

## COUNCIL – 27<sup>TH</sup> FEBRUARY 2020

### QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

**Subject: Strand Shopping Centre**

In the last year or two various claims have been made in relation to the controversial purchase of the Bootle Strand Shopping Centre, including that "the income generated will create much-needed funding to support local services."

"Will the Leader please advise me of the amount of funding to support local services (from any revenue surplus on the Strand Shopping Centre) contained within: -

(1) the 2019/20 budget

(2) the 2020/21 budget"

**Response:**

"As previously reported to Council, Members approved that £1m from the operation of the strand be used in order to support the council's revenue budget over both 2018/19 and 2019/20- £0.500m in each year."

"At present there is not a requirement for the strand to contribute to the council's revenue budget in 2020/21. As the council develops its forthcoming budget for 2021/22 and 2022/23 then this option will be revisited alongside all other proposals to ensure that the council remains financially sustainable."

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

**Subject: Street Gullies**

"Cleaning of street gullies is important in order to try and minimise the risk of flooding.

Would the Cabinet Member please advise me:

(1) How many gullies are there in the borough cleaned by Sefton MBC?

(2) What is the normal frequency of cleaning of these gullies?

(3) Are some gullies in "hot spot" locations cleaned more frequently?

(4) How often are these cleaned?

(5) How many gullies are cleaned more frequently than referred to in (2) above?"

## **Response**

(1) 52,000

(2) Once per year

(3) Yes

(4) Twice per year

(5) 1600

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

#### **Subject: Redundancies**

“What is the total provision in the 20-21 budget for redundancies and associated costs and how many redundancies is this expected to cover?”

#### **Response:**

“Members will be familiar with the fact that over the last 10 years due to the central government funding cuts, the council has had to make decisions it did not want to with regard to staff redundancies and has sought to work with all officers and the trade unions to minimise the impact of this.

As the budget report outlines on this agenda, it is estimated that the council will need to make further savings over the next 3 years in order to remain financially sustainable. As the council has a 3-year Medium Term Financial Plan (MTFP) and wanted to set a 3-year budget it is effective financial management to provide for the cost of change and any financial impact from staff redundancies that will form part of this MTFP. £2m is therefore set aside for this purpose and will be used over the next 3 years.

For the forthcoming year no service or staff reductions are proposed to those already approved due to the effective financial management that the council has undertaken over the last 10 years.”

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

#### **Subject: Exclusion of Press and Public/Exempt Information**

“In view of Councillor Watson's recent exclusion from observing a meeting of the Sefton MBC Cabinet, will the Leader of the Council confirm:

(a) that Councillors are legally NOT the same as 'members of the press and public' when it comes to exclusion from Council meetings making decisions.

(b) that all elected Councillors have a 'right to know' information which they themselves reasonably and properly deem that they require in order to perform their individual duty to their electors to hold the Council to account.

(c) that there is nothing in law which deems a presumption that any ordinary Councillor is any less likely to be able to retain confidential information than any other, including Cabinet Members.

(d) that all Councillors' individual rights and duty to hold the Council and Cabinet to account includes the right to hold the Council and Cabinet to account for its decisions and their outcomes concerning commercial and financial matters.

(e) that the rights and duties of Councillors are bestowed upon each council as a result of their election as an individual member of the Council and not through their membership of any political organisation or grouping.

and will the Leader of the Council instruct the Chief Legal and Democratic Officer to prepare and make available to Councillors a concise document covering the precise circumstances in which Sefton Council presently considers that a Local Authority (or a Committee of it, particularly the Cabinet) is permitted to (a) exclude Councillors from a committee and (b) deny Councillors from receipt of documents which were used in or which were pertinent to any decision made by any officer, Cabinet Member or committee (including Cabinet) of the Council.”

**Response:**

“As I have said in reply to similar questions at previous Council meetings (19.09.19 and 21.11.19) the Council will at all times comply with Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 in relation to the holding of private meetings and the disclosure of reports. Those regulations and the Local Government Act 1972 provide that should the Cabinet or other committee pass a resolution to hold a meeting in private or a part of a meeting in private, then the effect of such a resolution is remove the right of anyone to attend the meeting other than members of the Cabinet or the committee in question and invited officers.

