

## COUNCIL - 14 SEPTEMBER 2023

### QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

1	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Leader of the Council (Councillor Ian Maher)</u></b>
	<b>Subject: Deputy Leader - Register of Interests</b>
	<p>Given the Leader of the Council was present at the Cabinet meeting of 6<sup>th</sup> October 2022 and was therefore fully aware of the Deputy Leader's shareholding in a property company, can he answer the following:</p> <p>a. What steps did he take to ensure the Deputy Leader updated his register of interests following the Cabinet meeting of 6<sup>th</sup> October 2022?</p> <p>b. Why did he (seemingly) do nothing to prevent his Cabinet colleague from speaking and voting on a notice of motion at the full council meeting of 19<sup>th</sup> January 2023 when he already knew about the Deputy Leader owning shares in a property company and acting as a director of a property company?</p>
	<b>Response:</b>
	<p>a and b.</p> <p>"Registers of Interest are the responsibility of each and every individual Member".</p>
2	<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: Financial Benefits</b>
	<p>At the last council meeting, the Deputy Leader stated he did not receive any financial benefits from his previously undeclared position as a shareholder in his son's company.</p> <p>Can he explain to members how owning a significant beneficial interest in a company and shares in the same company does not confer any financial benefit upon him, as most members of the public would consider owning shares in a company (that are capable of yielding dividends as well as the inherent capital value) to be of financial benefit as they have a pecuniary value.</p>
	<b>Response:</b>
	<p>"In response to question 2, 3 and 24, I provide below a statement regarding the complaints that have been filed against me regarding undeclared interests in my son's company, Fairclough Properties Limited.</p> <p>My son left the Royal Marines in 2017 and needed a guarantor for his property purchases, so naturally as a father, I obliged.</p> <p>Whilst I am indeed a 50% shareholder of Fairclough Properties Limited, I do not receive any financial benefit. The company belongs to my son, as does the income associated with it.</p>

	<p>All of the company income is visible on its annual tax return, none of which has been paid out as dividends, nor will it to me. As he is now more established, my role as guarantor is no longer needed and we are in the process of returning the company to his ownership only.</p> <p>It was my belief that as it was a non-pecuniary interest, there was no requirement to declare it as an interest against any properties that I have an interest in, because I was not benefiting from the properties in Fairclough Properties Limited.</p> <p>However, since it's been pointed out to me that as a Director and a Shareholder, I have a beneficial interest in the properties in Fairclough Properties Limited, I immediately rectified the situation and updated my register of interests to include my directorship in this company. I voted in support of the Landlord Licensing Scheme in Sefton, which I fully support.</p> <p>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. I genuinely regret any oversight on my part and want to assure Full Council that this was an honest mistake, and I have taken appropriate measures to ensure that all my interests are accurately declared moving forward.</p> <p>I understand the significance of upholding public trust and avoiding any perception of impropriety and, as recommended by the Initial Assessment Sub-Committee held on Thursday, 29th June 2023, I will be undertaking training on the Council's Code of Conduct.</p> <p>I sincerely apologise for any confusion or concern that this matter may have caused".</p>
3	<p><b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Deputy Leader of the Council (Councillor Fairclough)</u></b></p>
	<p><b>Subject: Landlords - Deputy Leader's Declaration of Shareholding/Directorship in a Property Company</b></p>
	<p>At the Cabinet meeting of 6<sup>th</sup> October 2022, when a matter potentially affecting landlords was on the agenda, the Deputy Leader declared that he is a non-paid Non-Executive Director of his son's private landlord business. He remained in the room but did not vote on the agenda item.</p> <p>At the full council meeting of 19<sup>th</sup> January 2023 (just over 3 months later), when a matter potentially affecting landlords was on the agenda, he did not make any declaration about his shareholding or directorship in a property company, however, he did speak on the motion, he did vote on the motion and seconded a motion that the vote was to be recorded (thereby preserving the fact that he did indeed vote on the matter).</p> <p>In light of the above, why did the Deputy Leader remember to declare a pecuniary interest at the Cabinet meeting (presumably before any advice had been received from the council's monitoring officer) but failed to remember to make a similar declaration at the full council meeting?</p>
	<p><b>Response:</b></p>

