

To: The Mayor and Members of Maghull Town Council, Maghull Town Hall, Hall Lane, Maghull.

You are hereby summoned to attend a Remote Meeting of the Council which will be held on Wednesday 03 March 2021 at 6:30 PM to transact the business detailed below.

Note: DECLARATIONS OF INTEREST – *If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Town Clerk at least 24 hours in advance of the meeting.*

*This meeting will be open to the press and public to view via the following link:
bit.ly/3knnYUQ*

1 Apologies For Absence

2 Declarations of Interest

3 Public Participation.

Due to the Covid 19 pandemic public participation will be dealt with via the submission of comments or questions to the Council prior to the meeting commencing. Anyone wishing to submit a comment or a question to the Council must do so by 5pm on Tuesday 2nd March 2021.

4 To Confirm the Minutes of the Last Meeting

Members are asked to confirm the minutes of the meeting held on 27th January 2021. (Pages 1-4)

5 Planning Applications.

Land East of Maghull - Planning Hearing Update

Members are asked to consider the decision notice for the Appeal APP/M4320/W/20/3257252 (circulated separately)

DC/2021/00015 Land To The South Of Deyes Lane Maghull L31 6DJ

Erection of 53 dwellinghouses, 4 two storey blocks of 4 apartments and 1 three storey block of 9 apartments including new access, car parking, landscaping and associated site works following the demolition of the existing buildings.

Members are asked to consider a response. (Pages 5 - 11)

DC/2020/00418 Site Of Former Royal British Legion 326 Liverpool Road South Maghull L31 7DJ

Erection of Retirement Living Housing of 44 residential units (Category II type accommodation) with associated communal facilities, landscaping and car parking following the demolition of the existing building

Members are asked to consider the additional information regarding this application which was deferred until the next available Planning Committee meeting at Sefton MBC. (Pages 12 -13)

6 Road Map to Reopening

Members are asked to consider the report (Pages 14 - 22)

7 Consultation Gambling Act 2005

Members are asked to consider a response to the consultation. (Pages 23 - 47)

8 Consultation - Merseyside Association of Local Councils

Members are asked to consider a response to the consultation. (Pages 48 - 49)

9 Minutes for Noting

The minutes of the following Committees are attached for noting:

Amenities Committee 18th November 2020

Community Services Committee 4th November 2020

Finance & General Purposes Committee 9th September 2020 (Pages 50 - 62)

10 Chairman's Closing Comments

11 Exclusion of the Press and Public

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

12 Town Hall Rewire

Members are asked to consider the report (to follow)

Angela McIntyre
Town Clerk to Maghull Town Council

MAGHULL TOWN COUNCIL
FULL COUNCIL
HELD 27th JANUARY 2021
VIRTUAL MEETING

PRESENT - Councillor Josh Burns (In the Chair) and Councillors (Cllrs): June Burns, Carlsen, Carragher, Desmond, Ferguson, K & T Hughes, Lloyd, McKinley, Mullen, J & Y Sayers and Sharp.

ALSO PRESENT – A. McIntyre (Town Clerk), P. Dillon (Community Services Manager), D. Healey (Finance Officer), S. Lawrence (minutes) Public viewing via YouTube.

1. APOLOGIES FOR ABSENCE: None.
2. DECLARATION OF INTERESTS: Dispensation awarded to all councillors attending due to a disclosable pecuniary interest in Item 5 Budget 21/22.
3. PUBLIC PARTICIPATION: Due to the Covid 19 pandemic public participation is by submission of comments or questions to the Council prior to the meeting commencing. None received.
4. MINUTES OF PREVIOUS MEETINGS:

RESOLVED that the minutes of Full Council held on 25th November 2020 were approved as a correct record.

5. BUDGET 20/21:

Members were informed that the Council was required to set a balanced budget for the forthcoming financial year and to notify Sefton MBC of the precept requirement so this could be added to the Council Tax demand. The notification needed to be sent by 15th February 2021.

Key Points regarding the budget:

- Budgets show projected of loss of income due to Covid-19 pandemic.
- The Council's assets were tired and in need of significant upgrade and maintenance.
- Current reserves were £546,595 with the general advice level being large town council should hold 6-9 months' worth of running costs; MTC are 7.28 months. Members were advised not to use reserves to cover revenue expenditure.
- No change to schedule of charges.
- Recommendation to increase the precept by a minimum of 2.9% (£3) to cover the increase in running costs alone of the Council.

Key Points made by Cllrs:

- Recommendation to use reserves for assets and produce a plan to replenish over a few years.
- Parks Maintenance should be a priority due to lockdown for Maghull Town residents. Recommendation to take £100,000 from reserves to improve assets not just maintain. MTC to produce a plan for £100,000 to improve/replace parks equipment removed or moth balled for maintenance.
- Recommendation to invest in extra solar panels at MTH, this will be more environmental efficient, and potential save money – not viable at this time as solar panels wouldn't generate enough electricity.
- Suggestion to contact Green Sefton for any funds available for MTC.

Members considered the reports carefully based upon the recommendations and advice given by officers. It was considered that a pandemic was a point to use reserves to support the functions of the Council and reduce the tax burden on residents even if this was against officer recommendation.

RESOLVED that:

- 1. The level of precept required for the financial year 2021/22 would be £714,243;**
- 2. That Council approved the budgets as detailed in the report;**
- 3. That the schedule of charges would be agreed as included in the report;**
- 4. That Merseyside Police would be charged £12,000 rent for the forthcoming financial year;**
- 5. That commercial rents would be increased by 5% for the forthcoming financial year;**
- 6. MTC to produce Asset improvement plan for £100,000 to be funded from reserves and discussed at the April Council meeting;**
- 7. The report be noted.**

6. ANNUAL GOVERNANCE AND RETURN:

Members were informed that the External Auditor, PKF Littlejohn had produced their opinion on the Council's finances for the financial year 2019/20. This had resulted in amended figures on the return although the overall figure was unchanged. Although this was not an unqualified opinion by the Auditor the issue highlighted was merely a matter of figures appearing in the wrong box. Members confirmed the figures and agreed response.

RESOLVED that:

- 1 Members agreed amended figures and response from PKF Littlejohn;**
- 2 The report be noted.**

7. INNOVATIVE RESILIENCE BID:

Members were informed that the Town Council had been contacted by Sefton MBC regarding the possibility of additional external funding to assist with some of the flooding issues within Maghull. Maghull is subject to considerable surface flooding and this is increasing. Measures to assist with the management of surface flood water would be welcomed in the community. As this project would benefit Maghull, the letter of support attached to the report would be sent in the first instance. Members to agree to send letter of support.

RESOLVED that:

1. **The Town Council agreed to support the Expression of Interest being submitted by Sefton Council by approving the letter of support sent;**
2. **The report be noted.**

8. LAND EAST OF MAGHULL – PLANNING INSPECTORATE HEARING UPDATE:

Members received an update regarding the progress of the Public Hearing relating to the Appeal for the southern site on the Land East of Maghull. The Legal Team had focused on traffic routes through Maghull and flood relief channel and their impacts on residents for the length of the build time and effect on the town. Members were informed that the Planning Inspector had conducted his site visits in January 2021. It was anticipated that the decision should be received by mid-February 2021.

RESOLVED that the report be noted.

9. MINUTES FOR NOTING:

RESOLVED that the minutes of Amenities Committee held 23rd September 2020 and Community Services Committee held 19th August 2020 be noted.

10. CHRISTMAS HAMPERS:

Members were updated on the Council's expanded delivery scheme of Christmas Hampers to vulnerable residents which had increased to 100 hampers delivered by volunteers, councillors and staff commencing the week of 14th December 2020.

The response from recipients and their families had been unanimously positive with several thank you cards and many messages. In particular, families who had hampers delivered were very grateful and commented that the items included in the hamper had been carefully chosen and were exactly what was needed to help them over the holiday period. The voluntary organisations we worked with also thanked the council for doubling its supply and for broadening the range of people to be included.

RESOLVED that the report be noted.

11. CHAIR'S CLOSING COMMENTS:

Chair thanked all members, and extra thanks to Cllr Ken Hughes for his hardwork.

CHAIRMAN

DRAFT

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VAT No. 28667644

Diane Humphreys
Planning Department
Sefton Council
Magdalen House
30 Trinity Road
Bootle
L20 3NJ

XX February 2021

Dear Ms Humphries,

Town and Country Planning Act 1990

Reference: DC/2021/00015

Site Address: Land To The South Of Deyes Lane, Maghull, L31 6DJ

Proposal: Erection of 53 dwellinghouses, 4 two storey blocks of 4 apartments and 1 three storey block of 9 apartments including new access, car parking, landscaping and associated site works following the demolition of the existing buildings.

We refer to the above referenced application for planning permission for a residential redevelopment comprising 78 dwellings on land to the south of Deyes Lane, Maghull, L31 6DJ.

