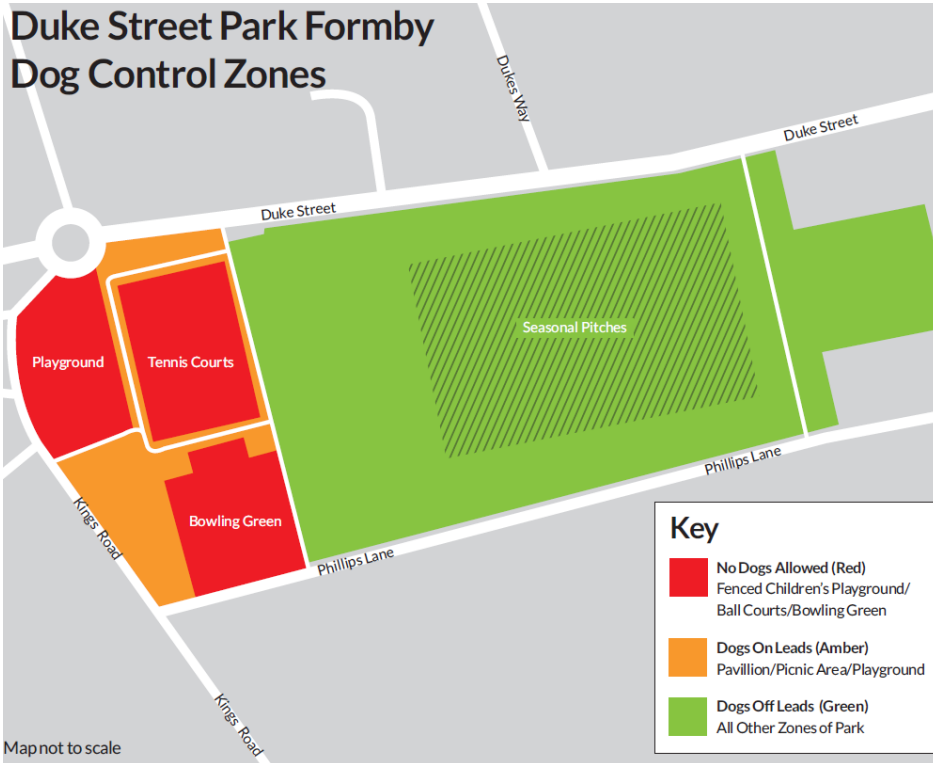


Botanic Gardens Churchtown Dog Control Zones

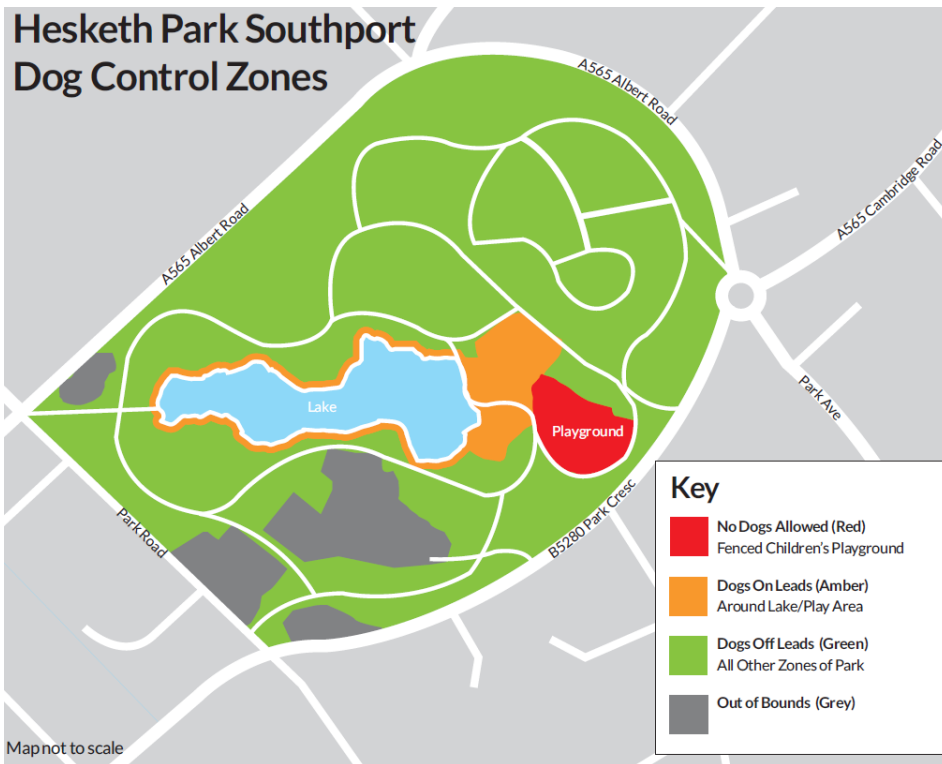


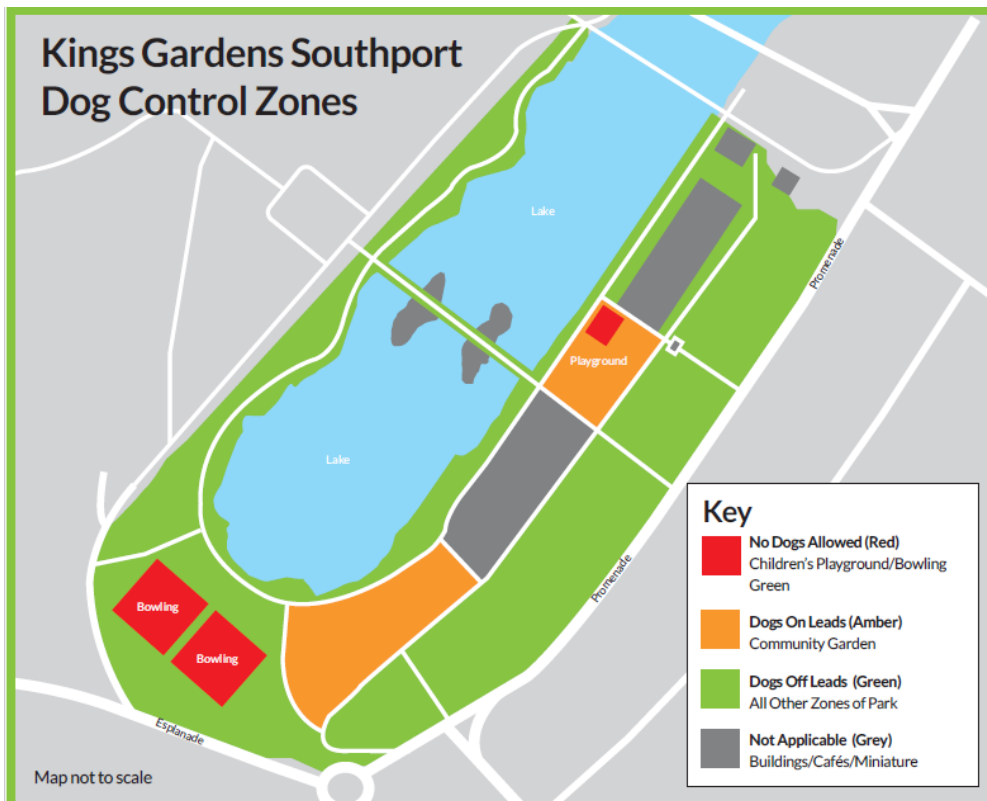
