

## COUNCIL - 13 JULY 2023

### QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Deputy Leader of the Council (Councillor Fairclough)</u></b>
	<b>Subject: Notice of Motion (19.1.23) - Housing Benefit</b>
1	Can the Deputy Leader confirm that when he voted on a Notice of Motion at the meeting of 19/01/2023 concerning Housing Benefit, affecting Landlords, that he was at that point a Director and shareholder of a property company with property in Sefton?
	<b>Response:</b>
	<p>“Yes”</p> <p>“To provide some context, I serve as a director in my son's company, but I do not receive any financial benefits from this position. As a public official, I understand my obligation to declare any interests that may potentially influence my decision-making or raise a conflict of interest. However, since I do not receive any financial benefits from my position as a shareholder in my son's company, I mistakenly believed that I did not need to declare this interest.</p> <p>Upon receiving advice from the council's monitoring officer, I immediately rectified the situation by updating the register of interests to include my directorship in my son's company. I recognise the importance of transparency and ethical conduct in public service, and I genuinely regret any oversight on my part”.</p>
	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>
	<b>Subject: Southport Pier - Repairs</b>
2	Can the Cabinet Member explain why it has not been possible to carry out repairs to the Pier whilst it remained open, as happens in other seaside resorts such as Blackpool, for example?
	<b>Response:</b>
	<p>“Phase 1 of the deck replacement was carried out whilst the Pier remained open to the public, however in December structural engineers informed the Council to close the Pier with immediate effect. The Council have been further advised that the Pier remains unsafe to open due to the extent of decking failure, if the Pier was reopened the Council would be putting residents and visitors at risk”.</p>
	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>
	<b>Subject: Southport Pier - Maintenance of Fabric and Structure</b>
3	Can the Cabinet Member confirm the amounts allocated and actually spent to

	maintain the fabric and structure of Southport Pier over the last 5 financial years?
	<b>Response:</b>
	<p>“Over the last 5 financial years £261,114 was spent on the Pier maintenance expenditure, (this does not include costs associated with compliance testing or vandalism repairs and includes £64k security costs).</p> <p>A further £1.462,578 capital spend was spent in the last 5 years”.</p>
	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>
	<b>Subject: Southport Pier - Leaseholder</b>
4	Can the Cabinet Member confirm that the current leaseholder who operates several concessions on Southport Pier will be compensated for loss of income whilst the Pier is closed?
	<b>Response:</b>
	“This is a commercial discussion and not one for the public domain”.
	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>
	<b>Subject: Southport Pier - Economic Impact Assessments</b>
5	Can the Cabinet Member confirm whether any economic impact assessments have been carried out to assess the amount of lost revenue to Southport businesses as a result of the ongoing closure of the Pier?
	<b>Response:</b>
	“No Economic impact assessments have been carried out. The Council receives yearly tourism economic assessments, and these will be used to monitor future impact while the Pier is closed”.
	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Cabinet Member for Locality Services (Councillor Fairclough)</u></b>
	<b>Subject: Southport Cycle Lanes - Consultation</b>
6	<p>A consultation has recently been held on the controversial temporary cycle lanes in Southport. Unlike the last cycle lane survey, this was highly restricted to those approved to receive a code to access the online survey.</p> <p>Can the Cabinet Member provide details of how those people/organisations who were approved to take part in the consultation were selected and were they the right sort of people/organisations to take part?</p>
	<b>Response:</b>
	“The Evaluation is being completed in accordance with the Monitoring and Evaluation Plan approved by the Council’s Public Engagement and Consultation Panel in July 2022. The Plan is based on the guidance ‘Active Travel Fund Public