We act for Maghull Town Council (MTC), who wish to object to the application proposal for planning reasons set out in this letter.

[The Application Site](#)

The site proposed for redevelopment comprises 3.9 hectares of land. It is owned and operated by The Parkhaven Trust and includes two Residential Care Homes named James Page House and Kyffin Taylor House, set in extensive grounds. The site is approximately two thirds open land and trees, whilst one third of the site is occupied by buildings and hardstanding.

James Page House is occupied and in use. Whilst Kyffin Taylor House has been unoccupied since around February 2020 but is capable of reoccupation at any time. The site is accessed from Deyes Lane and has boundaries marked by mature trees belts and Whinney Brook to the south.

The site is allocated in the Sefton Local Plan as an Education/Care Institution in the Urban Area. The Sefton Local Plan, adopted in April 2017 identifies that, 'because of its ageing population, there is a

significant need for older persons' housing in Sefton' (Paragraph 6.3). Care facilities are therefore protected for the plan period (2015-2030) under Policy HC7. In addition, older persons' housing has been planned for on sites allocated for residential development (for example, Site MN2.47- Land East of Maghull and MN2.14- Lonsdale Road, Formby). As it is still early in the plan period, the aforementioned allocations are not yet developed for their intended purpose and the identified need for older persons' housing remains unmet.

The Sefton Local Plan also designates the entire site as a Minerals Safeguarding Area and the southernmost part of the site (adjacent to Whinney Brook) as a Local Wildlife Site. Meanwhile, the site is located within the Hall Lane Character Area in accordance with the Maghull Neighbourhood Plan.

The application, as submitted, seeks planning permission for demolition of all existing on-site structures and for redevelopment with a (Planning Use Class C3) residential scheme comprising 53 No. houses and 5 No. blocks to provide 16 No. apartments.

The site is not located within a Primarily Residential Area. Furthermore, the site is not allocated for residential development in the Sefton Local Plan. The application proposal is in conflict with the development plan and represents a departure from policy.

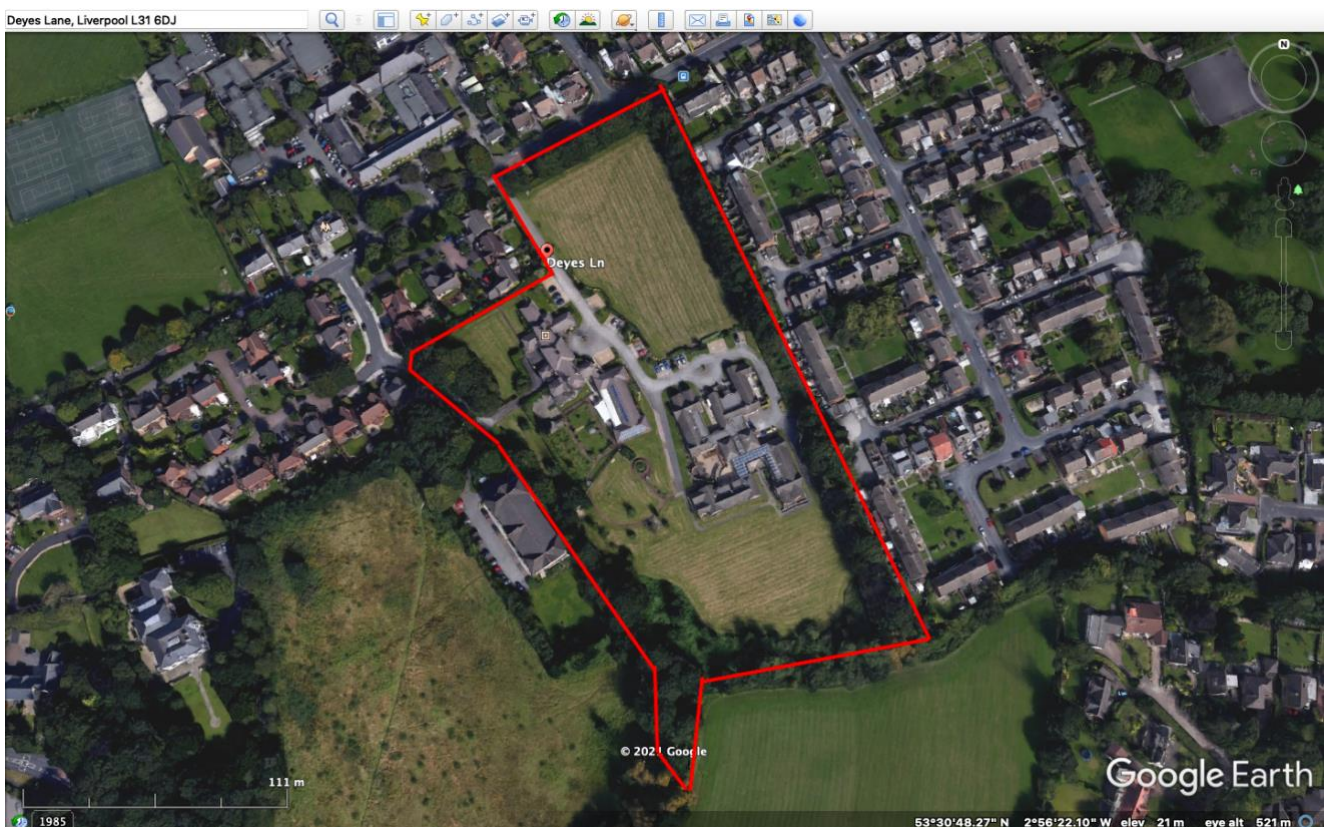


Figure 1: Aerial Imagery of Application Site in context (Source: Google Earth Pro)

Planning Policy Assessment

Planning law dictates that applications for planning permission must be determined in accordance with the development plan (adopted Local Plan), unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in the determination of planning applications. Meanwhile, Supplementary Planning Documents (SPDs) are capable of being a material consideration in planning decisions but are not part of the development plan.

The relevant development plan for the area in which the application site is located is the Sefton Local Plan, adopted in April 2017 and the Maghull Neighbourhood Plan, made in January 2019. The relevant planning policy considerations are therefore identified as follows:

- Sefton Local Plan Policy HC7: Education and Care Facilities in the Urban Area;
- Sefton Local Plan Policy EQ2: Design;
- Sefton Local Plan Policy EQ3: Accessibility;
- Sefton Local Plan Policy EQ7: Energy Efficient and Low Carbon Design;
- Sefton Local Plan Policy NH2: Nature;
- Sefton Local Plan Policy NH8: Minerals;
- Maghull Neighbourhood Plan Policy: MAG4- Character Areas;
- Supplementary Planning Document- Design;
- Supplementary Planning Document- New Housing
- Supplementary Planning Document- Development in Minerals Safeguarding Areas Guidance Note;
- Supplementary Planning Document – Nature Conservation and
- Supplementary Planning Document- Sustainable Travel and Development.

The planning issues arising from the proposed development are discussed in the following sections of this letter of representation.

Principle of Development

For the avoidance of doubt, and in accordance with planning public access records, the site is a single planning unit. This is confirmed by the following plan (Figure 2, overleaf), approved by Sefton Council under reference S/2007/0730.

The principal development plan policy for the site is HC7: Education and Care Institutions. Paragraphs 8.68- 8.74 of the adopted Sefton Local Plan explain that in the previous Sefton UDP (2006), these sites were designated as ‘urban greenspace’. This was a restrictive designation in the former plan which protected open space in the urban area but prevented the expansion of active educational and care institutions; and precluded redevelopment of defunct sites for alternative uses.

Replacement Policy HC7 differentiates between sites in active as opposed to former use. It seeks to allow sites in active educational/care use to expand their facilities and for defunct sites to be redeveloped for alternative uses. The protective stance to greenspace, reflected in the Sefton UDP remains in HC7, as sites in active use are expected to retain key green infrastructure, whilst sites in former use must demonstrate that the buildings and facilities are surplus to recreational requirements.