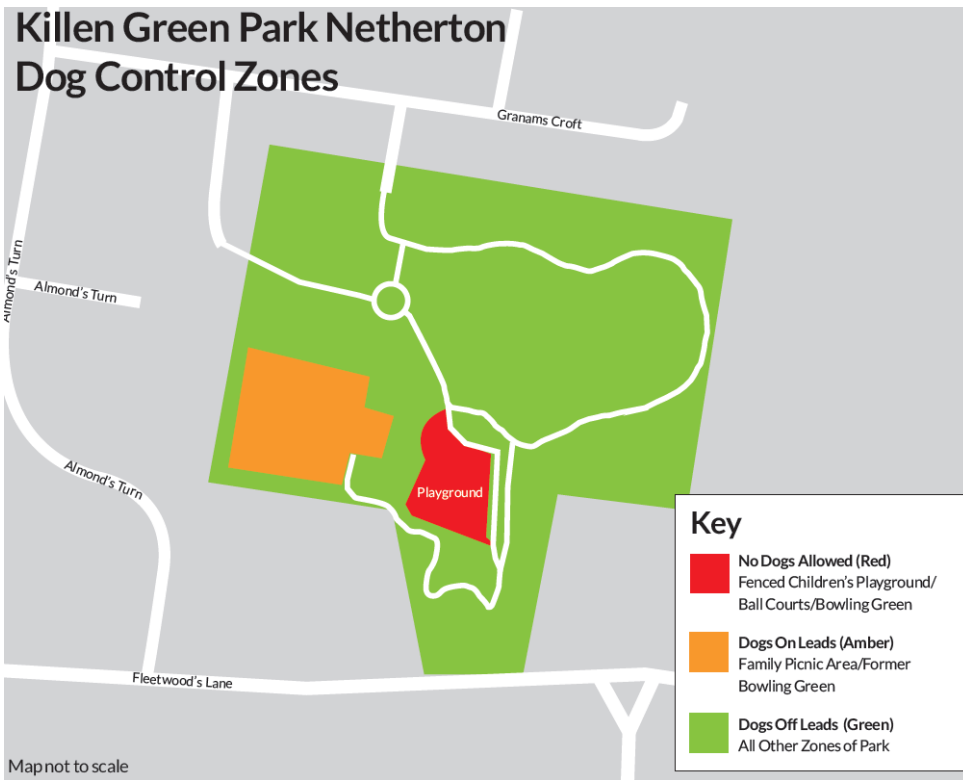
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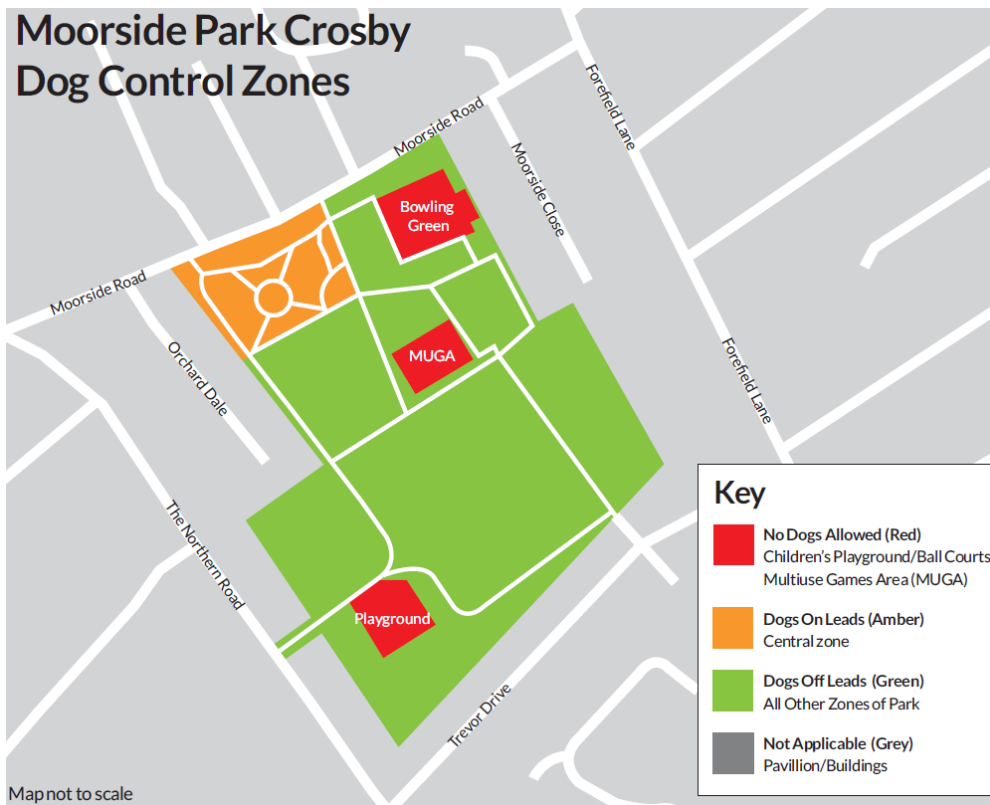
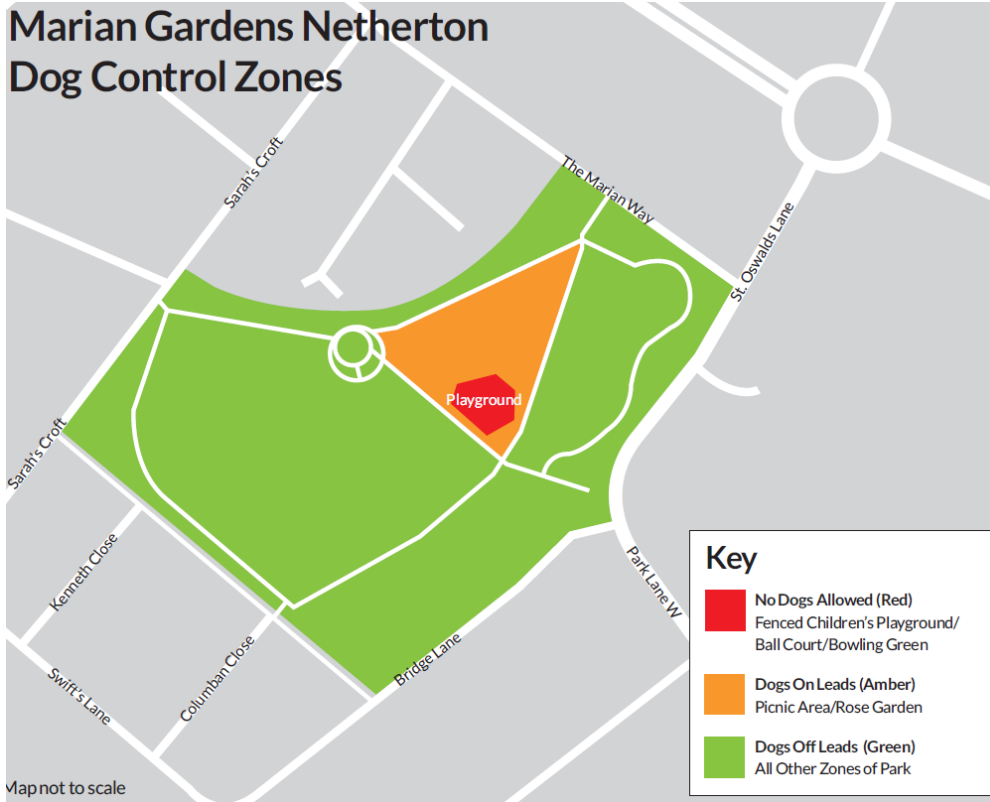