	Opinion Surveys Good Practice Guidance' produced by the Department for Transport."
	<b><u>Question submitted by Sir Ron Watson CBE to the Leader of the Council (Councillor Ian Maher)</u></b>
	<b>Subject: Member Development</b>
7	<p>Sefton Council has always been conscious of the need to ensure that adequate training is given on various aspects of Council work and this usually commences with what is quite a comprehensive and well received induction process.</p> <p>The Council has recognised, however, that further steps might benefit Elected Members in particular and an appropriate mechanism was set up through the Member Development Steering Group.</p> <p>The Member Development Steering Group met via Teams on the 14<sup>th</sup> February. Item 3 - pages 7 to 12 - dealt with mandatory course completion and a series of recommendations were made.</p> <p>Based on its work up to now, would the Leader of the Council please provide the answers to the following questions:-</p> <p>(a) The report indicates that there are no direct revenue costs. Is there any estimate of indirect costs that clearly exist?</p> <p>(b) The report indicates that less than 50% of Councillors responded to the consultation request despite the fact that reminders were sent and the consultation period extended. Will the Leader of the Council agree that this issue is clearly not a priority for Councillors and that this should be reflected in any action taken or proposed?</p> <p>(c) There are a series of recommendations that are based only on responses received from approximately 1/3 of Councillors. It would be unusual to have policy decision based on such a minority response and will the Leader of the Council subsequently advise the rationale behind the approach that has now been adopted?</p> <p>(d) There were a series of 'ad-hoc' comments from individual Councillors on a variety of aspects. One of these related to the fact that there are currently Government advertisements on tv pointing out that there are some 40 financial benefits that the population can apply for in a wide variety of categories. The suggestion that a separate training course be arranged to deal with the complexity of the issue was rejected on the basis that no specific training course had been developed in this area and that information was provided and that the only proposal was to add a link to the Department for Work &amp; Pensions website in the Handbook. Does the Leader of the Council agree that this is quite inadequate and that a course along the lines suggested would assist Councillors in the multitude of requests that they receive in this area of added complexity?</p> <p>(e) There remains concerns over the interpretation of 'mandatory' and 'discretionary'. Any statutory requirement clearly has to be met and this has always been a guiding council principle. However, 'mandatory' implies a level of compulsion that is not justified if the issues concerned have no statutory basis. Would the Leader of the Council please comment, and in particular make reference to the issue of 'sanctions' particularly as the results of the consultation process with Councillors and the minority take up would mean that most of the</p>

	Councillors subject to 'sanctions' would actually be Members of his Party?
	<b>Response:</b>
	<p>(a) "The e-learning courses deemed mandatory for Members are also mandatory for all Officers and therefore, any additional indirect costs must be negligible.</p> <p>(b) The consultation was undertaken in order to inform the decision-making process for the Member Development Steering Group, and I am sure they will take the response rate into account when making their decisions.</p> <p>(c) It is for the all-party Member Development Group to form their own decisions and for them to justify the rationale behind those decisions.</p> <p>(d) I am unable to comment on the reason why the all-party Member Development Steering Group came to that decision but perhaps it was to do with the cost of developing a bespoke course. Cost being an issue you are obviously concerned about given part (a) of this question.</p> <p>(e) It was the unanimous decision of Full Council on 21<sup>st</sup> April 2022 that those non-statutory courses should be designated as mandatory and therefore, should be undertaken by all members. Failure of all members to undertake the courses will reflect badly on the Council and will no doubt be an issue for Political Groups to consider."</p>
	<b><u>Question submitted by Sir Ron Watson CBE to the Leader of the Council (Councillor Ian Maher)</u></b>
	<b>Subject: Peer Review</b>
8	<p>The Peer Review by the Local Government Association made comment on the perfunctory nature of Cabinet Meetings and recommended that methods of improving the system be considered in the best democratic interests of the Borough.</p> <p>1. Would the Leader of the Council advise what consideration has been given to the observations made and what changes does he propose to recommend to address the issue?</p> <p>2. Whilst the Cabinet Meetings themselves often take a very short period of time, i.e. 10-15 minutes is common place, will the Leader of the Council confirm that the Members meet in private before the official meeting commences?</p> <p>Will he advise at what time this meeting is scheduled to take place and what is the average length of time that is taken in discussing the agenda prior to the actual public Cabinet Meeting?</p>
	<b>Response:</b>
	<p>1. "Having revisited The Peer Review documents, I am unable to find any such comments from the LGA".</p> <p>2. "I refer the councillor to my previous response to an almost identical question."</p>

