

COUNCIL - 4th MARCH 2021

QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

1. **Question submitted by Councillor Dawson to the Cabinet Member for Planning and Building Control (Councillor Veidman)**

Subject: Safe Community Homes/Safe Regeneration housing project in Bootle

The proponents of the Safe Community Homes/Safe Regeneration housing project in Bootle are presently making claims in the media that their plans to build a £33m state-of-the-art 'green' 200- plus resident 'neighbourhood development' in Bootle (incorporating leisure facilities, a microbrewery; an arts hub and business centre) have been discriminated against by the planning department and committee compared to other projects in the locality, specifically a similar-sized development by Sefton Council's own new housing company Sandway Homes. The proponents claim that their new project was turned down upon planning advice from the council's Highways department that the Council should require two car parking spaces for every home in contrast to a lower car space requirement in the Sandway Homes development passed by the Council recently.

- (1) Is it correct that the parking space requirement advice was a significant factor in the Planning Department and Planning Committees rejection of this project which claims to bring jobs and significant income to Bootle?
- (2) Given that the Council is committed, following the passing of a policy motion, to the addressing of 'Climate Change' in all its activities, is it not overdue for the Council to re-address its local plan and all its planning advice to take into account the significantly changed economy which will occur if there are any genuine local national and regional measures taken which pay more than lip service to 'Climate Change'?

- and

- (3) will the Cabinet member promote the Cabinet's early initiation of a comprehensive review of these policies and advice to commence as soon as COVID pressures permit?

Response:

- (1) "The objection from the Highways Manager on inadequate parking space was given significant weight in the recommendation to Planning Committee which was unanimously supported by members.

It was not simply a case of there being insufficient parking. There are significant issues locally and demand for on-street parking is at a premium. A number of local streets are subject to a Traffic Regulation Order for a residents' only parking area. The Highways Manager considered that an under provision of parking spaces would exacerbate these issues. In addition, many of the proposed spaces were impractical as they were often not close to the dwellings they were designed to serve.

The expectation of 2 spaces per dwelling relates only to dwellings of 2 and 3 bedrooms. The 44 single bedroom dwellings were expected to provide only 1 space each.

Each application is assessed on its merits and the scheme cannot be directly compared to other developments.

It is not known which recently approved Sandway Homes development was passed by the Council is being referred to. However, there is a proposed scheme at the Z blocks site, Buckley Hill. All properties on this development will have car parking spaces which are suitable for this type of development and in line with Sefton's parking standards. This application will also be determined by Planning Committee.

The issue of jobs and regeneration is important, but the alleged benefits must also be balanced against other important material considerations such as the quality of life of the people who may end up living and using the proposed accommodation, and the quality of life of the people who live adjacent to or nearby it. It was the Planning Committee's view that the alleged benefits were outweighed by the likely harmful effects, as documented in detail in the relevant Committee report".

- (2) "There is scope to review parking standards in the light of changing context and this can be done outside of a review of the Local Plan. The standards set out in the guidance are not minimum or maximum standards, but are the expected level of parking provision. Each application is assessed on its merits, taking account of local conditions. Depending on those local conditions, there may be some flexibility in applying the parking standards".
- (3) "The Local Plan was adopted in April 2017. National guidance requires that this is assessed within 5 year to ensure that the policies remain up-to-date. Therefore an assessment will be undertaken in the next 12 months to determine if all or part of the Local Plan needs to be replaced. The review will consider the effectiveness and appropriateness of policies to address climate change.

The Government is also proposing to review the planning system, including the approach to Local Plans, and if implemented, it will be expected that a new style Local Plan is started within 2 years of the enacted changes. This will also be an opportunity to bring forward any changes deemed necessary as a result of the assessment of the existing Local Plan, and provides a logical argument as to why an independent review should not be rushed into at this stage.