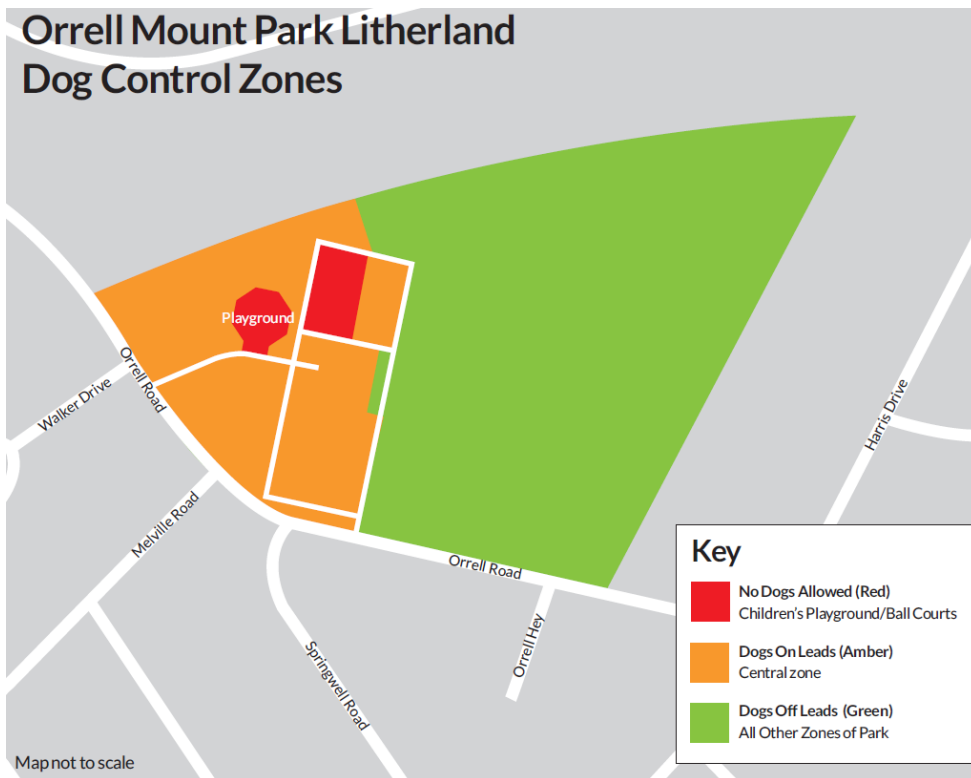
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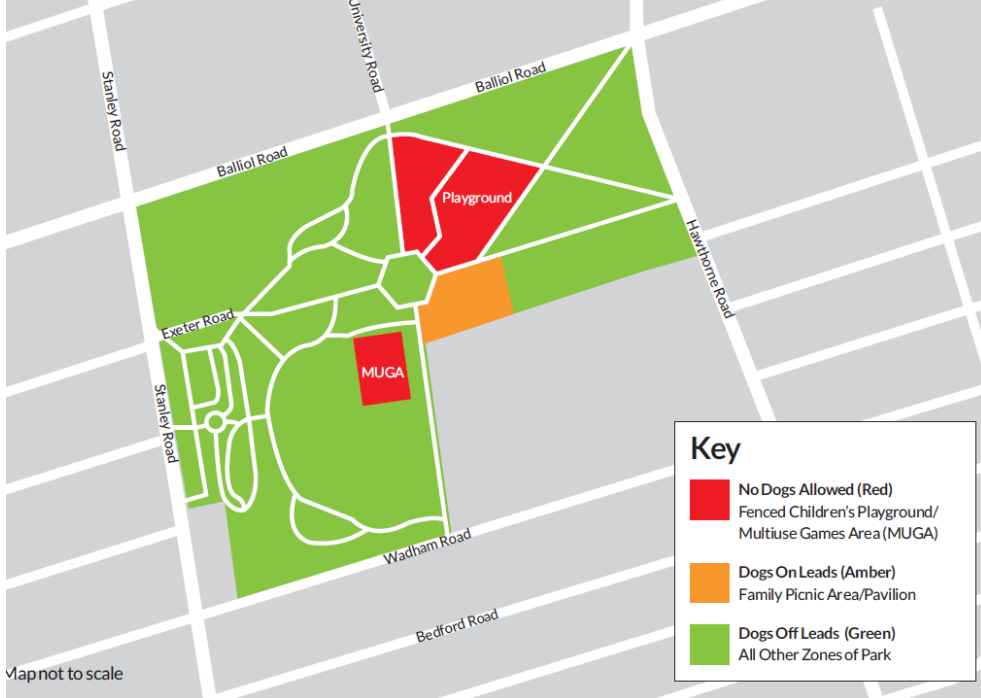
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South Park & Kings Gardens Dog Control Zones