- (a) It follows from the above that for these purposes councillors are the same as members of the press and public.
- (b) I am advised that the relevant case law on the subject of a member's access to documentation held by the Council refers to a member's 'need to know' not the member's 'right to know'. A member would have to satisfy the Council's Chief Legal and Democratic Officer that he or she has such a 'need to know'.
- (c) Not that I am aware of but there are laws about how confidential information is shared with councillors.
- (d) I can and this evening is a good example of all 66 councillors considering the council's "financial matters" by voting on the budget.
- (e) I agree.

In light of my answer, I don't see the need to instruct the Chief Legal and Democratic Officer to produce any such document.”

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

**Subject: Sinkhole, Oak Street, Southport**

“When is the Council preparing to approve or enable the botching of the present botched botch on the 'sinkhole' in the middle of the southern stretch of Oak Street, Southport?”

**Response:**

“Sorry, I don't understand your question.”

6. **Question submitted by Councillor Dawson to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)**

**Subject: Bootle and Southport Golf Course**

“For the past three years for which figures are available, what have been the overall operating turnover and profit/loss of the Council's (a) Southport and (b) Bootle Golf Courses.”

**Response:**

a) Southport Golf

2016/17

Operating turnover £274,658

Surplus £28,441

2017/18

Operating turnover £259,564

Surplus £34,867

2018/19

Operating turnover £311,055

Loss £46,931

b) Bootle Golf

2016/17

Operation turnover £290,468

Surplus £69,462

2017/18

Operating turnover £252,798

Surplus £77,778

2018/19

Operating turnover 284,672

Surplus £33,853

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

**Subject: Metal railings which border the various bridges across the railway lines**

“Is Sefton MBC or Network Rail responsible for the maintenance of the metal railings which border the various bridges across the railway lines and bordering the highway ramps leading to such bridges in Southport and elsewhere in the Borough?”

**Response:**

“Your question is not specific enough.”

8. **Question submitted by Councillor Dawson to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)**

**Subject: Victoria Baths Building**

“Reports of the potential liability to bring the listed Victoria Baths building on Southport's Promenade/Nevill Street junction to appropriate state have suggested that the potential overall cost might approach £6 million. Could the Cabinet Member (a) provide a breakdown of the cost elements which might contribute to such a liability; (b) state whether the custodianship of the building by Sefton MBC or any occupant of any part of the building has contributed to the present liability; and (c) provide a concise statement as to an assessment of realistic opportunities available to the Council to fund and complete the necessary remedial work?”

**Response:**

- a) “Following building condition surveys undertaken in 2015 and 2019 the cost of a comprehensive and full restoration was estimated to be in the region of £6 million, but a detailed breakdown was only prepared for the ‘urgent building fabric repair element’ of this, which was estimated to be £500k. About one third of the building is leased to a private tenant who is responsible for repairs within that portion, therefore approximately £350k would be the responsibility of Sefton Council. The Council has since put together a full schedule of repair works, obtained tenders for this work from three contractors and these are within this cost estimate. The Council has recently undertaken some urgent works of a health and safety nature, to ensure the safety of the public and repair some areas of water ingress. This work cost c£30k and were completed in Summer 2019.”
- b) “The works are required due to the age of the property and primarily weathering of the external fabric due to its exposed coastal location. The Council has been trying to market the vacant portion of the building for many years and this is continuing. Whilst two thirds of the building has been vacant for about 15 years, it is regularly inspected and is secure.”
- c) “The Council has given approval to set aside a sum of money to carry out the urgent remedial works required, as a result of the deterioration of the property, to the areas of the property that fall within the Council’s responsibility.

It is hoped that the marketing exercise will generate interest from a proposed purchaser for the whole site, who will then enter in negotiations with the Council to bring about a suitable redevelopment scheme and bring it back into use.

Alongside this, the Council will look into possibilities of funding from other sources, such as the Town Fund Deal.”

9. **Question submitted by Councillor Dawson to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)**

**Subject: Victoria Baths Building**

“Could the Cabinet Member catalogue in outline what efforts have been made to find a tenant for the vacant unit within the Victoria Baths Building on the Nevill Street/Promenade corner in Southport - and the outcome of these efforts?”