Furthermore, as part of the review of the planning system, it is proposed to prepare a set of national development management policies that will be applied across the country and cover matters such as parking standards etc. These will be in tune to the climate change agenda, working towards national targets. This will allow new style Local Plans to focus on detailed site-specific policy".

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

Subject: Covid Testing in Southport

The recent door-to-door COVID testing in a large area of Southport (Norwood ward, about one third of Dukes ward and a smaller part of Cambridge ward) for which I volunteered, was a significant endeavour for which all those who organised it, within and associated with Sefton Council, must be congratulated.

There has been considerable speculation on social media in the past week or so as to the extent of the exercise (which was supplemented by work at two new testing centres in Southport) and its specific purpose(s), due to the facts that (a) there have been numerous reports by residents observing the street-based testing saying that significant stretches of certain streets in the designated areas were 'missed'; (b) in modern Britain, social interaction which spreads diseases is very rarely confined within any tight geographical area; and (c) despite the really fast creation and implementation of the testing programme, there was an inevitable significant 'lag' before many parts of the areas were tested, meaning that there could have been spread of the South African variant strain of the COVID-19 virus within and beyond the testing area before testing started or was concluded.

Could the Cabinet Member obtain from the Public Health Department and/or their associates in the NHS/Dept of Health and provide to the Council a clear statement as to:

(a)(i) the precise purpose(s) determined by the government of this exercise; and (ii) the balance of priority between disease detection, disease spread prevention; (SA variant) disease eradication; and creation of a significant-sized accurate 'snapshot' database of both COVID generally and the SA variant) ?

(b) whether any areas/streets within the designated area boundary were indeed not canvassed/tested because "sufficient testing had been done and test results obtained for the purposes of the exercise".?

(c) when they anticipate the data created in this exercise and the accompanying professional analysis to be made available for public inspection nationally or locally?

Response:

"Firstly, can I thank all of the staff and volunteers who supported the surge testing in Southport. It was a huge effort and conducted so efficiently.

The testing was directed from National Government and we currently have the following information available in response to the questions raised.

(a) The Secretary of State DHSC's intent was to identify, contain and eradicate all Variants of Concern and of particular concern was the VOC2-South Africa. The intervention was established to enable early and rapid response including surge post-code testing in those authorities where cases had been identified through routine sample genomic sequencing.

A Variants and Mutations Task Force led by a senior PHE officer was set up to establish the epidemiological situation within England for all VOCs, Variants under Investigation and mutations. In particular, it focused on case numbers, clusters and possible routes of transmission.

(b) Yes, the decision to stand down testing was taken by the VOC national team as sufficient testing had been done and test results obtained for the purposes of the epidemiological exercise.

(c) The Government has stated its commitment to publishing data on test results in due course, to ensure it is accessible to the public.

3. **Question submitted by Councillor Shaw to the Leader of the Council (Councillor Maher)**

Subject: Bootle Strand Shopping Centre

As I understand it reports to two separate Cabinet meetings in early February reported that the loss that the Council will incur on the Bootle Strand Shopping Centre over the 24 months to the 31st March 2022 is likely to be in the order of £4.4 million.

Is my understanding correct?

Is there any updated figure now available on the expected loss over the 24-month period?

Response:

“The Cabinet Paper of 4th February 2021 stated that the potential outturn deficit for the financial year 2020-21, as a consequence of the impacts of the COVID-19 pandemic, is expected to be between -£2.65m and -£3.18m. However, there remain factors and areas of uncertainty, outside the council’s direct control, that will influence this outcome for the financial year. As such, the mid-point of this estimate at -£2.9m has been reflected in the latest budget monitoring report.

The outturn for 2020-21 and the Business Plan for the financial years 2021-22 to 2023-24 will be published in due course. At this stage £1.5m has been included within the budget report for 2021/22 and this will be the subject of review when the business plan has been updated

No further update is available at this time”.

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

Subject: Cycle Lanes

In recent months, the Council has installed a number of 'pop up' cycle lanes throughout the Borough utilising 'emergency' government funding and has stated that it will review the impact of these.