4	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Leader of the Council (Councillor Ian Maher)</u></b>
	<b>Subject: Deputy Leader</b>
	Does the Leader of the Council still have full confidence in his Deputy Leader?
	<b>Response:</b>
	"Yes"
5	<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 – contract/tender</b>
	Can the Cabinet Member confirm that there have been no formal or informal discussions/correspondence with any prospective companies/contractors regarding any potential contract/tender for the works that may ultimately be required to repair Southport Pier
	<b>Response:</b>
	"The Council undertook a procurement process in relation to the phase 2 deck replacement, and as part of this process formal discussions/correspondence took place. The Council will undertake similar procurement exercises over the course of the year where formal correspondence will also take place".
6	<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 Concessions</b>
	Can the Cabinet Member confirm that there have been no discussions of any kind, within the council or with the company itself, about the possibility of Sefton Hospitality Operations Limited taking on any of the current concessions on Southport Pier should the current leaseholder cease trading as a result of the ongoing Pier closure?
	<b>Response:</b>
	"There have been no discussions with Sefton Hospitality Operations Limited or any other similar organisation with regards to Southport Pier".
7	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Deputy Leader/Cabinet Member for Locality Services (Councillor Fairclough)</u></b>
	<b>Temporary Cycle Lanes in Southport</b>

	Can the Deputy Leader/Cabinet Member please advise when he will be making a decision on when to remove the temporary cycle lanes in Southport?
	<b>Response:</b>
	“The evaluation report will shortly be considered with a view to making a decision on the future of the cycle lane scheme later this year”.
8	<b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)</u></b>
	<b>Sandway Homes</b>
	Can the Cabinet Member please advise whether any of the homes being built by Sandway Homes have been delayed in terms of completion?
	<b>Response:</b>
	“Yes, this was recently reported to Cabinet, updating Sandway’s Business Plan on 7 <sup>th</sup> September 2023”. Link below:  <u>Report to: (sefton.gov.uk)</u>
9	<b><u>Question submitted by Councillor Evans to the Cabinet Member for Health and Wellbeing (Councillor Moncur)</u></b>
	<b>Subject: Tree Felling and Planting in Sefton</b>
	<ol style="list-style-type: none"> <li>1. How many highway trees have been removed or felled, or are scheduled to be removed or felled, during 2023 and how that compares to 2022, 2021, 2020 and 2019?</li> <li>2. How many new highway trees have been planted, or are scheduled to be planted, during 2023, and how that compares to 2022, 2021, 2020 and 2019?</li> </ol>
	<b>Response:</b>

1.

Year	Number of Highway Trees Removed
2019	227
2020	287
2021	250
2022	234

**2023**

Number of Highway Trees Removed	229
Number of Highway Trees Currently scheduled for removal subject to change	100

**2. Planting Seasons - Highway Tree Planting Only**

2019/2020	288
2020/2021	207
2021/2022	270
2022/2023	319
2023/2024 (scheduled yet to be confirmed due to funding)	300-400

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**Question submitted by Councillor Doyle to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)**

**Subject: Southport Pier**

Is Southport Pier an isolated case?

**Response:**

“Many Piers have been demolished due to rising repair costs, dangerously decayed structures and damage from vandalism. Southport Pier is one of the few Piers which continues to receive investment and support from its custodians, Sefton Council.

Many Piers are also not operated by local authorities, but by private sector operators. The Council is not in a position to compare the condition of Southport Pier to others, but the Council has been consistent in its prioritisation of the highest standards of health and safety and will continue to do so.

The Council has this month hosted a recent visit of the National Piers Society to Southport, as part of ongoing engagement with them (as per the Special Cabinet Report of June 2023). It is clear from engagement that there are many Piers across the UK with issues similar to, and greater than, Southport, and as above we continue to propose that the preservation of nationally significant heritage assets such as these require a national funding solution for repair and for ongoing maintenance”.

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**Question submitted by Councillor Doyle to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)**