Victoria Park Waterloo Dog Control Zones



Appendix 2: Correspondence from Dogs Trust

Sefton Council



12th February 2024

Public Spaces Protection Order (Dog) - Consultation

Dear Sefton Council,

We are aware that you are running a consultation on the proposal to introduce a Public Space Protection Orders (PSPO), in relation to dogs.

As the UK's largest dog welfare charity, we would like to make some comments for consideration.

Dogs Trust's Comments

1. Re; Fouling of Land by Dogs Order:

- Dogs Trust consider 'scooping the poop' to be an integral element of responsible dog ownership and would fully support a well-implemented order on fouling. We urge the Council to enforce any such order rigorously. In order to maximise compliance, we urge the Council to consider whether an adequate number of disposal points have been provided for responsible owners to use, to consider providing free disposal bags and to ensure that there is sufficient signage in place.
- We question the effectiveness of issuing on-the-spot fines for not being in possession of a poo bag and whether this is practical to enforce.

2. Re; Taking more than a specified number of dogs onto a land:

- The behaviour of the dogs and the competency of the handler need to be taken into consideration if considering this order. Research from 2010 shows that 95% of dog owners have up to 3 dogs. Therefore, the number of dogs taken out on to land by one individual would not normally be expected to exceed four dogs.

3. Re; Dog Exclusion and sport pitches

- Excluding dogs from areas that are not enclosed could pose enforcement problems - we would consider it more difficult to enforce an exclusion order in areas that lack clear boundaries.
- We feel that exclusion zones should be kept to a minimum, and that excluding dogs from all sports pitches for long stretches of the year is unnecessary. In some cases, sports pitches may account for a large part of the open space available in a public park, and therefore excluding dogs could significantly reduce available dog walking space for owners.
- We would urge the Council to consider focusing its efforts on reducing dog fouling in these areas, rather than excluding dogs entirely, with adequate provision of bins and provision of free disposal bags.

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4.Re; Dogs on Leads Order:

- Dogs Trust accept that there are some areas where it is desirable that dogs should be kept on a lead.
- Dogs Trust would urge the Council to consider the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') that include the dog's need to exhibit normal behaviour patterns – this includes the need for sufficient exercise including the need to run off lead in appropriate areas. Dog Control Orders should not restrict the ability of dog keepers to comply with the requirements of this Act.
- The Council should ensure that there is an adequate number, and a variety of, well sign- posted areas locally for owners to exercise their dog off-lead.

5.Re; Dogs on Lead by Direction Order:

- Dogs Trust enthusiastically support Dogs on Leads by Direction orders (for dogs that are considered to be out of control or causing alarm or distress to members of the public to be put on and kept on a lead when directed to do so by an authorised official).
- We consider that this order is by far the most useful, other than the fouling order, because it allows enforcement officers to target the owners of dogs that are allowing them to cause a nuisance without restricting the responsible owner and their dog. As none of the other orders, less fouling, are likely to be effective without proper enforcement we would be content if the others were dropped in favour of this order.

The PDSA's ['Paw Report 2018'](#) found that 89% of veterinary professionals believe that the welfare of dogs will suffer if owners are banned from walking their dogs in public spaces such as parks and beaches, or if dogs are required to be kept on leads in these spaces. Their report also states that 78% of owners rely on these types of spaces to walk their dog.

We believe that the vast majority of dog owners are responsible, and that the majority of dogs are well behaved. In recognition of this, we would encourage local authorities to exercise its power to issue Community Protection Notices, targeting irresponsible owners and proactively addressing anti- social behaviours.