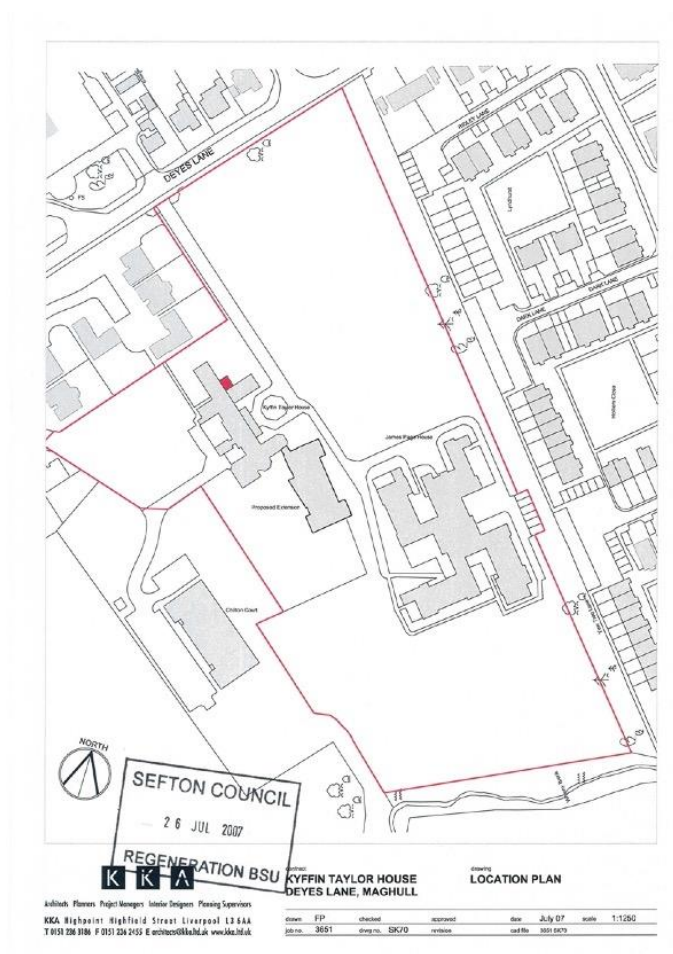


Figure 2: Approved Location Plan (S/2007/0730) (Source: Sefton.gov.uk)

Sefton Local Plan Policy HC7 states:

Sites in active use as schools, colleges or care institutions

1. Development which is for the following uses is acceptable in principle:

- a. Uses directly related to the existing use of the site or which sustain the viability of the existing use of the site, or
- b. Community-based recreation or sports facilities ancillary to the existing use of the site, or
- c. Environmental improvements which enhance the site's environmental quality or green infrastructure benefits.

2. Development of the site must retain key green infrastructure and minimise harm to the historic environment and its setting.

Sites formerly in use as schools, colleges or care institutions

3. Development for an alternative use which is compatible with the surrounding area is acceptable in principle, where appropriate evidence is provided that the institution and its ancillary facilities are surplus to recreational requirements.

Schools, colleges and care institutions are shown on the Policies Map.

The principle of development for demolition of the existing residential care homes and replacement with 78 dwellings is not acceptable in accordance with the adopted policies of the Sefton Local Plan. In short, this is due to the site being allocated, and in active use as an educational/care institution in the urban area. The site is not located within a Primarily Residential Area and is not allocated in the plan for residential development. The application proposal therefore constitutes a departure from development plan policy. This cannot be justified as the Local Plan is recently adopted and there is no pressing need to deliver houses while sites allocated for residential development are yet to be delivered.

As already stated, HC7 differentiates between sites in active use and sites in former use. It is important to emphasise that HC7 is a 'site-wide' policy. That is to say that it specifically refers to 'sites', as opposed to buildings. It is acknowledged that there are buildings within the application site which are not currently occupied. However, in accordance with policy, this does not mean that the site as a whole may be regarded as 'formerly in use' under part 2.

As such, the application site is allocated for and in active use as a residential care institution. The site is therefore unsuitable for redevelopment for any alternative use. In accordance with policy HC7 Part 1, the principle of development is acceptable only for:

- expansion of the care facilities in order to sustain the viability of the existing use;
- ancillary community-based recreation/sport facilities;
- enhancement of environment quality/green infrastructure.

For the avoidance of doubt, Policy HC7 does not provide any scope for a financial/viability-based approach for an active education/care use to declare itself to be defunct in order to seek redevelopment for an alternative use. Viability is only mentioned in relation to sustaining the existing use. There is no evidence to indicate that expansion of the existing use to sustain viability has been explored by the applicant.

Re-use of a site formerly used for education or care may be acceptable in principle, provided that the education or care use of the **whole site** has ceased, and that the applicant has demonstrated that the institution and its facilities are surplus to recreational requirements. The applicant has stated in Question 14 of the Application Form that the vacant care home is capable of being used.

The use of the site as a whole has not ceased. Therefore, the site does not fall into the category of 'formerly in use'. Notwithstanding this, there is no evidence to indicate that the site could not be used for recreational purposes or is surplus to requirement for this use or re-use as a care home.

MTC has a fundamental objection to the principle of development as the application proposal is contrary to the recently adopted development plan. Moreover, we also find that the proposals are not compliant with the Sefton Local Plan with regard to the following matters.

Affordable Housing

The application proposal seeks planning permission for development comprising 78 No. residential dwellings. Of this total, 16 No. residential units are said to be Affordable Housing. Policy HC1 requires 30% of residential units to be affordable housing in all schemes for 15 dwellings or more. The application falls short of this requirement as 16/78 is only 20.5%. No justification or mitigation for the shortfall is confirmed in the application documentation.

The proposal therefore provides insufficient affordable housing and does not comply with the development plan.

Accessibility

The proposed development is almost directly opposite Deyes High School (1400 pupils). Deyes Lane is a secondary road with on-street car parking prevalent at all times of the day. The width of the carriageway combined with on street car parking renders it impossible for two cars to pass each other.

We note that the site access is to be improved in order to accommodate the proposed development and that a lay-by arrangement to facilitate school pick-up/drop off is proposed. On this basis the applicant's Transport Assessment (TA) concludes that the proposal, *"would not result in a material impact on the existing and future operation of the immediate local highway network. The proposals are not anticipated to result in a significant increase in development flows, with key immediate local links and junctions capable of accommodating background + development traffic volumes without over-capacity / queuing conditions."* (Para. 7.35)

However, taking account of the congestion arising from existing volume of school traffic and the proposed juxtaposition of 78 new dwellings, we consider that the conclusions of the TA are unrealistically optimistic. We believe that the problems that will arise on a daily basis have been underestimated and that there will be a significant detrimental impact to the operation and safety of the highway as a result of the proposed development.

In addition, the application proposal is for 78 new dwellings in a cul-de-sac arrangement. There are no pedestrian or cycle linkages proposed other than the vehicular route in and out of the development. On balance, for these reasons, we find that the proposal does not comply with Local Plan Policy EQ3: Accessibility.

Design

A Design and Access Statement has been submitted and uploaded. We note that it is a comprehensive, professionally prepared document. It makes reference to the relevant design policies but does not undertake an analysis to justify how a cul-de-sac development of standard house-types would respect the characteristics of (in terms of type of development, scale, design, open space provision and general layout) and enhance the surroundings of the Hall Lane Character Area, in accordance with Policy MAG4 of the Maghull Neighbourhood Plan.

Missing Documentation

The planning application is submitted with a covering letter from the applicant dated 17 December 2020. It refers to a lengthy list of documentation to be considered as part of the planning application. From the items listed, we note that the Planning Statement (Cass Associates) and Viability Report (Grasscroft) have not be uploaded onto Sefton Council's Public Access Planning Records for Public Consultation.

In the interests of transparency, we request that the missing items are made available for public consultation at the earliest opportunity.

Summary

The application proposals, as submitted are unacceptable and do not comply with local and national planning policy considerations. We urge you to refuse planning permission for the reasons set out in this letter. We anticipate that there should be several reasons for refusal including:

- Principle of Development contrary to the Development Plan;
- Under-provision of Affordable Housing;
- Intensification of development and use of the site with adverse impact on the safe operation of the highway;
- Insufficient Documentation for application to be adequately assessed.

We thank you for the time taken to consider this letter of representation. We would be grateful if you could notify us of your delegated decision promptly, however, should the applicant provide further information or the application be presented to Planning Committee, we would be grateful to receive notification in advance.

Yours sincerely,

Philippa Landor Director
BA (Hons) MSc Urban and Rural Planning
Tel: 07710 037 722
Email: philippa@landorplanning.co.uk

Hello John

Regarding the improved design for the legion site I have spoken to our neighbours at no 6. Ideally we would both like the building to be no more than 3 storeys as opposed to 4 as currently proposed. We would also like it set further back on the site, to reduce overshadowing and improve privacy. I doubt whether either of these are likely to happen.

The first 4 pages attached are for your information they show the elevation towards Liverpool Rd South and then towards the canal. They are from the design, access and feasibility statement (item 3 from the bottom on their application) As you can see there a large number of balconies. This is their second attempt at making the building look more presentable initially it was just all red brick. The architect was at the pre planning meeting we went to and I told him it was an ugly building and this is what they consider to be an improvement. If you look at McCarty Stone developments on Google Images it would appear that if they can get away with brutalist architecture they will.

There is a little bit of setting back in the design on the canal side where the second bedroom is so it is not completely flat but it only looks to be a foot or two at most.

I appreciate what councillor Kelly (I think it was who said) "the building looks like a car park" and asked if a roof could be put on it. Obviously we wouldn't want the building any higher than it is but apartments could be incorporated into the attic space. They have done this at other sites see page 5, these apartments are near Oxford. They could also have "false apexes" as in Coronation court so that the roof line is varied and not just rows of tiles, example at page 6.