**Subject: Southport Pier**

	Can the Cabinet member confirm the closure of the pier was recommended by qualified structural engineers because it is not safe?
	<b>Response:</b>
	<p>“Sefton Council appointed industry leaders Thomasons Consulting Civil and Structural Engineers to carry out the in-depth survey on Southport Pier after they informed the Council to close the Pier due to health and safety reasons.</p> <p>Thomasons is an award-winning independent construction consultancy who have been utilised by numerous private and public sector organisations for a number of different projects around the UK.</p> <p>They are especially well-known for their expertise in complex civil and structural engineering, building facades, defect diagnosis and historic buildings.</p> <p>This recommendation is explicitly stated in the final versions of the structural surveys”.</p>
12	<b><u>Question submitted by Councillor Pugh to the Cabinet Member for Education (Councillor Roscoe)</u></b>
	<b>Subject: GCSE Results</b>
	Following the publication of 2023 GCSE results in Sefton, has the Council any further evidence of either the widening or narrowing of the attainment gap between schools - specifically between schools in the more affluent areas of Sefton and those serving relatively deprived areas?
	<b>Response:</b>
	<p>“Sefton’s secondary schools (maintained and academies) were asked to submit provisional headline GCSE data for initial analysis (English, Maths and Ebacc* only) after results day on 24<sup>th</sup> August 2023 but this does not include data for ward breakdown and disadvantaged groups”.</p> <p><b>National context</b></p> <p>“Due to the pandemic, no GCSE examinations took place in 2020 and 2021, instead replaced by centre and teacher assessed grades. This resulted in a noticeable shift in grades between 2019 and 2021. The proportion of entries being awarded a grade 4 or above increased from around 70% to 79%.</p> <p>In September 2021, Ofqual confirmed they would pursue a policy of returning to the 2019 distribution over multiple years.</p> <p>Subsequently Ofqual confirmed its intentions to return to the 2019 grade distribution in 2023, albeit with a “soft landing”. Therefore, as expected, GCSE results nationally this year are significantly lower than last year, bringing them closer in line with 2019. However, there are variations between subjects that will need to be explored further.</p> <p>Overall, 70.3% of all awards were at grade 4 or above (5ppts lower than in 2022).</p> <p>There are no separate national headline figures yet for the separate subjects.</p> <p>Results suggests that outcomes in English have been sustained despite the disruption of the pandemic with no statistically significant change in outcomes since 2020. However, there has been a statistically significant decline in mathematics</p>

	<p>performance at both grade 4 and above, and grade 7 and above”.</p> <p><b>Sefton Headlines</b></p> <p>“In English, 75.2% of pupils achieved a grade of 9 – 4; an improvement on 2019 outcomes. Within this 56% achieved 9 – 5, broadly in line with 2019.</p> <p>In mathematics, 67.1% achieved a 9 – 4 grade, below 2019 by 3ppts. 43.2% achieved 9 – 5, slightly below 2019.</p> <p>Ebacc outcomes saw a drop from 2019 in both 4+ and 5+ grades (17.3% and 9.8% respectively); this will disguise variations across the different subjects.</p> <p>From the results, we see that there is some disparity between areas within the LA with results in some areas being at least 10% higher, however, there is quite a mixed picture across schools, and although deprivation is clearly a factor for some, there is room for further analysis.</p> <p><b>Please note: comments are based on data that is currently unvalidated and highly likely to change after the KS4 checking exercise has been completed (end of September/beginning of October)”.</b></p>
13	<p><b><u>Question submitted by Councillor Pugh to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b></p>
	<p><b>Subject: Southport Airshow</b></p>
	<p>Would the Council produce a summary report available to all elected members on the 2023 Southport Air Show identifying any difficulties and challenges encountered, and lessons learnt.</p>
	<p><b>Response:</b></p>
	<p>“A report on the Council’s major events including The Southport Air Show will be presented to the Overview and Scrutiny Committee (Regeneration and Skills) in due course, including both successes and lessons learned from the event”.</p>
14	<p><b><u>Question submitted by Councillor Harrison to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b></p>
	<p><b>Subject: Southport Pier</b></p>
	<p>Cabinet agreed to borrow £3m to replace all of the boards on Southport pier.</p> <p>a) Can the Cabinet member confirm what the annual repayment would be each year and over what period it would be paid, including income from the concessionaire.</p> <p>b) Can the Cabinet member confirm what the repayment each year would be if borrowing £13m, including income from the concessionaire.</p>
	<p><b>Response:</b></p>
	<p>a) “In terms of the £3m, if we were to take a loan at today’s rates the cost has now increased from £0.178m to £0.222m. This is based on the current PWLB loan rate of 5.42%. Net of income from the concessionaire of £0.093m (rent received in 2021/22) this would be a net cost of £0.129m”.</p> <p>b) “On the same basis, the annual cost of taking a loan out to cover the £13m cost</p>