(1) When does the Cabinet Member anticipate the results of such a review to be published to (a) Councillors in the affected areas and (b) members the public including local businesses?

- (2) Will the determination as to whether any or all pop-up cycle lanes remain in situ (with or without modification) be determined entirely by Sefton MBC following consideration of the review?
- (3) Does the central government possess any powers which it can use to (a) require the removal or retention of any given cycle lane in the Borough of Sefton and (b) to prevent the Council from extending and/or altering the network?
- (4) If so, for each of (a) and b) what is the legal basis for such powers and in whom are they vested?

Response:

- (1) "The cycle schemes will be reviewed later this year.
- (2) Sefton is obliged to advise the CA of any changes to the proposals, and the CA will provide feedback to DfT through the established monitoring and evaluation processes. As the Highway Authority, the ultimate decision will rest with Sefton Council.
- (3) The Council is not aware of any powers, as such, but Central Government sets the policy direction and its expectations of delivery and can strongly advise for or against any changes.
- (4) The Council is not aware that there are any new legal powers that have been introduced."

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

Subject: Railway Bridges

A previous answer to a Cabinet Member question from myself concerning the allocation for ownership and responsibility for maintenance of the approaches to certain railway bridges in Southport between: the Council, one or other Railway authorities; and/or any other individuals or bodies and the related railings and embankments met with the response that 'some of these' fell under the auspices of the council.

Accordingly, I would now be grateful to be informed on the record (hopefully with the subsequent receipt of a follow-up map which might also assist brevity in the written answer) as to (i) the legal ownership and (ii) the maintenance responsibility, including responsibility for public safety for the (a) highway and structure beneath it; (b) railings; (c) steps and handrails; and (d) embankments/gardens, including trees; on both sides of each of the two approaches to the two rail bridges junctions at:

A. Hawkshead Street, Southport and

B. Sussex Road, Southport

and both sides of each of the four approaches to

C. the bridge junction of Norwood Road. Bispham Road and Tithebarn Road on the south of Meols Cop station, Southport.

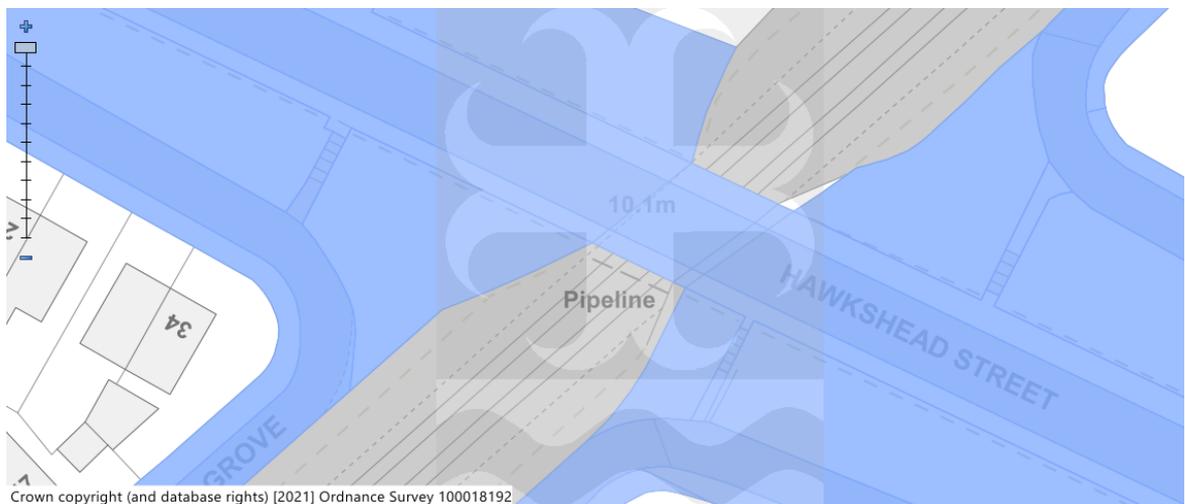
Response:

All three bridges are not on the list of the Council's bridge stock, but rather on the Network Rail list.