Apart from the ground floor all apartments facing the canal are 2 bedrooms and 2 balconies, one on the lounge and the other on the master bedroom. This is a great sales pitch but means people could rise early and sit on their bedroom balcony with a clear view into our bedrooms, this is clearly intrusive and not acceptable. There is certainly no justification for two balconies on one apartment. Further given windows which face Buckingham, at a distance of 40 metres, have to be non opening and frosted glass I think it is only right that the balconies facing our homes at just 26 metres should be restricted to "Juliet Style" balconies with no room for standing or sitting. McCarthy Stone have used this style of balcony in several of their buildings including Coronation Court in Ormskirk. Please see photo 6 attached .

Regarding parking if you look at the back of photo 6 of Coronation Court Ormskirk you will see (where I have highlighted). McCarty Stone admit parking permits are issued on a "first come basis" which I think blows a hole in their claims to 34 spaces are sufficient for 44 apartments, staff and visitors. Coronation Court was only built in 2015, I think they mentioned at the meeting that they changed their formula for calculating the number of parking spaces in 2013. This change obviously still does not work. If I can find this in writing I will reference it. There are 39 apartments at Coronation Court Ormskirk. I have also just looked at a more recent development in Crosby where apartments are still for sale and again they state parking permits can be purchased subject to availability.

What does not appear to have been covered directly in any of the planning documents is I am fairly sure MS have bought a strip of land so that the site now borders directly on to the canal towpath. I asked at the pre planning meeting if the existing fence marked the boundary and was told no. The boundary is part way between the fence and the towpath. I assume the thin line on the map at page 7 marks the original boundary whilst page 8 shows the new boundary extending to meet the tow path. Map at 7 also shows the original path for residents level access to the canal. This means they now own the land where the existing trees stand, previously they only owned some of it.

Level access to the canal for the general public could be provided within the site either running parallel with Liverpool Road South, where the plans show proposed patios and footpath (pages 9, 10 and 11 refer). Alternatively there is potential around the edge of the car park, there are paths indicated around parts of the car park and the latest plan page 8, shows a residents gate onto the footpath it can also be seen perhaps more clearly on the plan at page 7. There appears to be a small strip of land showing around the car park so this could potentially be used to create a continuous path around the site. If considered necessary access could be limited to daylight hours only or published times. Gates could be installed and the house manager on site would be responsible for locking/unlocking gates.

Finally I find it ludicrous that the council are happy to accept an average price of £150k when calculating MS contribution to affordable housing given house prices in Maghull are quite high compared to most of Sefton. Further MS developments currently for sale in Merseyside in Crosby and Ainsdale show prices starting at £150k for a one bedroom apartment and 2 bed apartments between £225k and £245k . These apartments do not have a canal view. The plans for Maghull show 12 of the 24 two bed apartments will have a canal view which will enhance their price to say £265/£270. At these prices the average is £210k which is £60k less than Sefton Council propose.

I think MS are being over ambitious/greedy in wanting a 4 storey building. A great number of their designs are just 2 or 3 storey. The top floor at the Maghull site are all 2 bedroom apartments 3 with canal views and 2 without. I suggested to MS at the pre planning meeting that they reduce the height of the building by one floor. Their reply was they did not think the service charges spread across fewer apartments would be viable. If you compare this site to Ormskirk taking the top floor off would only reduce the number of apartments by 5 leaving 39 apartments which is the same number as Coronation Court, Ormskirk again an inconsistent argument by MS. I think they are more concerned with the potential loss of approximately 1.3 million in sales.

Pages 12 – 15 showing proposed floor plans are just for information.

What I wasn't too happy about at the meeting was our concerns were read out but not addressed/answered. I am not sure where we go from here, will our concerns automatically be read out at the next meeting or do we need to reiterate them?

Thanks again for your time and support.

Irene Wilson 21/2/21

Report to: Full Council
Date of Meeting: 3rd March 2021
Agenda Item Number 6
Subject: Roadmap for Reopening Maghull Town Council
Report of: Amenities Manager
Exempt / Confidential Report: No

Summary

To seek member approval for reopening of Maghull Town Council in line with the UK Government's "Roadmap for easing lockdown restrictions in England."

| Maghull Town Council Priority | Yes/No |
|--|---------------|
| 1. Development and Protect the Community | Yes |
| 2. Develop Parks and Green Spaces | Yes |
| 3. Value for Money and Enterprising Council | Yes |
| 4. Develop Leisure and Activity for All | Yes |
| 5. Develop/support Community Services and Groups | Yes |
| 6. Support Culture and Heritage | Yes |
| 7. Health and Wellbeing Programme | Yes |
| 8. Statutory Requirement | Yes |

Recommendation(s)

Full Council is requested to:-

1. Approve proposals for the reopening of Maghull Town Council in line with the UK Government's "Roadmap for easing lockdown restrictions in England"
2. Note the contents of this report.

Reasons for Recommendation(s)

On 22nd February 2021, the Prime Minister made a statement to parliament on a roadmap for easing covid-19 lockdown restrictions in England. At the heart of this roadmap was the phased easing of restrictions by a specific date - with an overarching ambition that England returns to relative normality by 21st June 2021.

In light of this announcement, officers seek member approval for how council facilities will reopen in line with those dates set out within the roadmap

Alternative Options Considered and Rejected

None

What will it cost and how will it be financed?

(A) Revenue

All costs associated with the maintenance of council facilities will be met by Town Council Budget (Department 1) and/or Facilities Service Budget (Department 2).

(B) Capital

None

Implications of Recommendations:

| | |
|--|--|
| Financial Implications | All costs associated with the maintenance of council facilities will be met by Town Council Budget (Department 1) and/or Facilities Service Budget (Department 2). |
| Resource Implications | Officer time for the maintenance of parks, open spaces, and facilities. |
| Legal Implications | UK Government Roadmap for the easing of Covid-19 Lockdown Restrictions in England Covid-19 Secure guidelines and associated risk assessment(s). |
| Equality & Diversity Implications | None. |

Implementation Date for Decision

Immediately following the conclusion of Full Council.

Appendices

1. UK Government Roadmap for Easing of Lockdown Restrictions in England – published 22nd February 2021

Background Papers

None

| | |
|-------------------------|--|
| Contact Officer | Alex Spencer – Amenities Manager |
| Telephone Number | 0151 526 3705 |
| Email Address | Alex.spencer@maghull-tc.gov.uk |

1. Background

On 22nd February 2021, the Prime Minister made a statement to parliament regarding a roadmap for easing covid-19 lockdown restrictions in England.

At the heart of this roadmap was the phased easing of covid-19 restrictions by a specific date - with an overarching ambition that England returns to relative normality by 21st June 2021.

Throughout the Covid-19 pandemic, Maghull Town Council has followed and implemented government guidance as fully as possible. Guidance relating to making workplaces Covid-19 secure, the management of play areas and the closure of council facilities have all been implemented by officers.

Given that the government has now set out a roadmap for easing lockdown restrictions by 21st June 2021, officers seek member approval for how council facilities will reopen in line with those dates set out within the roadmap.

It must be remembered that although the government has announced dates for when lockdown restrictions will be eased, the Chief Medical Officer and Chief Scientific Officer have stated that these must be considered in light of the government's four tests of:

- a. Ensuring the vaccine deployment programme continues successfully.
- b. Gaining new evidence that shows vaccines are sufficiently effective in reducing hospitalisations and deaths in those vaccinated.
- c. Infection rates do not risk a surge in hospitalisations which would put unsustainable pressure on the NHS.
- d. The government's assessment of the risks is not fundamentally changed by new "variants of concern."

In short, despite the government announcing a roadmap for easing lockdown restrictions, the landscape remains changeable and councillors and officers must continue to be responsive to this changing landscape.

2. Proposals for Reopening Maghull Town Council

a. Continued use of Activities Room by CCG and continued closure of Maghull Town Hall

Members will be aware that since December 2020, South Sefton Clinical Commissioning Group (CCG) have used the Activities Room within the Town Hall as a Covid-19 vaccination centre.

In support of the vaccination programme, CCG colleagues have requested continued use of the Activities Room beyond their current licence of 30th April 2021 to a provisional date of 30th September 2021.

Should members resolve to this request, pre-covid-19 lockdown activities such as Bokwa and indoor bowls will be displaced in preference for the vaccination centre.

Post 30th September 2021 and unless an additional request is made by the CCG for continued use of the Activities Room, there will be an opportunity for these groups to recommence given that such activities/meetings are in line with the government's roadmap for easing lockdown restrictions.

