

COUNCIL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 27TH JUNE, 2013**

PRESENT: The Mayor (Councillor M. Fearn) (in the Chair)
The Deputy Chair (Councillor K. Cluskey) (Vice
Chair)

Councillors Ashton, Atkinson, Ball, Blackburn,
Bradshaw, Brennan, Brodie - Browne, Byrom, Carr,
L. Cluskey, Crabtree, Cummins, Cuthbertson,
Dawson, Dodd, Dorgan, M. Dowd, P. Dowd, Dutton,
Lord Fearn, Friel, Gatherer, Hardy, Hands, Hartill,
Jones, Keith, John Kelly, John Joseph Kelly,
Kermode, Killen, Lappin, P. Maguire, Maher, Mahon,
McGinnity, S. McGuire, McIvor, Moncur, Page,
Preece, Rimmer, Roberts, Robertson, Robinson,
Roche, Shaw, Tweed, Veidman, Sir Ron Watson,
Weavers, Webster and Welsh

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bennett, Booth, Fairclough, Gustafson, Hubbard, Kerrigan, McKinley, Murphy, Papworth, Sumner and Tonkiss.

21. DECLARATIONS OF INTEREST

Councillor Sir Ron Watson declared a disclosable pecuniary interest in Minute No. 31, as he is the Chair of the Southport and Ormskirk Hospital NHS Trust and he left the room during the consideration of the item.

22. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the Minutes of the Annual Council Meeting held on 9 May 2013 and the Adjourned Annual Council Meeting held on 14 May 2013 be approved as a correct record.

23. MAYOR'S COMMUNICATIONS

Civic Sunday

The Mayor reported that her Civic Sunday Service would be held on Sunday 7 July at 10.30 a.m. at St Francis of Assisi Church, Southport and she requested Members and Officers to confirm their attendance by contacting the Mayor's Office.

24. MATTERS RAISED BY THE PUBLIC

The Mayor reported that in accordance with the Council's Petition Scheme, two petitions had been submitted for consideration at the Council meeting, as follows:

- (a) The first petition containing 2,920 signatures had been submitted by Ms. Juliet Edgar on behalf of 'Stand Up in Bootle' and residents of Sefton.

The Petition stated:

"We:

- (1) demand that Sefton Council passes a resolution to call on the Coalition Government to drop the 'Bedroom Tax';
- (2) demand that Sefton Council passes a resolution to refuse to implement the 'Bedroom Tax' within the Sefton Council Benefit Department; and
- (3) also demand that Sefton Council exerts pressure on the 23 housing associations within its area, to adopt a policy of 'No Evictions' for 'Bedroom Tax' arrears."

The lead petitioner, Ms. Edgar, made a statement in support of the petition.

The Leader of the Council (Councillor P. Dowd) thanked Ms. Edgar for the submission of the petition and indicated that he supported the calls for the repeal of the 'Bedroom Tax; that the Council, along with other local authorities had a statutory duty to implement the legislation and the Council was holding discussions with local housing associations on procedures for assisting their tenants

A debate then took place on the content of the petition and a number of Members of the Council indicated their support for the repeal of the 'Bedroom Tax' and for more socially rented property to be made available in the Borough.

Following the debate, it was moved by Councillor Maher and seconded by Councillor P. Dowd :

"That this Council calls on this or any future Government of whatsoever Party to repeal the 'Bedroom Tax.'"

An amendment was moved by Councillor Brodie – Browne, seconded by Councillor Robertson that the Motion be amended by the addition of the following text:

“(2) That the Government be requested to repeal the ‘Bedroom Tax’ for the private rented sector and expand the number of socially rented property available.”

Councillor Maher indicated that he accepted the amendment and on a show of hands, the Mayor declared that the Amended Motion was carried by 47 votes to 7, with 1 abstention and it was

RESOLVED:

- (1) That the Council calls on this or any future Government of whatsoever Party to repeal the ‘Bedroom Tax; and
 - (2) That the Government be requested to repeal the ‘Bedroom Tax’ for the private rented sector and expand the number of socially rented property available.
- (b) The Mayor reported that the second petition containing 3,581 signatures had been submitted by Mrs Maria Bennett on behalf of Formby Residents Action Group Opposition From Formby (FRAGOFF)

Petition Summary and Background:

“Sefton’s local plan, formulated over the last 5 years continues to show little regard for the green belt. Our Council will, in the upcoming months, embark on a Public Consultation Process, using household population figures that they themselves concede are not an accurate reflection of current housing need. Most up to date Government figures show the Council’s projections to be at least 20% too high. We believe this anomaly is so significant that it undermines the validity of the Consultation exercise.”