Dogs Trust works with local authorities, across the UK, to help promote responsible dog ownership. Please do not hesitate to contact me should you wish to discuss this and how we can support you in your work in Sefton Council.

We would be very grateful if you could inform us of the consultation outcome and any subsequent decisions made in relation to the Public Space Protection Orders.

Yours sincerely



Kevin Atkinson Hughes-Gandy
Community Engagement

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Report to:	Council	Date of Meeting:	Thursday 18 April 2024
Subject:	Financial Management 2024/25 to 2027/28 - Revenue and Capital Budget Update 2024/25 - 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 2024/25 following a recommendation from Cabinet in March.

Recommendation(s):

- 1) Council approves a supplementary capital estimate for £2.644m for the Food Waste Collection grant externally funded by Defra.

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 total value of the Food Waste Collection grant awarded to Sefton is £2,644,182 externally funded by Defra.

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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.7622/24) and the Chief Legal and Democratic Officer (LD.5722/24) 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. Food Waste Collections Grant

- 1.1. The Government made an announcement in October 2023 regarding its approach to Simpler Recycling across England and reforms to household and business bin collections including the introduction of weekly food waste collections. This will come into effect for households from 1 April 2026, as required under s45A of the Environmental Protection Act 1990 (introduced by the Environment Act 2021).
- 1.2. The Council has received confirmation from the Department for Environment, Food and Rural Affairs in February of an allocation of capital transitional grant to support the delivery of weekly food waste collections. The capital funding is for the purchase of food waste bins (this includes internal kitchen caddies, external kerbside caddies and communal bins) and food waste collection vehicles, provided on a non-ring-fenced basis. Sefton's total allocation of grant for 2023/24 is £2,644,182.

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COUNCIL MOTION

18 April 2024

PROPOSED BY: Councillor Mike Prendergast

SECONDED BY: Councillor Mike Morris

TITLE: Removal of Temporary Cycle Lanes

This council recognises that the temporary cycle lanes installed in Southport (Talbot Street, Hoghton Street and Queens Road) were a mistake that should be rectified by their removal.

They are damaging local businesses, limiting access to town centre services to those who rely on their cars and have reduced the amount of parking available in Southport town centre.

Therefore, this council acknowledges that a mistake has been made and resolves to remove the temporary cycle lanes at the earliest opportunity.

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SEFTON LABOUR GROUP POLICY MEETING - 25 MARCH 2024

DRAFT COUNCIL MOTION

Moved by: Councillor Danny Burns

Seconded by: Councillor Paulette Lappin

End Fuel Poverty cut Standing Charges on Domestic Energy Bills

This Council notes that:

High standing charges for gas and electricity have resulted in unfair and excessively high energy bills which have seriously impacted on lower income energy users.

These households spend a much higher share of their income on energy, this adds massive pressure to their already stretched household income. There can be no justification for increasing standing charges starting from January 2024. The regulators have once again failed to protect lower income households and this continues to have a catastrophic effect on their personal income, driving people into further poverty. Switching supplier for a cheaper deal incurs exit fees resulting in low-income households being trapped in expensive and exploitative contracts, this was not the type of competitive deals we were promised with gas and electricity privatisation.

Between January and March 2024, average standing charges for customers on default tariffs will be capped in line with the levels set by Ofgem, this cap will charge at 53.34p per day for electricity and 29.60p per day for gas, excluding VAT. This is an example of a typical cost facing a dual fuel customer paying by direct debit. Between 1 April and 30 June 2024, Ofgem's new energy price cap will increase standing charges to be set at 60.10p per day for electricity and 31.43p per day for gas.

Standing charges vary from region to region, which raises the issue of equality and fairness - how are these charges decided?

The charges facing households on prepayment meters are the highest daily charge and are the most unfair. Charging those who cannot afford to pay for a standard account, or live in a property where they are denied access to this payment facility, results in them always paying more for their gas and electricity.

These hidden charges must be paid even if there is no credit on the meter, when the meter is topped up this charge must be repaid regardless of the household's financial circumstances.

Once a metre is installed into a property it is almost impossible to have it removed and revert back to monthly direct debits. This is not giving the customer any sort of choice as to how they access their energy supply and is leaving people with increased energy bills and potentially placing people in further, unnecessary hardship. Customers should have the right to choose how they pay their bills and not have these meters forced on them. New rulings made have stopped pre-payment metres from being forced onto Customers, yet pre-existing metres remain in homes with no recourse to have them removed.

The Child Poverty Action Group stated in 2023: -

- "By January 2023 over half of households in the UK (15 million) will be in fuel poverty – spending over 10 per cent of net income on fuel.
- They will on average be spending £38.25 above the 10 per cent threshold.

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- There are big regional variations in fuel poverty ranging from 47.5 per cent in London to 71.7 per cent in Northern Ireland.

In an economy which boasts of being the 6th largest on the planet, the level of fuel poverty in the UK is a disgrace. To live in fear of receiving exceptionally high bills leaves adults and children existing in unheated homes, resulting in severe health issues for now and in later life.

There must be a real safety net for the most vulnerable residents of Sefton with health needs and disabilities who tend to be the highest users of energy due to their vulnerabilities. We ask all members of Sefton Council to support this motion.

The Council resolves:

To write to the Prime Minister urging him to work with Ofgem to lower these unfair high standing order charges as a matter of utmost urgency and to guarantee to put in place measures which will ensure that Sefton residents are not subjected to the cruel and debilitating effects of fuel poverty.

SEFTON LABOUR GROUP

COUNCIL MOTION - 18TH APRIL 2024

Moved by: Councillor Atkinson

Seconded by: Councillor Prendergast

Support to Women in Public Life

45% of Sefton Councillors are women, with Sefton Council recently appointing its first female leader in its 50 year history.

Sefton is a positive reflection of how increasing numbers of women are participating in politics and wider public life, including being elected to public office, attending political events, and making their voices heard. Even in societies where women do not have equal rights, they often risk their lives to speak out and are not prepared to be silent partners in the future of their countries.