A. Hawkshead Street, Southport

The bridge name is Hawkshead Street bridge and records indicate that the structure is maintained by Network Rail while the road surface is maintained by Sefton Council.

The extents of the adopted highway are shown on the plan below:

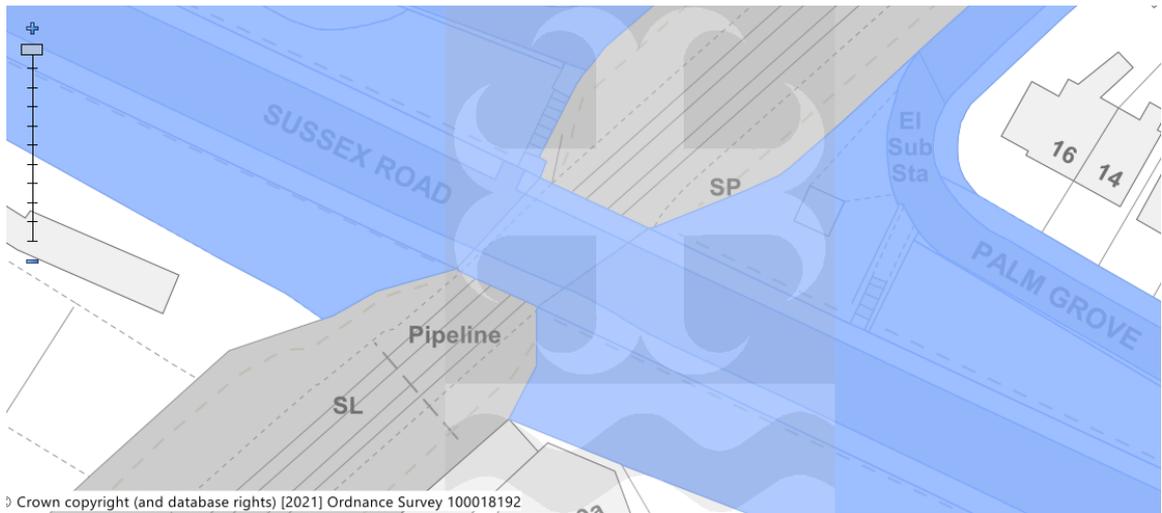


The adopted highway boundary plan seems to indicate that the railings and trees are within the adopted highway boundary.

B. Sussex Road, Southport

The bridge name is Sussex Road bridge and records indicate that the structure is maintained by Network Rail while the road surface is maintained by Sefton Council.

The extents of the adopted highway are shown on the plan below:



The adopted highway boundary plan seems to indicate that the railings and trees are within the adopted highway boundary