	<b><u>Question submitted by Sir Ron Watson CBE to the Leader of the Council (Councillor Ian Maher)</u></b>
	<b>Subject: School Meals</b>
9	Does the Leader of the Council know of any proposals that school meals should be vegetarian or vegan only, as recently introduced by the Education Authority on Edinburgh City Council.
	<b>Response:</b>
	"No"
	<b><u>Question submitted by Sir Ron Watson CBE to the Leader of the Council (Councillor Ian Maher)</u></b>
	<b>Subject: The Strand</b>
10	<p>Would the Leader of the Council provide his answers to the following:-</p> <ol style="list-style-type: none"> <li>1. Does he agree that the decision by Marks &amp; Spencer to remit a not insignificant sum to the Council to surrender the lease and to make it clear that they have no intention of ever returning to the structure can only be considered to be a major blow to the retail position of the building?</li> <li>2. Will the Leader of the Council advise how many of the previous and/or existing commercial tenants have agreed to continue business and if so have they been offered any terms beyond those normally associated with a commercial enterprise?</li> <li>3. There had been assurances given that efforts are being made to site a range of public sector organisations, such as the NHS, with a view to providing a more comprehensive community type centre. Would the Leader of the Council advise what progress has been made and in particular who has been approached and the extent to which any interest has been shown?</li> <li>4. Would the Leader of the Council please advise whether or not in terms of rental charges and business rates any offers have been made to these sectors that would not be available to the retail commercial sector?</li> <li>5. Bearing in mind these questions, has there been any assessment made, albeit in a preliminary manner, as to the eventual outcome in terms of the annual expenditure/income from the complex?</li> <li>6. Will the Leader of the Council explain why, when answering in a perfunctory manner the previous question relating to outside Government funding, he did not refer to the significant capital sum that is now available through the Levelling-Up process and will he advise to what extent the issues identified in these questions formed part of the Bid and will he provide any Member who requests a copy, the full submission made to the Government on this funding stream?</li> <li>7. In respect of question 6, will he also confirm that the Levelling-Up Funding was agreed by the Government on the basis of an overall assessment of the</li> </ol>

**Response:**

1. “Marks and Spencer vacated the building several years ago and have been vacating similar small town shopping centres over the past few years due to a change in their strategy – their departure is not related to any specific issue with Bootle or the Strand building itself, and reflects wider changes in the retail sector nationally.  
The Council’s actions to regain vacant possession are positive for the proposed repurposing programme, and will enable an improved diversified offer (including but not limited to retail uses) that will help drive economic, social and physical regeneration in the town centre.
2. Proactive engagement is ongoing with all tenants and stakeholders in the Strand, but the nature and content of these negotiations are commercially sensitive and confidential.
3. Plans continue to be developed with a number of NHS partner organisations to co-locate some of their services, along with other health and care services, within the repurposed Strand, providing easier access to better services that are tailored to the needs of local residents, which will help improve health and well-being outcomes across the area.  
  
Further updates will be provided as part of wider consultation and engagement later this year.
4. Negotiations are ongoing with potential health partners, and the content of these discussions is commercially sensitive and confidential.
5. A full business case with an updated Business Plan for The Strand, accounting for the impact of the repurposing programme, is planned to be presented to Cabinet later this year.
6. The previous question at Council on 2<sup>nd</sup> March 2023 asked about Town Deal funding, a completely separate process where Government arbitrarily identified 101 towns eligible for capital funding.  
  
The previous question also asked “why the Bid was made when it clearly did not meet the criteria”. The submission was made given the clarity of vision for the town centre and its future, the strength of evidence of need for the investment proposed, and our confidence in the quality of our bid proposition, but the premise of the previous question is now obsolete given the award of Capital Levelling Up funding.  
  
The full submission made to Government for Levelling Up funding contains commercially sensitive and confidential information. A summary of the bid submission can be provided to any Member who requests it.
7. The funding awarded, which is Capital Levelling Up Funding, was awarded in respect of the regeneration benefits that will be realised across Bootle from the delivery of the Strand repurposing programme”.