The action petitioned for was:

“We the undersigned urge the Council, officers, elected members and Leader to amend the ‘Preferred Option’ plan to reflect the most recent and up to date Government statistics which clearly show a significant reduction in housing need, sheds doubt on the necessity for large edge of town industrial parks, which in the absence of sufficient demand, threatens local traders, damaging town centres.”

The lead petitioner, Mrs Bennett, made a statement in support of the petition.

The Leader of the Council (Councillor P. Dowd) thanked Mrs Bennett for the submission of the petition and indicated that the intention of the Council was, and always would be, to protect greenbelt and green spaces as much as it possibly can within the bounds of the planning law and regulation and in the context of the Coalition Government’s drive for

economic growth. He then made the following comments on the content of the petition:

1. Sefton's emerging Local Plan does not show 'little regard' for Sefton's green belt as suggested in the petition. The Plan proposed a controlled and limited release of a small amount (3.7%) of green belt to deliver the houses and jobs that Sefton needs up to 2030. The Coalition Government's policy made it clear that it was entirely appropriate to review green belt boundaries when preparing a local plan.
2. The evidence the Council had commissioned set out clearly what Sefton's needs are and the Government expected the Council to plan to meet those needs in the Local Plan. The best way to protect Sefton's green belt was to plan to meet those needs and if it did not do this, the Local Plan would not be approved by the Government Inspector. It would be found unsound and would leave Sefton vulnerable to unplanned development on green belt sites that the Council would have very limited control over.
3. The consultation exercise exceeds statutory requirements. The Council was required to consult for 6 weeks and would be consulting for 12 weeks to encourage as much involvement as possible.
4. The Plan relied on the most up-to-date complete evidence and this was further supported by independent evidence specific to Sefton. The Council had not stated that any population figures relied upon were not accurate, as suggested in the petition. The Council had been open on this point and it was covered in the report as referred to in paragraph 6.3 on page 35 of the agenda pack.
5. It was not appropriate to use Office of National Statistics interim household projections to inform this stage of the plan, for the following reasons, which were clearly explained in the report:
 - they were interim and would be superseded in 2014;
 - they did not cover a significant part of the plan period and only looked forward to 2021;
 - they took no account of a planned Government review of household formation rates due to be published next year; and
 - they made no allowance for vacant or second homes which would further increase the 'interim' figures from 399 per annum to 420 per annum. However, even using the interim figures this would mean significant numbers of houses being allocated to the green belt.

6. The Council had been very clear and advised that it would review the housing requirement further next year when the appropriate data was published by the Government. It had been indicated to the Council that the population figures would be available in April 2014 and hopefully the household formation figures some months later. Indeed, to accommodate this, the addendum note to the report sought approval to an amendment to the recommendations asking for the publication date to be put back from June/July 2014 to August/September 2014.
7. To make any assumptions, post 2021, based on interim figures, would be unsound in planning terms and in any event the Planning Inspector would fully expect this update to be done before the Council submitted the final Local Plan for examination.
8. The petition refers to large edge of town industrial parks, suggesting that these would threaten local traders and damage town centres. The Plan proposed to allocate 3 new employment sites in the green belt. These allocations did not include retail parks/uses. The Plan aims to encourage regeneration and redevelopment of Sefton's town centres in order to help sustain them.
9. Two of the business parks/employment sites would be primarily developed with quality office and light industrial type uses. The Crowland Street site would be a continuation of the types of industrial uses already operating there. The 3 employment sites would create opportunities for approximately 4,000 new jobs in Sefton over the Plan period. These would provide local employment opportunities and benefits to the local economy. These jobs would also help to support the local economy and town centres and not damage them as suggested in the petition.

A debate then took place on the content of the petition and Members of the Council made the following comments on the petition:

- the robustness of the statistics in the Preferred Option Document, which currently indicated that 510 homes per annum would need to be provided during the period of the Local Plan, due to an increase in inward migration, would need to be challenged.
- concerns were raised about the loss of green belt land and Grade 1 agricultural land.
- concerns were raised about the impact of the proposals on the services provided by local hospitals and local schools.