But despite the progress women have made in this country and in this instance in Sefton, there is the ever present spectre of misogyny, particularly on social media. Unfortunately, we are all aware of the level of abuse many, if not all, female councillors experience. This can involve inappropriate language of a sexualised nature, threats, accusations, complete lies, foul language, humiliating negative comments about looks, body size and shape, to name a few. The sole aim of this disgraceful behaviour, given it is specifically targeted at women, is to seek to undermine all that is female. The trolls all have one thing in common...their hatred of women.

In recognition of this serious problem and the desire of this council to demonstrate its continued support to women in public life:

This council resolves to

- Take a zero-tolerance approach to this behaviour and help protect female councillors in Sefton.
- Agree to treat those individuals (with the appropriate evidence,) who are guilty of this despicable behaviour as vexatious complainants to deter further insult and degradation to women because of their gender.
- In light of this motion, ask officers to review the Council's Vexatious and Unfocussed Complaints Policy.
- Work closely with the Police and Crime Commissioner and the Police to hold to account and work toward full prosecution of those who are guilty of those behaviours.
- Work with newly elected female councillors to advise them of those who have been identified as vexatious complainants because of the inappropriate behaviour in order they take a **Page 89**roach and protect themselves from these attacks.

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SEFTON LABOUR GROUP
COUNCIL MOTION – 18TH APRIL 2024

Moved by: Councillor Spring

Seconded by: Councillor

Sefton 50th Anniversary

This Council notes on 1st April, it will be the 50th Anniversary of the creation of the Borough of Sefton. Sefton has a unique history with its 22 miles of coastline and has a rich history of culture, all cross the borough.

This Council resolves:

- to thank all the employees and voluntary sector of Sefton since 1974, ensuring that it has been successful; and
- to continue to promote Sefton and ensure we thrive over the next 50 years.

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SEFTON LABOUR GROUP

COUNCIL MOTION - 18 APRIL 2024

Moved by: Councillor Lappin

Seconded by: Councillor Dowd

LOCAL GOVERNMENT PAY TO COUNCIL: A FULLY FUNDED, PROPER PAY RISE FOR COUNCIL AND SCHOOL WORKERS

This council notes:

Since 2010, local government workers have lost an average of 25% from the value of their pay. Our staff are experiencing an ongoing cost of living crisis. Since 2010 the cost of living has risen by 60%, more and more local government workers have been pushed into debt, and their basic spending has overtaken their income, with 1 in 5 households having less than £100 to spare each month. This is a terrible situation for anyone to find themselves in.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, the local government workforce has fallen by 30% as a result of job cuts. This has had a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Local government continues to show how indispensable it is. But staff are increasingly leaving the sector for better paid jobs elsewhere, for example in retail, leaving local authorities with a massive skills gap, and vacancies in a range of key services, including in social care, education and youth services.

Local government finance is in an enormously difficult state, facing an estimated funding gap of more than £3.5 billion for 2024/25. Recent research shows that if the Government were to fully fund the unions' 2024 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

This council believes:

Our workers are public service super-heroes. They keep our communities clean and safe, look after those in need and keep our, neighbourhoods, towns and cities running.

Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone.

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This council resolves to:

Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for an increase of £3,000 or 10%, whichever is the greater.

Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim, working with the unions to present a united front in defence of the local government workforce.

Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government.

Meet with local NJC union representatives to convey support for the pay claim and consider practical ways in which the council can support the campaign.

Encourage all local government workers to join a union.

COUNCIL MOTION

18 April 2024

PROPOSED BY: Councillor Mike Morris MBE

SECONDED BY: Councillor Mike Prendergast

TITLE: Openreach Lack of Consultation with residents

Southport having a unique Victorian seaside townscape has been largely free of any overhead cables or above ground apparatus since the inception of Southport Corporation in 1867 except for the electrical tramways in 1900. Since the removal of the overhead wires for the tramways, Southport has enjoyed a visual amenity on its streets and townscape by having very few telegraph poles and overhead cables which would normally create a 'spiders web' spoiling the visual amenity of its streets for her residents. At present, most of Southport copper telephone infrastructure is buried 'direct in ground' and only very few streets have their telephone lines in ducting.

Network operators such as Openreach are exempt from requiring planning approval under 'Permitted Development' and are only required to inform the local authority one calendar month before requesting permits. The only consultation with residents and public is in the form of a paper notice pinned or taped to trees or lampposts in the vicinity of a new pole, often poorly placed so that it will not be read i.e. facing the road rather than pavement 28 days before permits are sought. There is no telephone number to call with objections neither an email address, only a postal address.

Consultation then takes place with the 'objectors' whereby Openreach listen to all objections only to end the 'consultation' with the fact that they will still erect poles where they are not wanted. When asked why they do not carry out area consultations in church halls etc, they state that they would receive too many objections!

Openreach started the roll out of FTTP from the Churchtown exchange using telegraph poles in February of this year. Residents of those roads which opposed the erection of poles, spoiling the visual amenities of their streets and possibly reducing property prices protested peacefully to raise their collective objections to the roll out by Openreach.

The Minister of State for Data and Digital Infrastructure Hon Julia Lopez MP wrote to Openreach and other fixed line operators on 15 March 2024 and stated.

" New telegraph poles should only be in cases where installing lines underground is not reasonably practicable, and only after ensuring that appropriate community

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engagement has taken place and that the siting of new infrastructure will not cause obstructions to traffic or unduly impact the visible amenity of the local area”

This Council therefore resolves to:-

1. Urge Openreach to reconsider their decision to erect telegraph poles instead of ducting due to cost to preserve Southport’s townscape and visible amenity.
2. Contact Openreach and insist that the spirit of the Ministers letter of the 14th March 2024 is adhered to in regard to meaningful consultation with residents, and pause the roll out in Southport until the existing ‘cabinet and siting and pole siting Code of Practice of 2016 has been revised.
3. Support residents if the majority of the road or street do not want poles erected and write to OpenReach asking for a pause to the installation and call for a public meeting with those residents to establish an amicable resolution.
4. If the Council considers that any operator has breached health and safety conditions attached to any permit or is using unsafe working practices this will be raised with the operator immediately in the most robust terms and the Council will be mindful of this when granting any further permits and / or when considering whether any permits should be suspended.