	<b><u>Question submitted by Sir Ron Watson CBE to the Leader of the Council (Councillor Ian Maher)</u></b>
	<b>Subject: Sandway Homes</b>
11	<p>The Annual Report and Financial Statement for the year ended 31<sup>st</sup> March 2022 shows that during the year 4 of the Directors resigned.</p> <ol style="list-style-type: none"> <li>1. Does the Leader of the Council know why such a large number of members of the Board took this action?</li> <li>2. The Council appointed Councillor Trish Hardy as its Representative on the Board but she is not shown as a Director. Can this situation be explained?</li> <li>3. The financial model of the Company is designed around the function that the sale of high quality commercial residential dwellings would result in a profit that would enable more affordable housing to be built. We have already seen that Sandway Homes have received an additional financial commitment from the Council but has an assessment now been made on the viability of the business plan to take into account reducing demand, coupled with higher interest rates, both of which are integral to the viability of the overall project?</li> <li>4. Has there been any indication at this stage that Sandway Homes will request a further loan guarantee from Sefton Council in view of the changed circumstances?</li> </ol>
	<b>Response:</b>
	<ol style="list-style-type: none"> <li>1. "Yes". <p>"Two of the directors were officers of the Council. One left the Council's employment and the other returned to his substantive post when a full-time Managing Director was appointed.</p> <p>One of the directors was a Member of the Council who resigned when she became a Cabinet Member.</p> <p>The fourth director resigned as part of the company agreement to replace directors on a planned predetermined basis".</p> </li> <li>2. "Our Constitution provides that Cabinet performs the role of shareholder in Council wholly owned companies and Cabinet appoints an individual Cabinet Member to be its shareholder representative to each wholly owned company. <p>The shareholder representative is not a company director".</p> </li> <li>3. "The council provides an update on the financial position of the company each year to cabinet and this is in the public domain. It also provides an annual report to overview and scrutiny committee also. Engagement with the company takes place on a continual basis to understand the impact of wider economic conditions and the market on delivery of the business plan and financial viability</li> </ol>

	and performance are inetgral to this- the next report will be presented to cabinet in September 2023”.
	4. “No”
	<b><u>Question submitted by Councillor Brodie Brown to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)</u></b>
	<b>Subject:</b> The installation of Electric vehicle charging points
12	How many charging points have Sefton MBC installed? How does that performance compare with the best performing Local Authorities in the UK in this matter?
	<b>Response:</b>
	<p>“Please find below charging points which have been installed by Sefton Council, the points below are intended for use by fleet or are publicly available: -</p> <ul style="list-style-type: none"> <li>• Hawthorne Road Depot, 1 point, 2 plugs and 5 trickle charge plugs - Fleet</li> <li>• Bootle Town Hall, 2 points, 4 plugs in total - Fleet</li> <li>• Southport Town Hall, 1 point, 1 plug - Fleet.</li> <li>• Tulketh Street approx. 1 point, 2 plugs - Fleet</li> <li>• Magdalen House, 1 point, 2 plugs – Fleet</li> <li>• Maghull Meadows, 1 point, 2 plugs - Public</li> <li>• Crosby Lakeside, 1 point 2 plugs - Public</li> <li>• Ainsdale Discovery 1 point 1 plug - Fleet</li> <li>• Southport Hospital, 1 points, 2 plugs – Public</li> </ul> <p>In summary:-</p> <p>10 points, 23 plugs. There are plans being developed to roll out publicly available chargers across the Council car parks with installation targeted for this and next financial years.</p> <p>Many of the publicly available chargers have been provided by the private section. A study completed in December 2022 identified 30. This may have increased since the study was completed. According to DfT data, Sefton has with 10.1 publicly available devices per 100,000 people. This is also below the United Kingdom average of 47.7 charging devices per 100,000 people”.</p>
	<b><u>Question submitted by Councillor Brodie Brown to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)</u></b>
	<b>Subject:</b> The installation of solar panels on Council owned property
13	How many panels have been installed on properties owned by Sefton MBC? What is the total generating capacity? How does that performance compare with the best performing Local Authorities in the UK in this matter?
	<b>Response:</b>
	<p>“Total generating capacity = 436.5 kW installed – all on site/rooftop solar.</p> <p>Approx. 4 panels per kW = 1746 panels</p> <p>The best performing local authorities have on site solar as well as solar farms,</p>



	however, no detailed benchmarking has been carried out. Sefton Council corporate operations do benefit from using 100% green electricity from 1 April 2023, which is renewable energy from UK based sites (solar, wind etc)".
--	---