It is the recommendation of officers that should Members resolve to grant continued use of the Activities Room by the CCG, that Maghull Town Hall remains closed to members of the public – with the exception of NHS staff and Sefton Council officers. The rationale for this request is the CCG colleagues will continue to use The Venue Function Room as an administration base and with greater footfall coming in and out of the building, a greater risk of covid-19 transmission is to be presented to council and CCG staff.

b. Play areas, parks and open spaces

Although the roadmap for easing lockdown restrictions has been specific regarding the number of people who can gather in public places, the reopening of tennis courts/multi-use games areas (MUGAs) and recommencement of organised sport, no specific information has been given regarding the management of play areas, parks and open spaces.

It is therefore assumed that government guidance which has already been implemented by officers (as reported to Amenities Committee on 24th February 2021) will continue to be in place until lockdown restrictions are completely removed not before 21st June 2021.

Officers will continue to review latest government guidance and implement accordingly.

c. Workplace Environment

Officers will continue to implement Covid-19 Secure measures whilst at work in order to reduce the risk of Covid-19 transmission. These measures will continue to be implemented until lockdown restrictions are completely removed not before 21st June 2021.

Recommendation(s):-

Full Council is requested to:-

1. Approve proposals for the reopening of Maghull Town Council in line with the UK Government's "Roadmap for easing lockdown restrictions in England"
2. Note the contents of this report.

| Implementation Date | Lockdown Easing Measures / Rules |
|----------------------------|---|
| 8 th March 2021 | All schools and colleges will reopen |
| | University students can return for practical courses. There will be a review by the end of the Easter holidays for all other students |
| | Face coverings are recommended in class for secondary school students and also for parents and staff in primary schools |
| | Wraparound childcare can also return for vulnerable pupils and where it is needed for parents or carers to go to work, support groups or to seek medical care |
| | Two people from different households can meet outside for recreation, which can include "a coffee on a bench" |
| | One nominated person can visit care homes, but will need PPE, a lateral flow test and to "keep physical contact to a minimum" |
| | Weddings attended by up to six people can take place in any circumstances |
| | Pubs and restaurants closed, but takeaway food permitted. |
| | Stay Home – Only leave for work, essential shopping, exercise or medical appointments |
| | Exercise allowed once a day, in your local area. You can exercise with your household, support bubble or one other person. |
| | All schools open, with outdoor after school sports and activities allowed |
| | Two people can meet outdoors to socialise e.g. sit down for coffee, drink or picnic. |
| | Care home residents allowed one regular visitor, with whom they can hold hands. |

| Implementation Date | Lockdown Easing Measures / Rules |
|---|--|
| | No household mixing indoors or outdoors unless in your support bubble or childcare bubble |
| | Non-essential shops, leisure and entertainment venues closed. |
| No Earlier than 29 th March | People will be allowed to meet outside, either with one other household or within the "rule of six", including in private gardens |
| | The stay at home rule will end but people should stay local as much as possible |
| | Outdoor sport facilities will reopen, including golf courses and tennis and basketball courts |
| | Formally organised outdoor sports can also restart |
| | Parents and children groups can return but are capped at 15 and must be outdoors. Indoor groups can take place for vulnerable children and where parents need the groups to go to work |
| No Earlier than 12 th April 2020 | All shops allowed to open |
| | Restaurants and pub gardens will be allowed to serve customers sitting outdoors, including alcohol |
| | Gyms and spas can reopen for individuals and households |
| | Hairdressers, beauty salons and other "close contact services" can reopen |
| | UK domestic holidays away from home permitted, with self-contained accommodation able to reopen for use by members of the same household |
| | Children allowed to attend indoor play activities, with up to 15 parents or guardians allowed to join them |
| | Zoos, theme parks and drive-in cinemas can reopen |

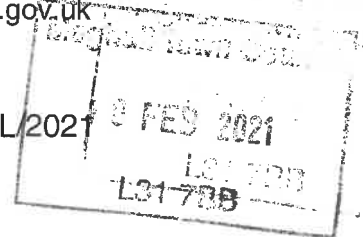
| Implementation Date | Lockdown Easing Measures / Rules |
|--|---|
| | <p data-bbox="633 244 1218 272">Libraries and community centres can reopen</p> <p data-bbox="633 312 1339 341">Weddings attended by up to 15 people can take place</p> |
| No Earlier than 17 th May 2021 | <p data-bbox="633 387 1256 416">People can meet in groups of up to 30 outdoors</p> <p data-bbox="633 456 1608 485">Pubs, restaurants and other hospitality venues can seat customers indoors</p> <p data-bbox="633 525 1740 553">Up to 30 people can meet to celebrate weddings or other life events, like christenings</p> <p data-bbox="633 593 1715 622">Remaining outdoor entertainment, such as outdoor theatres and cinemas can open</p> <p data-bbox="633 662 1845 691">Indoor entertainment such as museums, theatres, cinemas and children's play area can open</p> <p data-bbox="633 730 1995 839">Performances and large events will be subject to limits though. For indoor events they can be at half capacity or 1,000 people, and outdoors they can be at half capacity or 4,000 people - whichever is lower. For large venues (at least 40,000 capacity) up to 10,000 will be allowed to attend</p> <p data-bbox="633 879 1124 908">Hotels, hostels and B&Bs can reopen</p> <p data-bbox="633 948 1429 976">International leisure travel will resume no earlier than 17 May</p> <p data-bbox="633 1016 1487 1045">Adult indoor group sports and exercise classes can start up again</p> |
| No earlier than 21 st June 2021 | <p data-bbox="633 1106 1256 1134">All legal limits on social contact will be removed</p> <p data-bbox="633 1174 2033 1283">No legal limits on the number of people who can attend weddings, funerals and other life events. From April, the government will run pilots for events such as large weddings, festivals and work conferences. This will help to determine how measures such as enhanced testing might allow large groups to attend without social distancing</p> |

| Implementation Date | Lockdown Easing Measures / Rules |
|---------------------|--------------------------------------|
| | Nightclubs will be allowed to reopen |

Maghull Town Council
Maghull Town Hall
Hall Lane
Maghull
Liverpool
L31 7BB

Kevin Coady, Licensing
Sefton Council
Magdalen House 30 Trinity Road
Bootle L20 3NJ
Tel 0151 934 2946
Licensing@sefton.gov.uk

8 February 2021
Ref: GAMLICPOL/2021



Dear Sir / Madam

**Gambling Act 2005
Revision of Statement of Gambling Licensing Policy - Consultation**

As part of our duties under the Gambling Act 2005 we are required to produce a Statement of Gambling Licensing Policy which sets out how we intend to administer the Act.

Every three years this needs to be reviewed and refreshed and we must consult with a number of persons/bodies whilst doing this; hence this invitation to you to comment on our proposals. In order to assist you in this matter I have enclosed a copy of the draft Policy.

Your views are important in allowing us to reach a fair and proportionate Policy and I hope that you will be able to consider the draft document and offer any comments that you may have on it. It will help us if you could include in your response your name, address and contact telephone number. It would also be advantageous if your comments could be referenced to the most appropriate licensing objective as the Policy can only refer to how the Council, as the Licensing Authority, can continue to meet the three licensing objectives as laid down by the Act.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Council is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

Please could you ensure that we receive any comments you may have by 5 April 2021 – although an earlier response would be appreciated. All replies should be forwarded to Mr Kevin Coady our Senior Licensing Officer, at the above address.

May I thank you, in advance, for taking the time to assist us in this matter.

Yours sincerely,



**Terry Wood
Environmental Health & Licensing Manager**

Sefton Council



**SEFTON METROPOLITAN BOROUGH COUNCIL
GAMBLING ACT 2005**

STATEMENT OF GAMBLING LICENSING POLICY

Version 1

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ANNEXES

The following annexes do not form part of the approved Statement of Gambling Licensing Policy but are included to assist applicants in meeting the requirements of the licensing process.

Annex 1 - Map of Sefton

Annex 2 - Responsible Authorities

Annex 3 - Gaming Machine Definition Tables

1.0 GENERAL STATEMENT

- 1.1 Sefton Metropolitan Borough Council (the Council) is the Licensing Authority (the Authority), under the Gambling Act 2005 (the Act), responsible for granting Premises Licences, issuing certain Permits and Provisional Statements, receiving and endorsing Temporary Use Notices, receiving Occasional Use Notices and registering Small Lotteries under the Act.
- 1.2 Section 349 of the Act requires that all Licensing Authorities prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the period to which the policy applies.
- 1.3 The three licensing objectives which guide the way that the Licensing Authorities perform their functions and the way that gambling businesses carry on their activities, are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- See Section 3.0 for more information.
- 1.4 In producing this policy statement, the Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.
- 1.5 The Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police
 - One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area
 - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act
- 1.6 The list of the persons consulted by this Authority is as below:
- <List of consultees to go here>
- Residents' comments were also invited by:
- <List of consultations will go here>
- 1.7 This policy statement sets out the general approach to the making of licensing decisions. It does not prevent any individual from making any application, under the terms of the Act, and having that application considered on its individual merits. Nor

does it override the right of any person to make representations on an application nor to seek a review of a licence where the Act allows them to do so.