Motion on Support for calling for a Ceasefire in Palestine and Israel

Moved by: Cllr Natasha Carlin

Seconded by: Cllr Sean Halsall

This Council:

Condemns the murder of innocent civilians, the taking of hostages and the subsequent death and destruction in Gaza. This Council believes that there must be an urgent priority to stop the deaths and suffering of anymore civilians internationally and to prevent potential harm caused directly and indirectly to Sefton Residents, both at home and abroad. This Council expresses deep sympathy for all those affected by the conflict in Israel and Palestine. To those in Sefton who have been affected by this conflict, we offer our support in this difficult time.

Sefton Council supports calls by the UN Security Council for an immediate permanent ceasefire to allow more aid into Gaza and Palestine and to help the possibility of a peaceful resolution. It further supports the immediate release of all hostages and believes that there should be full humanitarian access in Gaza immediately. This would result in a reduction in the loss of lives and the distress caused internationally, whilst also reducing the stress and harm caused to those directly and indirectly impacted within our borough.

Believes that the recent tragic events in Palestine and Israel must not be allowed to divide our communities in Sefton. This Council therefore condemns any increase in Anti-Semitic and Islamophobic violence and abuse in the UK and believes that all forms of racism have no place in our Borough. This Council believes Jews, Muslims and people of all faiths should feel safe in Sefton.

This Council resolves to:

- Offer support to any local residents who need our assistance as a result of these violent events.
- Be ready to provide support and open our arms to innocent people displaced and affected by these events.
- Ask the leader of the council to write to the Prime Minister and the Leader of the Opposition to express the Council's view that there should be an urgent permanent ceasefire in Gaza, the rest of Palestine and Israel and that every effort should be made to resume the peace process, including upholding Humanitarian Law to ensure civilians everywhere are protected.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 21

Report to:	Cabinet Council	Date of Meeting:	4 April 2024 18 April 2024
Subject:	Acquisition of Magdalen House, 30 Trinity Road, Bootle		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	Derby
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No, but the information appearing in the Appendix of the report is NOT FOR PUBLICATION by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. The Public Interest Test has been applied and favours the information being treated as exempt.		

Summary:

To report on the principal terms and conditions agreed for the acquisition of the freehold interest in Magdalen House, Bootle.

Recommendations:

Cabinet is recommended to recommend to Council :

- (1) That approval be granted to acquire the freehold interest in Magdalen House on the basis of the price detailed within Appendix 1 of this report;
- (2) That approval be granted for Corporate Legal Services to complete the necessary legal documentation.
- (3) That approval be granted to seek PWLB funding to meet the capital costs required; and
- (4) to approve a supplementary capital estimate detailed within Appendix 1 of this report for inclusion within the Capital Programme to be funded by borrowing. Repayments will be met from the annual rental saving.

Council is recommended to:

- (1) Approve the acquisition of the freehold interest in Magdalen House on the basis of the price detailed within Appendix 1 of this report.

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- (2) Authorise Corporate Legal Service to complete the necessary legal documentation.
- (3) Approve seeking PWLB funding to meet the capital costs required.
- (4) Approve a supplementary capital estimate detailed within Appendix 1 of this report for inclusion within the Capital Programme to be funded by borrowing. Repayments will be met from the annual rental saving.

Reasons for the Recommendation(s):

1. An acquisition would allow the Council to occupy the Property rent free for the Useful Economic Life (UEL) of the Property and remove the requirement to pay dilapidations (based upon continued office uses).
2. The Council would gain control and flexibility to react to its changing occupational needs and requirements, and with regards to the future of Bootle town centre (and beyond) – this includes future opportunities around decanting into Bootle Town Hall, as associated capital costs to accommodate would no longer be required.
3. The capital expenditure in acquiring the property is less than the remaining rental and anticipated dilapidation liabilities.
4. The capital costs for acquisition will be sourced from PWLB.

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

Do nothing and remain as tenant.

The risks: The 'do nothing' approach was considered to be financially disadvantageous and also limits the Council in being able to affect change to meet its future occupational needs.

What will it cost and how will it be financed?

(A) Revenue Costs

The proposed acquisition of Magdalen House is to be funded entirely through PWLB borrowing resulting in a cash positive position. The revenue implications for borrowing will be funded from the current rental budget.

(B) Capital Costs

The capital costs for acquisition will be sourced from PWLB.

Implications of the Proposals:

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

The acquisition of Magdalen House will be resourced internally from officers in Legal and Property Services teams.

<p>Legal Implications:</p> <p>The Chief Legal and Democratic Officer will advise on the necessary legal documentation for the freehold acquisition.</p>								
<p>Equality Implications:</p> <p>There are no equality implications.</p>								
<p>Impact on Children and Young People:</p> <p>None</p>								
<p>Climate Emergency Implications: To be considered.</p> <p>The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Have a positive impact</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> <tr> <td style="padding: 2px;">Have a neutral impact</td> <td style="padding: 2px; text-align: center;">No</td> </tr> <tr> <td style="padding: 2px;">Have a negative impact</td> <td style="padding: 2px; text-align: center;">No</td> </tr> <tr> <td style="padding: 2px;">The Author has undertaken the Climate Emergency training for report authors</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> </table> <p>It is envisaged that post acquisition a strategy will be determined to explore the various options available to the Council, via grant funding, to improve the energy efficiency of Magdalen House to improve its carbon footprint.</p> <p>In this regard the topic of improving the building's energy efficiency has been discussed with the Energy and Environmental Management Team.</p>	Have a positive impact	Yes	Have a neutral impact	No	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
Have a positive impact	Yes							
Have a neutral impact	No							
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: 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: Achievable. See Reasons for the Recommendation(s) above.
Greater income for social investment: Achievable. See Reasons for the Recommendation(s) above.
Cleaner Greener: Achievable upon developing specific strategy for the building.