	<b><u>Question submitted by Councillor Brodie Brown to the Cabinet Member for Locality Services (Councillor Fairclough)</u></b>
	<b>Subject: Junction protection where single lane cul-de-sacs emerge on to the main roadway</b>
14	Will the Cabinet member review the policy of not installing double yellow lines at such junctions?
	<b>Response:</b>
	<p>"The Policy does not state that waiting restrictions will not be installed at such junctions. It states that restrictions will only be progressed where at least one of the following criteria is met for a junction:</p> <ul style="list-style-type: none"> <li>• Where there is a history of recorded injury collisions at the location caused by obstructive parking.</li> <li>• Where the junction or location is on a main distributor road, classified road or a road on the Key Route Network and there is a history of separate complaints from residents over a number of months/years. (The receipt of a petition generated by one individual or repeat requests from one individual will not be deemed to satisfy this criterion).</li> <li>• Where locations have been identified by bus operators, Emergency Services or Cleansing Services as being obstructive to their vehicles.</li> </ul> <p>The policy details other locations where such restrictions may be provided, but these are not specific to junctions".</p>
	<b><u>Question submitted by the Leader of the Liberal Democrat Group (Councillor Pugh) to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>
	<b>Subject: Maintenance on Southport Pier</b>
15	<p>i) What sums of money from the Council's revenue budget have been spent on pier maintenance for each of the last 5 financial years listed by year?</p> <p>2) What sums of money have been spent from the Council's capital budget on pier maintenance for during each of the last 5 financial years listed by year?</p>
	<b>Response:</b>
	<p>1)      2022/23                    £144,894*</p> <p>          2021/22                    £14,962</p> <p>          2020/21                    £24,008</p> <p>          2019/20                    £28,263</p> <p>          2018/19                    £48,987</p> <p>          *Includes £64k for Security</p> <p>          ** Totals do not include compliance testing or vandalism repairs</p>

	2)	2022/23	£173,555
		2021/22	£15,117
		2020/21	£49,034
		2019/20	£102,283
		2018/19	£1,122,589
	<b><u>Question submitted by the Leader of the Liberal Democrat Group (Councillor Pugh) to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>		
	<b>Subject: Grant Aid for Southport Pier</b>		
16	1)	What contact if any has been made with the Department of Levelling Up with regard to securing any grant aid for pier restoration and at what date?	
	<b>Response:</b>		
	"Officers are in ongoing dialogue with DLUHC representatives about programmes and projects across the borough, including but not limited to Southport Pier. The Executive Director (Place) had a conference call most recently with DLUHC representatives on 30 <sup>th</sup> June 2023 to present the Cabinet report and its decisions of 29 <sup>th</sup> June 2023".		
	<b><u>Question submitted by the Leader of the Liberal Democrat Group (Councillor Pugh) to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>		
	<b>Subject: Structural Survey of Southport Pier</b>		
17	1)	On what date did Thomasons finalise their structural survey of Southport Pier?	
	<b>Response:</b>		
	"We are still awaiting the final version of the report but have had sufficient information and feedback from Thomasons that has allowed the Council to make the decision with regards to closure and required works".		
	<b><u>Question submitted by the Leader of the Liberal Democratic Group (Councillor Pugh) to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)</u></b>		
	<b>Subject: Refurbishment of Cambridge Arcade</b>		
18	1)	What plans have the Council for the refurbishment of the parts (not included in the current programme) of the Cambridge Arcade parallel with the former BHS store- including the glass roof?	
	<b>Response:</b>		
	"The first phase of refurbishment work to Cambridge Arcade and Southport Town Hall has just commenced with this work running through until the end of March 2024. This phase of work will not include the section of the arcade running parallel to the former BHS building. However, it is the intention to undertake the remaining works under a later phase subject to funding approval. In the intervening period regular maintenance inspections and any necessary repairs will be carried out to this part of the Arcade".		

<p>“In addition, we are in dialogue with representatives of the owners of the JSM building (former BHS building) and believe that they are looking at undertaking remedial works to their building imminently, however, to date we are yet to receive a confirmed commencement along with an associated programme of works”.</p>
--