- 1.8 Unmet demand is not a criterion for a licensing authority in considering an application for a Premises Licence under the Act. As a result each application will be considered on its merits without regard to demand.
- 1.9 This policy statement will be subject to a periodic review every three years. Between those periodic reviews it may also be subject to ongoing reviews, particularly where feedback indicates that the Licensing Objectives are not being met.

Sefton

- 1.10 Sefton is one of the six Metropolitan Boroughs that make up Merseyside. It lies in the northern part of the Liverpool City Region with which it shares close economic, social, cultural and transport links and stretches 22 miles north from Bootle to Southport. It also has important links to Preston and West Lancashire. Sefton adjoins the City of Liverpool to the south, the borough of Knowsley to the south-east, and the largely rural West Lancashire elsewhere. The location of Sefton is shown by the map provided at Annex 1.
- 1.11 Sefton is an area of great contrasts with beautiful coastlines, rural landscapes and industrial/commercial areas; working docklands, commuter towns and a busy seaside resort; areas of great affluence but also some of the most deprived communities in England and Wales. Sefton has a number of famous features that help make it distinctive. These include the resort of Southport, an outstanding natural coast, the home of the Grand National at Aintree, England's 'golf coast' including Royal Birkdale, and Antony Gormley's 'Iron Men' sculptures on Crosby beach with most of the Port of Liverpool being situated in the south of the Borough.
- 1.12 Sefton has a resident population of 274,853 (2016 census) and has a high proportion of retired people, widowed people and long term unemployed when compared with the rest of England and Wales.
- 1.13 The main centres of population are the urban and suburban areas of Bootle, Crosby, Maghull, Formby and Southport.
- Bootle is an area of mainly Victorian terraced properties, with busy working docklands and a mixture of retail and office developments at its centre. In recent years, much of the area was designated as part of the Merseyside 'Housing Market Renewal Area'. The initiative has begun to change the housing quality, type and tenure available, mainly through demolition of low-demand homes and clearance of low grade or vacant industrial sites and rebuilding of new homes.
 - Southport at the north of the Borough has a traditional, quality image, borne out of its Victorian and Edwardian architectural and landscape grandeur. This heritage has led to Southport being described as a 'classic resort'. This, coupled with family attractions and recent growth in 'eco-tourism', has enabled it to endure changing holiday patterns. There has been significant investment in the town centre and Seafrost in recent years, but both its leisure and retail areas

continue to need to be revitalised. Southport Business Improvement District, the Council, Merseyside Police, Pubwatch, Light for Life and Street Pastors have been successful in applying for Purple Flag status.

- Formby, Crosby and Maghull are largely residential with a smaller number of commercial premises, there are therefore relatively few employment areas here. These are however distinctive settlements in their own right, and all function as commuter settlements for the Liverpool City Region.

1.14 The Local Plan for Sefton will allow development in town centre areas as long as it does not cause significant harm to amenity, would not result in grouping of similar uses which would harm the character of the area or harm residential amenity. Planners may use conditions to restrict opening hours.

2.0 SCOPE

2.1 Licensing authorities are required to undertake various regulatory functions in relation to a number of gambling activities. They are required to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*.
- Issue *Provisional Statements*.
- Regulate *members' clubs and miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits.
- Issue *Club Machine Permits to Commercial Clubs*.
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*.
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines.
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.
- Register *small society lotteries* below prescribed thresholds.
- Issue *Prize Gaming Permits*.
- Receive and Endorse *Temporary Use Notices*.
- Receive *Occasional Use Notices*.
- Provide information to the Gambling Commission regarding details of licences issued (see Section 7.0 regarding 'information protocols').
- Maintain registers of the permits and licences that are issued under these functions.

2.2 It should be noted that local licensing authorities are not involved in licensing remote gambling at all. This falls to the Commission via Operating Licences.

Premises Licence

2.3 A Premises Licence is required for any premises where it is intended to provide gambling facilities.

2.4 The types of Licence available are as follows:

- Casino Premises Licence
- Bingo Premises Licence
- Adult Gaming Centre Premises Licence (enabling the provision of category B3, B4, C and D machines)
- Family Entertainment Centre Premises Licence (enabling the provision of category C and D machines)
- Betting Premises Licence (enabling the provision of facilities for betting, by making or accepting bets or by acting as a betting intermediary)

2.5 An application for a Premises Licence may only be made by persons (which includes companies or partnerships):

- Who have the right to occupy the premises;
- Who have an Operating Licence which allows him/her to carry out the proposed activity, or have applied for an Operating Licence (except in the circumstances outlined in Paragraph 2.9, the Premises Licence may only be issued once the Operating Licence has been issued by the Commission); and

2.6 An applicant for a Premises Licence must be over the age of 18.

2.7 The Authority is aware that, as per Section 153, in making decisions about Premises Licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the licensing authority's statement of policy.

2.8 In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, in effect those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. The Authority will therefore seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. The Authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. However, the Authority will listen to, and consider carefully, any concerns about conditions that can not be met by Licence Holders due to planning restrictions, should such a situation arise.

2.9 Except in the case of Tracks (where the occupier may not be the person offering gambling), Premises Licences will only be issued to people with the relevant Operating Licences issued by the Commission.

Definition of “premises”

- 2.10 Premises is defined in the Act as “any place”. Different Premises Licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one Premises Licence, provided they are for different parts of the building and the different parts can be reasonably regarded as being different premises. Whether different parts of a building can be properly regarded as being separate premises will always be a question of fact in the circumstances. However, the Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 2.11 The Authority takes particular note of the Gambling Commission’s Guidance with regard to applications for multiple licences for a building, or those for a specific part of the building to be licensed. The Guidance indicates that the premises should be configured so that children are prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or can closely observe gambling. Additionally entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- 2.12 When considering applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed), the Authority will consider, as per the Guidance, whether taken as a whole, the co-location of the licensed premises with other facilities may have the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

Location

- 2.13 Demand issues cannot be considered with regard to the location of premises but considerations in terms of the licensing objectives can (see Section 3.0). The Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. For example, the Authority would have regard to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families and children.

Premises “ready for gambling”

- 2.14 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.
- 2.15 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

- 2.16 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:
- Firstly, whether the premises ought to be permitted to be used for gambling; and
 - Secondly, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 2.17 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

Betting tracks

- 2.18 Tracks are different from other premises in that they may be subject to one or more Premises Licences, provided that each Licence relates to a specified area of the track.
- 2.19 The Authority will have particular regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 2.20 The Authority would expect Premises Licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. Children and young persons will be permitted to enter track areas on days when dog-racing and/or horse racing takes place, including areas where facilities for betting are provided, however, they must be prevented from entering areas where gaming machines (other than category D machines – see Annex 3 for Gaming Machine definitions) are provided.
- 2.21 The Authority notes that the Commission considers that it is disproportionate and unnecessary to insist that betting rules are displayed at each distinct betting location and that the rules should be made available at suitable central locations. We further note that the Commission indicates that the track premises licence holder should make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which area of the track they are in.
- 2.22 It is sometimes difficult to define the precise location of betting areas on tracks and the Authority notes that the precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.

Bingo premises

- 2.23 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than category D machines. Where category C machines, or above, are available in the premises to which children are admitted, applicants will ensure that:

- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - Only adults are admitted to this area where the machines are located;
 - Access to the area where the machines are located is supervised;
 - The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
 - At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 2.24 Appropriate licence conditions, covering the above issues, may be imposed by the Authority.
- 2.25 In imposing any additional licence conditions the Authority will consider any Guidance issued by the Commission relating to the suitability and layout of bingo premises.
- 2.26 Further information on this type of Licence can be found on the Sefton Council website at www.sefton.gov.uk.

Self Service Betting Terminals

- 2.27 The Authority will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and (as per the Commission's Guidance) the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of Self Service Betting Terminals an operator wants to offer.

Permits

- 2.28 Permits are required when premises provide a gambling facility but either the stakes and/or prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises.
- 2.29 The types of Permit available are as follows:
- Family Entertainment Centre Gaming Machine Permit
 - Club Gaming Permit
 - Club Machine Permit
 - Licensed Premises Gaming Machine Permit
 - Prize Gaming Permit

Family Entertainment Centre Gaming Machine Permit

- 2.30 The Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Commission's Guidance indicates that in its policy statement a

licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for these type of permits.

- 2.31 The principles that this Authority intends to adopt will require the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 2.32 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- CRB checks for staff
 - Appropriate measures / training for staff as regards suspected truant school children on the premises
 - Measures / training covering how staff would deal with unsupervised very young children being on the premises
 - Children causing perceived problems on / around the premises.
- 2.33 In addition to the above, the Authority will also expect, as per Commission Guidance, that:
- Applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - The applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
 - Staff are trained to have a full understanding of the maximum stakes and prizes.