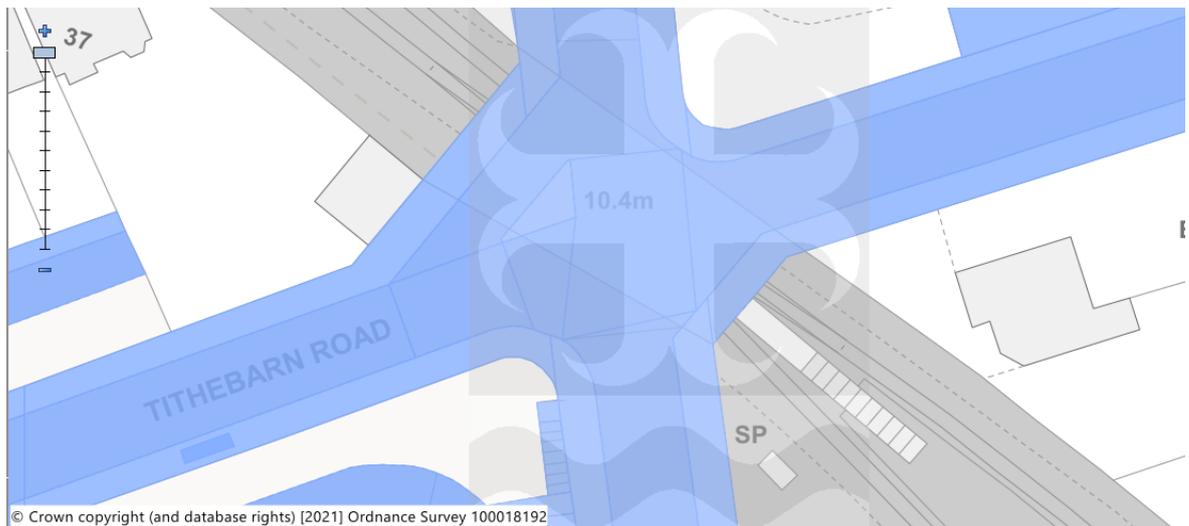
C. Cycle

both sides of each of the four approaches to the bridge junction of Norwood Road. Bispham Road and Tithebarn Road on the south of Meols Cop station, Southport.

The bridge name is Meols Cop bridge but it is also referred to as Norwood Road Bridge on recorded correspondence. Records indicate the structure is maintained by Network Rail while the road surface is maintained by Sefton Council.

Correspondence between the Council and Network Rail (then Railtrack) from 2002 states *“papers suggest that the responsibility for the fences, retaining walls and structure of the bridge etc, remained with the former railway company to maintain”*. There are no other records on the Council system

The extents of the adopted highway are shown on the plan below:



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

Subject: Empty Properties

The imposing empty Victorian building at 18 Oxford Road, Birkdale, Southport, dominates the local landscape as a perpetual reminder of the past ambitions of David Barton senior, it being the proposed site of his boutique hotel and motor museum for which project he had gained planning permission from the council.

1. Given that there is a national and local epidemic of homelessness, and Mr Barton appears to be detained serving a long prison sentence, what can the Council do actively, as opposed to passive support to others, to get this building liberated from its dormant state and brought into appropriate use?
2. Similarly, though in a very different location, two multi-occupancy properties which were closed down by the Council in (a) Eastbank Street, Southport and (b) the former Uttleys Insurance office on Bridge Street, Southport, have lain empty for an inordinate length of time. Can the Council commit itself to use the powers it has to have these properties which both impacts severely upon the 'look' of Southport on a major tourist approach to the town, brought into appropriate housing or other use?

Response:

"I have previously approved an Empty Homes Plan for the Council. This includes an objective to:

Utilise the full range of enforcement powers to target and bring problematic properties back into use, through cross departmental working, focussing primarily on those empty 2 years or more in the selective and additional licensing areas.

Sefton Council can take enforcement action if the empty property is causing a statutory nuisance or a public health issue, and if the Owner is being uncooperative or untraceable.

Enforced sale is a particular tool that the Council has been successful in using, especially with regards to long-term empty properties. It provides an effective method for bringing long term, problematic properties back into use, and has been adopted by Councils across the country.

In January I received an annual monitoring report on levels of empty properties in the borough and activities we had undertaken to address problematic empty properties. The report provided four example properties, where we had intervened to carry out enforced sales and where new owners had refurbished those properties and brought them into use. The report also indicated a further 4 properties where enforced sales procedures had commenced.

Despite having limited resources available, the number of complaints and requests we have received regarding issues related to Empty Homes has significantly reduced; by 75% since 2015. This has been due to pursuing interventions (such as enforced sales) with the most problematic empty property cases, which has contributed to a reduction in the number of service requests. These cases had generated a lot of complaints from the public and would have been reactively dealt with previously.

Other legal powers are available to the Council, such as Compulsory Purchase Orders, but they require significant resources to pursue, and there needs to be a justifiable case to pursue such action and a clear and deliverable redevelopment solution in place for the subject property.