	<p>would be £0.962m. Net of income from the concessionaire of £0.093m on the same basis as above, this would be a net cost of £0.869m”.</p> <p>The above costs exclude any maintenance spend.</p> <p>The most effective way to finance any borrowing would be assessed with our treasury management advisers”.</p>
15	<p><b><u>Question submitted by Councillor Harrison to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b></p>
	<p><b>Subject: Southport Pier</b></p>
	<p>Who have the Council spoken to about potential funding and support?</p>
	<p><b>Response:</b></p>
	<p>“The Council has and continues to have dialogue with The Liverpool City Region Combined Authority, The Department for Levelling Up, Housing and Communities, and The Cities and Local Growth Unit in Central Government, and The National Pier Society, with meetings arranged with Historic England and National Lottery Heritage Fund.</p> <p>The Council are willing to engage with any partners or organisations with regards to funding and the future of Southport Pier”.</p>
16	<p><b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Leader of the Council (Councillor Ian Maher)</u></b></p>
	<p><b>Subject: Ultra Low Emission Zones (ULEZ)</b></p>
	<p>Will the Leader of the Council confirm that there are no proposals to introduce ultra-low emission zones (ULEZ) within the boundaries of Sefton and that he would oppose any proposals that come forward from any quarter to introduce schemes of this nature?</p>
	<p><b>Response:</b></p>
	<p>“There are no proposals to introduce Ultra Low Emission Zones (ULEZ) within the Boundaries of Sefton. Poor air quality has a negative impact on public health, with potentially serious consequences for individuals, families and communities, and in the context of the Council’s Statutory duty to regularly review and assess air quality, and to take action to improve air quality if National Air Quality Standards are not going to be met”.</p>
17	<p><b><u>Question submitted by Councillor Shaw to the Cabinet Member for Children’s Social Care (Councillor Doyle)</u></b></p>
	<p><b>Subject: Children’s Social Workers</b></p>
	<p>The need to recruit more Children’s Social Workers is obviously an issue for Sefton Council as it is for other councils.</p> <p>Would the Cabinet Member please advise for the year 2023 to date:</p>



	<ol style="list-style-type: none"> <li>1. How many applications were received for Children’s Social Worker positions?</li> <li>2. How many of those were short-listed for interview?</li> <li>3. How many of those subsequently attended for interview?</li> </ol>
	<b>Response:</b>
	<ol style="list-style-type: none"> <li>1. “Through our international recruitment campaign, we received 35 applications and offered 23 positions.  In our ongoing recruitment activity, under a new process that went live in April 2023, we have received thirty applications.</li> <li>2. Under the new recruitment process all applicants are invited for interview.</li> <li>3. Under the new recruitment process all applicants were invited and attended interview.”</li> </ol>
18	<b><u>Question submitted by Councillor Brodie-Browne to the Cabinet Member for Education (Councillor Roscoe)</u></b>
	<b>Subject: Solar Panels on School Roofs</b>
	Media coverage of the impact of crumbling concrete on schools showed many school buildings that had solar panels on their roofs. How many schools in Sefton have solar panels fitted?
	<b>Response:</b>
	<p>“We understand that the following 9 schools have solar panels fitted:-</p> <ul style="list-style-type: none"> <li>• Aintree Davenhill Primary</li> <li>• Kew Woods Primary</li> <li>• Meols Cop HS</li> <li>• St John Bosco</li> <li>• Formby High</li> <li>• Forefield Juniors</li> <li>• Our Lady of Lourdes</li> <li>• Summerhill Primary</li> <li>• All Saints Primary</li> </ul> <p>We believe that St Andrews in Maghull were also looking at this as an option and may have had panels installed and that Deyes High with their new build had panels in the plan.</p> <p>Also, any schools in the School Rebuilding Programme are required to be built to the latest construction standards, resilient to climate risks, net-zero in operation and therefore should include solar panels or other renewable energy or measures to reduce energy consumption on site”.</p>
19	<b><u>Question submitted by Councillor Brodie-Browne to the Cabinet Member for Health and Wellbeing (Councillor Moncur)</u></b>
	<b>Subject: Oak Tree in Guildford Road</b>