**Response:**

“I believe you are making particular reference to the letting out of the former QV bar only, as opposed to the whole site. There have been enquiries in relation to the letting of this part only, however it wouldn't be possible to rent out this part of the property in isolation due to its current condition and the money required to bring it up to a lettable standard. The Council's priority now is a redevelopment scheme for the whole site.

In response to the need to seek a permanent and long-term solution for the future use of the whole of the Victoria Baths site, a marketing exercise is currently underway (following longstanding dialogue with the current tenant of the Victoria Leisure Gym and potential investors to secure options for a sustainable future for the entire site – both with and without the current tenant).

The current tenant was approached in 2019 following the completion of a detailed survey of the entire site, to establish their potential interest in taking on the parts of the building not covered by their current leasehold interest. Having established that there was no interest from the current tenant, a marketing exercise has now commenced, armed with an updated schedule of works required to bring the whole building back into use.

In addition to the contact with the current tenant, interest in the building has recently generated a number of enquiries locally and a level of discussion has taken place, but without these enquiries leading to any formal approach.

A marketing agency with specialist expert knowledge in dealing with heritage property has now been appointed and once appropriate marketing material is prepared, this will be used both locally and nationally in a target manner in an effort to identify a future owner/occupier. We would anticipate this marketing exercise taking place in Spring 2020.”

10. **Question submitted by Councillor Dawson to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)**

**Subject: Climate Change – Bootle and Southport Town Halls**

“Given the Council's espoused commitment to address climate change, will the Council commission an immediate energy audit of all significant Council owned and operated buildings, commencing with the Southport and Bootle Town Halls?”

**Response:**

“As has been recently reported to each overview and scrutiny committee, a baseline position for the Council is being developed in respect of its carbon emissions. This will include these buildings.”

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

**Subject: Exemption for Use of Wheelie Bins**

“What percentage of the households in (a) Bootle and (b) Southport are presently exempted from requirement to utilise wheelie bins for domestic waste?”

**Response:**

“The percentage of households in: -

- a) Bootle - 9%
- b) Southport - 1%”

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

**Subject: Brown, Green and Grey Bins**

“Since the introduction of brown and green recycling bins within the Borough, unlike the situation in numerous other local authorities the size of the allocated grey bins for each household has remained unaltered. Could the Cabinet Member give a concise statement as to the Council's reasoning in making/not making this decision?”

**Response:**

“There is currently a ‘White paper’ being enacted by the current Government (supported by all parties in the House of Commons) as forms part of the new Environment Bill 2020, which is currently in the House of Lords for its final reading, and it is expected to become law by April 2020.

This will mean by 2023 or 2024 Councils who have reduced bin sizes of grey bins or reduced frequency will be obliged to return under statute to a minimum fortnightly collection of a 240 litre (grey) bin which Sefton currently operates.”

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

**Subject: Bootle Strand Shopping Centre**

“What is the most currently available official estimate of the present value of the Bootle Strand shopping centre and how does this compare to (a) the stated value when the property was purchased and (b) the net operating profit brought in from this property in the years since its purchase? What are the present estimates of immediate (within 5 years) required capital expenditure on the property?”

**Response:**

**What is the most currently available official estimate of the present value of the Bootle Strand Shopping Centre?**

“The valuation of the Bootle Strand Shopping Centre was £27,220,000 as of 31<sup>st</sup> March 2019 (this was reported in the 2018/2019 statement of accounts).

**(a) The stated value when the property was purchased?**

When the Strand was purchased, a red book valuation was commissioned to inform negotiations and ensure that the Council agreed a purchase price below the valuation. The purchase price of the Strand cannot be shared as this information continues to be commercially confidential under Contract. However, it was disclosed to Overview and Scrutiny Committee (press and public were excluded). The Council commissions a new valuation each year in line with its Asset Management Strategy.

**Summary of the surplus generated by the asset:**

Year	£m
2017/18	1.000
2018/19	0.162
Total	1.162

**(b) What are the present estimates of immediate (within 5 years) required capital expenditure on the property?**

£0 - there are no current additional proposals for expenditure.”