Following the debate, it was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED:

That the petition be noted and the issues be considered during the debate under Minute No. 26 below.

25. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

- Councillor Robertson, to the Cabinet Member – Corporate Services and Performance (Councillor Tweed)
- Councillor Robertson, to the Council's Spokesperson on the Merseyside Fire and Rescue Authority (Councillor Byrom)
- Councillor McKinley, to the Leader of the Council (Councillor P. Dowd)
- Councillor Gatherer, to the Leader of the Council (Councillor P. Dowd)
- Councillor Hands, to the Leader of the Council (Councillor P. Dowd)
- Councillor Page, to the Leader of the Council (Councillor P. Dowd)
- Councillor Dawson, to the Cabinet Member – Children, Schools, Families and Leisure (Councillor Moncur)

together with the responses given. One supplementary question was asked and responded to by the Cabinet Member – Children, Schools, Families and Leisure.

26. LOCAL PLAN FOR SEFTON - PREFERRED OPTION DOCUMENT

The Council considered the report of the Director of Built Environment which presented the Preferred Option Document, a key stage in the preparation of Sefton's Local Plan. The Document set out the issues and challenges facing Sefton, which included:

- a vision for Sefton's planning ahead to 2030;
- a strategy for how Sefton's housing, business and other development needs can be met;
- a 'preferred' option indicating where those needs might be met including detailed site allocations;
- details of other options which have been considered and discounted;
- development management policies to help guide development and provide a policy framework for making decisions on planning applications; and
- details of the 12 week consultation arrangements.

This was a corporate strategy document which was being developed within the statutory planning framework. The Preferred Option Document was a key stage in the process of adopting a Local Plan, which would in due course replace the Unitary Development Plan.

The Council also considered an addendum note to the report produced by the Director of Built Environment which set out two minor updates to the Preferred Option document.

The Mayor reported that the Local Plan Preferred Option Document had been considered at the following meetings, prior to the Council meeting:

- the Overview and Scrutiny Committee (Regeneration and Environmental Services) on 28 May 2013;
- the Planning Committee on 12 June 2013; and
- the Cabinet on 20 June 2013

The Mayor advised Members that the report set out a preferred option for consultation, which was a key stage of the journey to work out what was the best way forward with respect to the important strategic document. No final decisions on the adoption of the Local Plan would be made until 2015.

The Mayor also advised Members that they could all participate in the debate so long as they retained an open mind and had not and did not say anything that would lead others to think that they had a closed mind.

It was moved by Councillor P. Dowd and seconded by Councillor Maher:

That:

- (1) the further evidence which supports the Preferred Option Document be approved for consultation, as outlined in Section 18 of the report;
- (2) the approach to consultation on the Preferred Option Document be approved, as outlined in Section 20 of the report;
- (3) the Preferred Option Document be approved for consultation, including a correction to the land proposed for development, south east of Hightown as set out in Section 19 and the plan attached to the report; and the amendments set out in the addendum note; and
- (4) the Head of Planning Services be granted delegated powers to make minor editorial changes to the Document before it is published, as referred to in Section 20.7 of the report.

The Leader of the Council (Councillor P. Dowd) made the following comments:

- The Council was required by the Government to produce a robust and sound Local Plan in accordance with the National Planning Policy Framework. The content of the Plan could be challenged by the public, action groups and developers, and the final decision upon the content of the Plan would be taken by a Planning Inspector appointed by the Government.
- The current figure of 510 housing units per year was based on evidence provided by Planning Consultants and the housing requirement figure would be reviewed next year when the next round of the population and household projections data was published by the Government. If the figure had to be reduced, then it would be done on the basis of the latest information available at that time.
- The Plan had to deal with social, economic and environmental issues, including the Port redevelopment and the provision of affordable housing to meet housing need within the Borough.
- He was aware that some Members of the Council were currently concerned about the proportionality of the development proposals in Maghull and Lydiate, but gave an assurance that all of the consultation feedback would be fully considered, to ensure that the right proposals were included in the final version of the Local Plan to be submitted to the Planning Inspector for examination in due course.