Club Gaming and Club Machine Permits

- 2.34 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 2.35 The Act states that Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is restricted to bridge and whist. A members' club must be permanent in nature, not be established to make commercial profit and be controlled by its members equally; there is no need for a club to have an alcohol licence. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.
- 2.36 The Commission Guidance states that licensing authorities may only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
- b) the applicant's premises are used wholly or mainly by children and/or young persons
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
- d) a permit held by the applicant has been cancelled in the previous ten years
- e) an objection has been lodged by the Commission or the police.

2.37 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which the Authority can refuse a permit are reduced; those grounds being:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

2.38 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

Licensed Premises Gaming Machine Permit

2.39 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the Authority.

2.40 The Authority can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of section 282 (for example, the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines);
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises

2.41 Should a premises wish to have more than two machines, then it will need to apply for a Licensed Premises Gaming Machine Permit and the Authority will need to consider that application based upon the licensing objectives, any guidance issued by the Commission, and "any other matters that are considered relevant to the application". This Authority considers that "any other matters" will be decided upon on a case by

case basis but generally there will be regard to the need to protect children and vulnerable persons from harm and we will expect the applicant to satisfy that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Authority may include that the adult only gaming machines will be within sight of the bar (or within the sight of staff who will monitor that the machines are not being used by those under 18). As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare or indeed training for staff under the GamCare Certification scheme (details available via www.gamcare.org.uk).

Prize Gaming Permit

2.42 The Act states that a Licensing Authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit.

2.43 This Authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that s/he is intending to offer and that the applicant should be able to demonstrate:

- That they understand the limits to stakes and prizes that are set out in Regulations; and,
- That the gaming offered is within the law.

2.44 In making its decision on an application for this Permit the Authority does not need to have regard to the licensing objectives but must have regard to any Commission Guidance.

2.45 It should be noted that there are conditions in the Act by which the Permit holder must comply, but that the Authority cannot attach conditions. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling

Travelling fairs

2.46 Where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the Authority will need to determine whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

2.47 The Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

2.48 The 27-day statutory maximum for the land being used as a fair is per calendar year, and it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Authority will work with its neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.

2.49 Further information on Permits can be found on the Sefton Council website at www.sefton.gov.uk.

Provisional Statements

2.50 Section 204 of the Act provides for a person to make an application to the Authority for a Provisional Statement in respect of premises that s/he:

- Expects to be constructed;
- Expects to be altered; or
- Expects to acquire a right to occupy.

2.51 Developers may wish to apply for Provisional Statements before they enter into a contract to buy or lease property or land to judge whether or not a development is worth taking forward in light of the need to obtain a Premises Licence. It is also possible for an application for a Provisional Statement to be made for premises that already have a Premises Licence (either for a different type of gambling or for the same type).

2.52 Applicants for Premises Licences must fulfill certain criteria (see Para 2.5). These restrictions do not apply in relation to an application for a Provisional Statement.

2.53 Further information on Provisional Statements can be found on the Sefton Council website at www.sefton.gov.uk.

Temporary Use Notices

2.54 These allow the use of premises for gambling where there is no Premises Licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice (TUN) would include hotels, conference centres, and sporting venues. A TUN may only be granted to a person or company holding a relevant Operating Licence (for example, the holder of a Betting Operating Licence could apply to provide betting facilities at a snooker tournament).

2.55 Regulations state that the only activities permitted under a TUN are the provision of facilities for any form of equal chance gaming where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner (this does not include providing such facilities in circumstances where any person participating in the gaming does so by means of a gaming machine).

2.56 The same set of premises may not be the subject of a TUN for more than 21 days in any 12-month period, but may be the subject of several Notices provided that the total does not exceed 21 days.

2.57 Further information on TUNs can be found on the Sefton Council website at www.sefton.gov.uk.

Occasional Use Notices

2.58 The Authority has very little discretion as regards these Notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. However, the Authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the Notice. Provided that the Notice will not result in betting facilities being available for more than eight days in a calendar year, there is no provision for counter-notices or objections to be submitted.

2.59 Further information on Occasional Use Notices can be found on the Sefton Council website at www.sefton.gov.uk.

Small Lotteries

2.60 These are lotteries operated by non-commercial societies, as defined in Section 19, which states that a society is non-commercial if it is established and conducted:

- For charitable purposes;
- For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- For any other non-commercial purpose other than private gain.

2.61 If the lottery has proceeds which exceed £20,000 for a single draw or aggregated proceeds that exceed £250,000 in a calendar year then they must be licensed with the Commission.

2.62 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a licensing authority. The licensing authority with which a small society lottery is required to register must be in the area where their principal office is located. If the Authority believes that a society's principal office is situated in another area, it will inform the society and the other relevant authority as soon as possible.

2.63 Further information on Small Lotteries can be found on the Sefton Council website at www.sefton.gov.uk.

3.0 GAMBLING LICENSING OBJECTIVES

3.1 In carrying out its licensing functions the Authority will be guided by the Gambling Licensing Objectives which are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

- 3.2 The Authority, in exercising its functions under the Act, shall also have regard to the Guidance issued by the Commission.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 3.3 The Authority is aware that the Commission will be taking a leading role in preventing gambling from being a source of crime and that it will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling. The Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Therefore, if an area has known high levels of organised crime then the Authority will consider whether or not gambling premises are suitable for that location and whether conditions may be suitable such as the provision of Door Supervisors.

- 3.4 Except in the circumstances outlined in Paragraph 2.9, anyone applying to the Authority for a Premises Licence will have to hold an Operating Licence from the Commission before a licence can be issued. Therefore, the Authority will not generally be concerned with the suitability of an applicant and where concerns about a person's suitability arise the Authority will bring those concerns to the attention of the Commission.

- 3.5 Issues of disorder should only be dealt with under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance and it can be shown that gambling is the source of that disorder. This Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

Ensuring that gambling is conducted in a fair and open way

- 3.6 Generally, the Commission do not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be a matter for either the management of the gambling business (and therefore relevant to the Operating Licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence), both of these options falling under the purview of the Commission.
- 3.7 Where the Authority has concerns that gambling at any premises is not being conducted in a fair and open way those concerns will be brought to the attention of the Commission.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

- 3.8 The Authority has noted the Commission Guidance which states that "the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are

adult-only environments. The objective refers to protecting children from being ‘harmed or exploited by gambling’. That means preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children, excepting Category D gaming machines”.

- 3.9 The Authority will also make itself aware of the Codes of Practice that the Commission issues as regards to this licensing objective, in relation to specific premises such as casinos.
- 3.10 There is no definition offered with regard to the term “vulnerable persons”, therefore the Authority will consider this objective on a case-by-case basis. In seeking to protect vulnerable persons the Authority will include people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs.
- 3.11 Applicants shall have regard to the need to protect children and vulnerable persons from harm, or being exploited by gambling, and there should be sufficient measures to ensure that under 18 year olds do not have access to adult only gaming machine areas.
- 3.12 Appropriate licence conditions may therefore be imposed by the Authority and they may cover issues such as:
- Proof of age schemes;
 - CCTV;
 - Door supervisors;
 - Supervision of entrances / machine areas;
 - Physical separation of areas;
 - Location of entry;
 - Notices / signage;
 - Specific opening hours;
 - Self barring schemes;
 - The provision of information leaflets / helpline numbers for organisations such as GamCare as well as training for staff under the GamCare Certification scheme; details available via www.gamcare.org.uk/.
- 3.13 This list is not mandatory, nor exhaustive; further details on Conditions can be found at Section 6.0.
- 3.14 In recent years there has been an increasing awareness of the problems in society generally connected with Child Sexual Exploitation. It is this Authority’s opinion that Child Safeguarding is everyone’s responsibility and that gambling premises should be vigilant in this regard. Operators whose premises are allowed to admit under 18s should have in place appropriate child safeguarding measures and should seek the advice of the Council’s Safeguarding Children’s Unit in this respect.

3.15 The Authority will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable persons will balance its considerations against the overall principle of aiming to permit the use of premises for gambling.

4.0 CASINO LICENCES

4.1 The Authority has not passed a 'no casino' resolution under Section 166 of the Act, but it is aware that it has the power to do so. Should the Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.

5.0 THE LICENSING PROCESS

5.1 In determining a licence or permit application the overriding principle adopted by the Authority will be that each application will be determined on its merits.

Interested Parties

5.2 Interested parties may make representations about Premises Licence applications, or apply for a review of an existing Licence.

5.3 These parties are defined within the Act as follows:

“a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person –

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”

5.4 The Authority is required by regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party or not.

5.5 The principles are that each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will however consider the following:

- The size of the premises
- The nature of the premises
- The distance of the premises from the location of the person making the representation
- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- The circumstances of the complainant. This is not the personal characteristics of the complainant but the interests of the complainant, which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that “sufficiently close to be likely to be affected” could

have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) residential hostel for vulnerable adults.