	<p>Mature trees are a vital part of our protection regarding pollution particularly around co2 emissions and the increase in particulates in the atmosphere. If we are taking the 'Climate Emergency' seriously it follows that disease free mature trees should not be felled except in very exceptional circumstances. In light of this will the Cabinet member publish the impact assessment that led to the felling of a healthy mature oak tree in Guildford Road.</p>
	<p><b>Response:</b></p>
	<p>"In relation to the tree outside 299 Guildford Road, this was inspected and an on-site assessment was carried out jointly between the Highways Maintenance Team and the Tree and Woodland Team. The footway condition was poor and a potential safety hazard due to the tree roots. The flags had previously been replaced with bitmac to remove any tripping hazards and there was no long-term maintenance solution. It was clear by a visual inspection that this was getting worse over time and the tarmac was also showing signs of extensive root damage causing potential claims and tripping hazards to pedestrians. The drainage channels also had been lifted by the tree roots preventing normal flow to the gully point, which in turn could cause flooding issues and pedestrian access issues along the footpath. It was also likely that the root growth could in time cause damage to the private property (wall).</p> <p>The council will be looking to undertake some tree planting to replace tree loss through the winter months".</p>
20	<p><b><u>Question submitted by Councillor Shaw to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b></p>
	<p><b>Subject: Southport Airshow</b></p>
	<p>In relation to the Southport Airshow would the Cabinet Member please advise me:</p> <ol style="list-style-type: none"> <li>1. On what dates were the 2021, 2022 and 2023 Air Shows held?</li> <li>2. In relation to the 2023 Air Show, was the hope/intention that the beach would be used for some parking?</li> <li>3. To what extent in 2023 was there any beach parking?</li> <li>4. If there is a significant difference between the answers to 2 and 3 above, what were the reasons for that?</li> <li>5. In the three weeks before the 2023 Airshow what was the height of the highest ("spring") tide?</li> <li>6. How does that compare with the three weeks before the 2022 Airshow?</li> <li>7. To what extent were the issues raised in 5 and 6 above considered in the early stages of planning for the 2023 Southport Airshow, including the choice of date?</li> </ol>
	<p><b>Response:</b></p>
	<ol style="list-style-type: none"> <li>1. "There was no Air Show in 2021 due to Covid; 9<sup>th</sup> and 10<sup>th</sup> July in 2022; and 9<sup>th</sup> and 10<sup>th</sup> in September 2023,</li> <li>2. The intention was to use the beach for parking in 2023.</li> <li>3. There was no beach parking in 2023.</li> <li>4. Due to the condition of the beach.</li> <li>5. 10.3m</li> <li>6. 8.8m</li> <li>7. The Southport Air Show takes place in September subject to tides for the set-up</li> </ol>

	<p>period and the actual event. The tides for the 2023 set up and event were similar to previous air shows. High tides taking place before the setup have not impacted on the event previously”.</p>
21	<p><b><u>Question submitted by Councillor Lloyd-Johnson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b></p>
	<p><b>Subject: Southport Airshow</b></p>
	<p>Will those who pre-paid for beach parking but could not use it, due to the ground conditions, be refunded in full?</p>
	<p><b>Response:</b></p>
	<p>“Pre-paid beach parking was not available at Southport Air Show, although advance car parking was limited in numbers and available to be used in all car parks. It does not guarantee beach parking”.</p>
22	<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></p>
	<p><b>Subject: Southport Marine Lake Light Installation</b></p>
	<p>Can the Cabinet Member outline the consultations that have taken place (or will take place in future) regarding the light installation on the Marine Lake as part of the redevelopment of the theatre and convention centre.</p> <p>This is with particular reference to those organisations/clubs that use the marine lake for watersports and annual events (for example, the 24-hour yacht race)?</p>
	<p><b>Response:</b></p>
	<p>“The Marine Lake Light Installation formed part of the full planning application; therefore, it has been consulted on through the statutory process. In addition to this, detailed consultation has taken place with organisations such as Natural England.</p> <p>Meetings have also taken place with lake users before and after the submission of the planning application. Officers have committed to ensure that the lake users are kept up to date on works and plans”.</p>
23	<p><b><u>Question submitted by Councillor D’Albuquerque to the Cabinet Member for Children’s Social Care (Councillor Doyle)</u></b></p>
	<p><b>Subject: Children’s Social Workers</b></p>
	<p>Attracting good quality children’s social work candidates is clearly a priority for Sefton Council.</p> <p>Could the Cabinet member please advise whether the council:</p> <ol style="list-style-type: none"> <li>1) attends university social worker careers fayres.</li> <li>2) Which events have been attended that could have attracted students that have qualified this year?</li> </ol>

	<b>Response:</b>
	<p>“Yes, the Council attends some careers fayres and is building links with local universities. The intention is to build on this.</p> <p>Officers have attended a number of events and by working with the universities the Council has already offered 15 people places in the Academy to start later in the year”.</p>
24	<b><u>Question submitted by Councillor Keith to the Deputy Leader of the Council (Councillor Fairclough)</u></b>
	<b>Subject: Initial Assessment of the Audit and Governance Committee</b>
	After the initial assessment of the Audit and Governance Committee, would Cllr Fairclough like to make a statement?
	<b>Response:</b>