During a lengthy debate, Members of the Council raised the following issues:

- The Government required the Council to plan for the future employment and housing needs of the Borough and the Option 1 proposal for the provision of 270 homes per year was not viable and would not be accepted by the Planning Inspector.
- The Government figures indicated that 400 homes or more would need to be provided each year and if the Council did not plan for that provision, the Government would do it for the Council. The figures would need to be challenged to ensure they were correct, following the publication of the population and household projections data in 2014.
- It was possible that the number of homes to be built each year would reduce from 510 to say 470 homes when the latest projections are published in 2014.
- Councillors fully appreciated the public concerns about the use of green field sites. It had to be acknowledged that some sites would

need to be used to meet the housing need but the amount of green field sites to be used should be kept to as low an amount as possible.

- Concerns were raised about the current allocated sites in the Preferred Options Document for Maghull and Lydiate, which were disproportionate to the housing need in that area and would increase the volume of traffic, the demand for other services and change the overall character of the area.
- Concerns were raised about the number of new homes proposed for Ainsdale which would increase the demand for schools, other services and infrastructure to be provided in that area. A request was made for the retention of the sports field at the former Ainsdale Hope High School site for recreational use and for the provision of more allotment sites.
- Concerns were raised that schools had been closed in some areas based on previous long term planning need and this could now lead to insufficient school places being made available in due course, to meet increased demand following the proposed housing development set out in the Preferred Option Document.
- There was a need for more 1 bedroom and 2 bedroom accommodation and the provision of affordable housing in the Borough to meet the growing housing demand.
- Concerns were raised about the potential loss of Grade 1 agricultural land and the impact of proposed development on bordering land in West Lancashire and Knowsley which would have an impact on the services provided within Sefton. These issues needed to be looked at more widely and robustly. The Council should become more of a campaigning Council to put pressure on the Government to protect agricultural land.
- Concerns were raised about the proposed development at Moss Lane, Churchtown, the potential land sewage problems on the peat land and the increased traffic on the adjoining country lanes.
- The Local Plan needed to address, in more detail, how the infrastructure problems in many areas of Sefton, as referred to in the Preferred Options Document, would be addressed with developers and infrastructure/service providers; the make-up of the 510 homes to be built each year; and the carbon economy policies.
- Concerns were raised about the proposed use of reserved sites after 2020, if the capacity on the allocated sites falls below the five year supply and officers were requested to ensure that developers fully utilised the number of units on each site, to ensure that the reserved sites would not need to be used, especially in Lydiate.

- Concerns were raised that the Preferred Options Document made no reference to the Shale Gas developments which could take place within the licensed area, which stretches from Crossens to Ainsdale within the Borough and the environmental and economic impact it would have on the Borough.
- Concerns were raised about the proposed development in West Lancashire on land adjacent to Birkdale Ward and the impact upon schools and other services in that Ward.
- A request was made for more recognition to be given to the statement in paragraph 2.44 on page 71 of the Preferred Options Document that “about 1 in 4 of Sefton’s residents lived in an area classed as within the 20% most deprived areas in the country.” Provision needed to be made in the Local Plan for policies to address the provision of improved housing and health services to address the major variations in health and life expectancy within the Borough.
- Requests were made for the proposed consultation arrangements to be reviewed, with less emphasis on booked appointments, to ensure that the public and in particular, Action Groups could actively challenge the figures and proposals in the Preferred Options Document. The Council would need to ensure that it took the public along with it, all the way on the process leading up to the adoption of the Local Plan.

Following the debate, the requisite number of Members having signified their wish that the voting on the Motion should be recorded in accordance with Rule 92 of the Council and Committee Procedure Rules, the voting was duly recorded and the Members of the Council present at the time, voted as follows:

FOR THE MOTION:

Councillors Atkinson, Bradshaw, Brennan, Byrom, Carr, K. Cluskey, L. Cluskey, Cummins, M. Dowd, P. Dowd, Friel, Gatherer, Hardy, John Kelly, John Joseph Kelly, Kermode, Killen, Lappin, P. Maguire, Maher, Mahon, McGinnity, Moncur, Page, Roberts, Robinson, Roche, Tweed, Veidman and Webster.

AGAINST THE MOTION:

Councillors Ashton, Ball, Blackburn, Brodie – Browne, Crabtree, Cuthbertson, Dawson, Dodd, Dorgan, Dutton, Lord Fearn, Hands, Hartill, Jones, Keith, S. McGuire, Mclvor, Preece, Rimmer, Robertson, Shaw, Sir Ron Watson, Weavers and Welsh.