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What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 7613/24) and the Chief Legal and Democratic Officer (LD 5713/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not applicable.

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer:	Suzanne Rimmer
Email Address:	suzanne.rimmer@sefton.gov.uk

Appendices:

The following exempt appendix is attached to this report:

Appendix 1 – Financial Details

Background Papers:

N/A

1. Introduction

An opportunity has arisen for Sefton MBC to acquire the freehold interest in Magdalen House, which would end the c.8.5 years remaining on the current lease and provide the Council with full control over its future occupational requirements, whilst also delivering a saving on rent, future dilapidation liabilities and potential longer term call on capital requirements.

2. Analysis and Findings

Work has been undertaken to develop a comprehensive analysis of projected liabilities associated with Magdalen House, together with recommendations on the ideal course of action balanced with risks and rewards. **Appendix 1 of this report gives further details and calculations in relation to this.**

The conclusions from the analysis and the main reasons for the proposed acquisition of the freehold interest in Magdalen House are as follows:-

1. An acquisition would allow the Council to occupy the Property rent free for the Useful Economic Life (UEL) of the Property and remove the requirement to pay dilapidations (based upon continued office uses).

2. The Council would gain control and flexibility to react to its changing occupational needs and requirements – this includes future opportunities around decanting into Bootle Town Hall, as associated capital costs to accommodate would no longer be required. To build the equivalent space within other Council owned operational property would far exceed the acquisition cost of Magdalen House.
3. Furthermore, the Council would have control over a significant asset close to Bootle town centre, strengthening its ability to influence long-term vision and future uses of the site. Ownership of the asset by the Council provides control over the quality of office accommodation, whether for the Council or for future tenants and occupiers, or over potential future uses of the site if long-term strategy for the area proposes alternative uses for consideration. Ownership by a third party limits the Council's ability to control outcomes in terms of long-term uses, whereas the acquisition provides time for the development and implementation of the strategy for the long-term.
4. If it is decided that the Council does not wish to remain in occupation of Magdalen House, it can be repurposed (for other uses), refurbished and relet as offices and / or redeveloped. Of major importance, these options will provide future income and/or capital receipts to be achieved on Magdalen House. These options can be delivered by the Council or in a joint venture initiative if so required.
5. In owning the freehold of Magdalen House, the Council has the opportunity at any given time to switch back to a tenancy by way of undertaking a Sale & Leaseback-(S&L), which would yield a much high capital receipt than the proposed purchase price. An S&L is a very common mechanism whereby an owner of a property switches to a lease and receives a capital receipt in return for paying rent. Importantly this allows the owner of the property to largely influence the terms of the lease in their favour (e.g. limit liabilities on future dilapidation claims – via a schedule of condition, and limit future increases in rent at rent review).
6. Net Present Value calculations in the Investment Appraisal demonstrate a saving to the Council by acquiring Magdalen House.
7. It would de-risk the cliff edge date of 2032 for moving to Bootle Town Hall.
8. Based on property advice, the residual value of the asset in 2032 is expected to be closely aligned to the proposed purchase price, and to a large extent underpins the price to be paid. Further investment into the Bootle area will only positively impact upon the future residual value of Magdalen House and its location. Should the Council wish to lease the building beyond 2032, to a third party, then based upon comparable market rental evidence, we would expect the property to generate an income way in excess of the current passing rent.
9. It is proposed that the loan for the purchase of the asset will be 40 years. In the event that the asset is disposed of the advice received is that the council would not have a long term liability it cannot finance based on the following:
 - Borrowing only when required – loans are not usually linked to specific assets and the Council borrows when required. Therefore, in reality the Council would be unlikely to take out a loan specifically for this acquisition given the relatively low value but consider it as part of the Council's wider cash flow.

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- Repayment – The Council reviews its loans each year and considers whether it is worth repaying these early and any borrowing linked to this acquisition would be considered as part of the whole outstanding debt rather than on an individual basis. Essentially, if the asset is sold in 2032/33, this doesn't automatically mean the loan would be repaid.
- Using capital receipts to reduce the overall Capital Financing Requirement (CFR) – The Local Authorities (Capital Finance and Accounting) (England) regulations 2003 [Regulation 23] – and as clarified by consultation guidance issued by the Department for Levelling Up, Housing and Communities (DLUHC) in December 2023 – states that an authority can use capital receipts to reduce the overall CFR. This results in a corresponding reduction in the Minimum Revenue Provision which is the amount the Council must set aside each year as a provision for the repayment of debt. In the event that the asset is sold in 2032/33 in return for a capital receipt – this would be used to reduce the CFR and this would effectively free up some or all of the budget used for this element of the MRP charge. This budget could then be used to fund the cost of renting or purchasing alternative premises instead. This would depend on the value of the receipt received and would need to be approved in line with the Council's MRP Policy Statement.
- Inflation – Inflation would erode the value of any annual annuity loan repayment to the PWLB over the medium to long term. Therefore, the estimated annual repayment of £0.3m would reduce in real terms value over the term of the loan and therefore the call on the budget would reduce in real terms.

10. The capital expenditure in acquiring the property is less than the remaining rental and anticipated dilapidation liabilities.

On the basis of these conclusions and findings, the Council's Property Services team engaged in negotiations with the vendor's agent, which resulted in the Council making a formal offer for the freehold interest, which was subsequently accepted. The offer was made conditional on contract, Cabinet and full Council approval being received.