In terms of the two former multi-occupancy properties in Eastbank Street and on Bridge Street, I am aware that legal proceedings have commenced for both which will hopefully eventually lead to those properties being brought into use. Both of these properties have been problematic in the past and both are within the Council's Southport Licensing area.

In terms of the property at Oxford Road, Birkdale, this is outside of the Licensing area. You indicated 18 Oxford Road, but this appears to be a fully occupied property, so I am assuming your concerns relate to the adjacent number 16. Further work will be required to investigate the circumstances of this property, and any options that the Council could realistically pursue. However, aside from appearing unoccupied, there seems very little obvious nuisance, and there would seem to be no record of recent complaints relating to this site".

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

Subject: Victoria Park, Southport

I am asking this question to the Leader of the Council as it appears to cross the boundaries of a number of Cabinet portfolios: Planning, Economic Development and Leisure at a minimum.

What is the present state of play in respect of (a) the Cabinet making a POLICY decision in respect of Southport Flower Show (and its management company)'s wishes to alter the agreement between the Flower Show and the Council (as successor trustee to the former Southport County Borough Council of the original gift of the land for the enjoyment of the people of Southport & Birkdale; and (b) any associated planning application? When will these matters be determined?

Response:

“Following the withdrawal of the planning application (to extend the number of event days) in July 2020, there have been no further detailed discussions regarding the planning nor lease position. The pandemic significantly disrupted these discussions, and I am therefore currently unable to provide a timeline for their resumption”.

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

Subject: Ocean Plaza Shopping

For many years now, the Ocean Plaza shopping and retail area in Southport has not had any significant public transport access, thus depriving a significant part of the population who do not have access to private cars, or access to this facility unless they are very fit, and the weather is not bad.

Will the Cabinet Member convene a working group containing elected (Cambridge and Dukes) ward members and appropriate officers with input as necessary from the City Region and bus companies to explore options to bring this part of the Borough within reach of all residents in a manner consistent with the Borough's climate change ambitions?

Response:

“There have been discussions in previous years about the possibility of rerouting a bus service to serve Ocean Plaza. As far as the Council is aware, the bus operators have not been able to identify an economically viable option for running a service there and there has not been funding available to provide a subsidised service”.

9. **Question submitted by Councillor Dutton to the Cabinet Member for Planning and Building Control (Councillor Veidman)**

Subject: Planning Permission - The Strand

The Consultants acting on behalf of the Council in putting forward proposals for the development of the recent repurchased adjoining site have had their request for planning permission refused by the Council.

May I therefore request the following information:-

1. Who is responsible for preparing the planning application within Sefton Council?
2. Were there any preliminary discussions between the Council and the Consultants but in particular the Chief Planning Officer as to what criteria would be used in determining acceptance or rejection of the scheme?
3. In the event of the former were any amendments made to the original proposals which would have met the objections that Planning have to the development?

4. Would the Cabinet Member agree that as the criteria we have for developments of this nature are quite clear and precise it requires an explanation as to why one part of Sefton Council applied to another part who rejected the planning permission that had been requested
5. During the course of discussions were any indications given as to what other public sector bodies had shown interest in taking space in the area concerned?

Response:

“No planning application has been submitted in relation to the recently acquired land situated adjacent to the Strand”.

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

Subject: Street Trees

Given that the Borough of Sefton has passed policy requiring the Council to address Climate Change issues, yet is still occasionally chopping down large trees, thus decreasing Carbon dioxide reabsorption, does the Cabinet Member agree that it would be a good idea for the Council to look at the creation of a policy of greatly increasing the number of street and parkland trees in the borough, both on public and private land?

Response:

“Officers, Councillors and residents alike very much agree that removal of any highway tree, especially large mature specimens, should not be undertaken without careful consideration and are always undertaken in the interests of Health and Safety.

A Tree Strategy which will outline the many areas of tree management and planting and will include (for adoption) our policy on Street Tree Management. Work has started on this and we will be sharing this for consultation later this year”.