ABSTENTION

The Mayor (Councillor M. Fearn)

The Motion was carried by 30 votes to 24, with 1 abstention and it was

RESOLVED:

That:

- (1) the further evidence which supports the Preferred Option Document be approved for consultation, as outlined in Section 18 of the report;
- (2) the approach to consultation on the Preferred Option Document be approved, as outlined in Section 20 of the report;
- (3) the Preferred Option Document be approved for consultation, including a correction to the land proposed for development, south east of Hightown as set out in Section 19 and the plan attached to the report; and the amendments set out in the addendum note; and
- (4) the Head of Planning Services be granted delegated powers to make minor editorial changes to the Document before it is published, as referred to in Section 20.7 of the report.

27. MERSEYSIDE AND HALTON JOINT WASTE LOCAL PLAN - ADOPTION OF PLAN

Further to Minute No. 12 of the meeting of the Cabinet held on 20 June 2013, the Council considered the report of the Director of Built Environment on the proposed adoption of the Merseyside and Halton Joint Waste Local Plan, following a public consultation on the proposed modifications to the Waste Local Plan, which was undertaken between November 2012 and January 2013.

The report explained that all local authorities were required to prepare a Local Plan that provided a policy framework and land allocations for a new waste management infrastructure to meet the identified needs of each Council. The report was in addition to the Local Plan which is referred to in Minute No. 26 above.

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED:

That:

- (1) the Head of Planning Services be granted delegated powers to make necessary minor typographical changes to the Waste Local Plan prior to its final publication; and
- (2) the Merseyside and Halton Joint Waste Local Plan be adopted as part of the statutory development plan and in so doing, it be noted that the adoption is contingent upon all other Merseyside Councils

and Halton Council also adopting the plan as set out in Section 3 of the report.

(Should all Councils proceed to adopt the Waste Local Plan, this would take effect on 18 July 2013 and should all Councils for whatever reason not proceed to adopt the plan, then the Council would be advised accordingly.)

28. INTRODUCTION OF A BYELAW - COSMETIC TREATMENTS

Further to Minute No. 9 of the meeting of the Licensing and Regulatory Committee held on 3 June 2013, the Council considered the report of the Director of Built Environment on the proposed adoption of a new model byelaw governing acupuncture, tattooing, semi - permanent skin colouring, cosmetic piercing and electrolysis and the consequent revocation of the Council's existing byelaws covering this activity.

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

RESOLVED:

That:

- (1) the new model byelaw be adopted, as set out in Appendix B to the report;
- (2) the provisions of Sections 14 to 17 of Part VIII of the Local Government (Miscellaneous Provisions) Act 1982, be applied within the Borough of Sefton; and
- (3) the steps to introduce the byelaw as set out in paragraph 2 of the report be noted.

29. OVERVIEW AND SCRUTINY ANNUAL REPORT 2012/13

The Council considered the Overview and Scrutiny Annual Report for 2012/13 and Councillors McGinnity, Brennan, Page and John Kelly highlighted the key areas of work undertaken by the respective Committees and thanked Members and Officers for their support and assistance during 2012/13.

It was moved by Councillor McGinnity, seconded by Councillor Brennan and

RESOLVED:

That the Overview and Scrutiny Annual Report 2012/13 be noted.

30. MEMBERSHIP OF COMMITTEES 2013/14

It was proposed by Councillor Blackburn that the following changes be made to the membership of the Overview and Scrutiny Committee (Regeneration and Environmental Services):

That Councillor S. McGuire be appointed as a Member of the Committee in place of Councillor Shaw; that Councillor Booth be appointed as the Substitute Member for Councillor S. McGuire and Councillor Shaw be appointed as the Substitute Member for Councillor Tonkiss.

RESOLVED:

That the changes to the Membership of the Committee be approved.

31. NOTICE OF MOTION SUBMITTED BY COUNCILLOR DAWSON

It was moved by Councillor Dawson, seconded by Councillor P. Dowd and

RESOLVED:

This Council notes the problems which have been increasingly encountered by local residents seeking urgent and emergency care, whether this is from General Practitioners, telephone advice systems, A&E departments or ambulances.

The Council:

- (1) urges the Government to take steps to ensure that quality standards for all urgent and emergency services are maintained and improved; and
- (2) commits itself, through its Overview and Scrutiny function, to monitoring the quality and availability of local urgent and emergency health care.