- The 'catchment' area of the premises (i.e. how far people travel to visit); and
- Whether the person making the representation has business interests in that catchment area that might be affected.

5.6 Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

Responsible authorities

5.7 Section 157 of the Act details the necessary "responsible authorities", which are:

- The Gambling Commission;
- The chief officer of police;
- The local fire authority;
- The local planning authority;
- An authority which has functions in relation to pollution to the environment or harm to human health;
- The body responsible for the protection of children from harm;
- Any other licensing authority in whose area part of the premises are situated; and,
- HM Revenue & Customs

5.8 In exercising the Authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Authority about the protection of children from harm, the following principles have been applied:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and,
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

5.9 Therefore, in accordance with the Commission's Guidance, this Authority designates Sefton Council's Safeguarding Children's Unit for this purpose.

5.10 The appropriate points of contact for the abovementioned responsible authorities, i.e. the person to whom copies of applications should be sent, are listed within Annex 2.

Delegation of decisions and functions

5.11 Licensing decisions and functions may be taken or carried out by the Licensing Committee, or delegated, where appropriate, to sub-committees or officers. The

principal of delegation will be to ensure that decisions and functions, particularly non-contentious applications and purely administrative functions, are taken or carried out in a speedy, efficient and cost-effective way.

5.12 The delegation of decisions and functions will be as follows:

| Matter to be dealt with | Full Council | Sub-committee of licensing committee | Officers |
|---|--------------|---|--|
| Three year licensing policy | ✓ | | |
| Policy not to permit casinos | ✓ | | |
| Application for premises licences | | Where representations have been received and not withdrawn | Where no representations received/ representations have been withdrawn |
| Application for a variation to a licence | | Where representations have been received and not withdrawn | Where no representations received/ representations have been withdrawn |
| Application for a transfer of a licence | | Where representations have been received from the Commission or responsible authority | Where no representations received from the Commission or responsible authority |
| Application for a provisional statement | | Where representations have been received and not withdrawn | Where no representations received/ representations have been withdrawn |
| Review of a premises licence | | ✓ | |
| Application for club gaming/ club machine permits | | Where objections have been made (and not withdrawn) | Where no objections made/objections have been withdrawn |
| Cancellation of club gaming/ club machine permits | | ✓ | |
| Applications for other permits | | | ✓ |
| Cancellation of licensed premises gaming machine permits | | | ✓ |
| Consideration of temporary use notice | | | ✓ |
| Decision to give a counter notice to a temporary use notice | | ✓ | |

5.13 Where there is licensing authority discretion as to the level of fee that may be set, the level of fee will be decided by the Licensing and Regulatory Committee.

Hearings

5.14 A hearing will be arranged to deal with any application that cannot be dealt with under delegated powers or resolved by agreement between applicants and 'interested parties' and/or 'responsible authorities'. Hearings will be held at the earliest possible date having regard to the regulations published under the Act and the laws of natural

justice. The Licensing Sub-Committee will conduct a quasi-judicial consideration of the application, objections and representations.

- 5.15 Conditions may be attached to Licences where relevant representations are received. Any condition attached to a Licence will be related to one or more of the Licensing Objectives, and conditions will not relate to matters that are the subject of other legislation.

Review of licences

- 5.16 Requests for a review of a Premises Licence can be made by interested parties or responsible authorities. However, it is for the Authority to decide whether or not the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below (as well as to consideration as to whether the request is considered to be frivolous or vexatious):
- i) It is in accordance with any relevant code of practice issued by the Commission;
 - ii) It is in accordance with any relevant guidance issued by the Commission;
 - iii) It is reasonably consistent with the licensing objectives; and,
 - iv) It is in accordance with this policy statement

- 5.17 The Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

Local risk assessments

- 5.18 The Commission's Licence Conditions and Codes of Practice (LCCP) (issued in February 2015) requires operators to consider local risks in their applications.
- 5.19 As part of the application process licensees are required to submit a local risk assessment when applying for a new Premise Licence. An updated risk assessment must also be submitted:
- When applying for a variation of a Premise Licence
 - To take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
 - When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

- 5.20 This Authority will require a licensee to share their risk assessment with it. The risk assessment will set out the measures the licensee has in place to address specific issues where concerns exist over new or existing risks. By adopting this proactive approach the Authority and licensees should be able to reduce the occasions on which a premises review is required.

Local Area Profiles

- 5.21 Whilst this Authority does not currently have a Local Area Profile, as referenced in the Commission's Guidance, nonetheless its clear priority is to ensure that children and vulnerable persons are not harmed by gambling. To this end the Authority will expect

applicants to research and understand the local environment in which they wish to operate and to demonstrate that they have effective and robust measures in place to promote this licensing objective and mitigate any risks related to it.

5.22 It should be noted that the Authority may develop a Local Area Profile setting out the local issues, local data, local risks and the expectations that it has of operators who either currently offer gambling facilities or wish to do so in the future. Should it do so it will be included as an Annex to this Statement.

5.23 In the absence of a Local Area Profile when considering applications for Premise Licences, permits and other permissions, and when determining whether to review a Licence, the Authority will still consider each application on its merits and relevant considerations are likely to include the type of gambling proposed and the proximity of gambling premises to schools and vulnerable adult centres, or to residential areas where there may be a high concentration of families with children.

6.0 LICENSING CONDITIONS

Mandatory conditions

6.1 Mandatory conditions may be attached to Premises Licences by the Secretary of State under Section 167 of the Act. They can be attached generally to all Premises Licences, or may be attached to all Premises Licences of a particular type, or to a particular type of Premises Licences under certain specified circumstances.

6.2 The Secretary of State considers that mandatory conditions are most appropriate where there are basic minimum requirements to which all Premises Licence holders, or holders of a particular type of Licence, should adhere.

6.3 Once mandatory conditions are attached they can only be removed by further Secretary of State regulations. The Authority has no discretion to decide not to include them, or to modify them.

Default conditions

6.4 The Secretary of State considers the use of default conditions are most appropriate where a general industry or sector wide approach is desirable in order to assist national consistency, but where licensing authorities ought to be able to respond to local circumstances by altering those conditions if necessary.

6.5 Section 169 of the Act gives licensing authorities the ability to exclude from Premises Licences any default conditions that have been imposed under section 168. However, as default conditions are considered to be the industry norm, and while licensing authorities are free to limit or remove them where appropriate, this Authority will only extend them with reference to the Commission Codes of Practice and Guidance, the Licensing Objectives and this Policy Statement.

6.6 There are conditions that the Authority cannot attach to Premises Licences, which are:

- Any condition on the Premises Licence which makes it impossible to comply with an Operating Licence condition;

- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and,
- Conditions in relation to stakes, fees, winning or prizes

6.7 Any conditions attached to Premises Licences will be proportionate and will be:

- Relevant to the need to ensure that the premises are suitable to meet the licensing objectives and are suitable to provide facilities for gambling;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

6.8 Decisions upon individual conditions will be made on a case-by-case basis. The Authority will expect the applicant to offer his/her own suggestions as to the way in which the Gambling Licensing Objectives can be met effectively. The Authority may, however, exclude a condition and substitute it with one that is either more or less restrictive. In this instance the Authority will give clear and regulatory reasons for so doing.

6.9 The Authority will consider specific measures that may be required for buildings subject to multiple Premises Licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Commission's Guidance.

6.10 The Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted that:

- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

6.11 These considerations will apply to premises, including buildings, where multiple Premises Licences are applicable.

Door Supervisors

6.12 The Commission advises in its Guidance that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for

example, by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

- 6.13 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether or not these supervisors need to be licensed by the Security Industry Authority will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance).

7.0 INFORMATION PROTOCOLS

- 7.1 Authorities are required to include in their Policy Statements the principles to be applied by them in exercising the functions under Sections 29 and 30 of the Act, with respect to the exchange of information between them and the Commission, and the functions under Section 350 of the Act with the respect to the exchange of information between them and the other persons listed in Schedule 6 to the Act.
- 7.2 The principle that this Authority applies is that it will act in accordance with the provisions of the Act in its exchange of information, which includes the provision that the Data Protection Act 1998, will not be contravened. The Authority will also have regard to any Guidance issued by the Commission to local authorities on this matter as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.
- 7.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

8.0 ENFORCEMENT PROTOCOLS

- 8.1 Licensing Authorities are required by regulation under the Act to state the principles to be applied in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under Section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 8.2 This Authority's principles are that it will be guided by the Commission's Guidance and it will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects.
- 8.3 As per the Commission's Guidance this Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

- 8.4 The Authority has, again as recommended by the Commission’s Guidance, adopted a risk-based inspection programme.
- 8.5 The main enforcement and compliance role for this Authority in terms of the Act will be to ensure compliance with the Premises Licences and other permissions that it authorises. The Commission will be the enforcement body for the Operator and Personal Licences and it should also be noted that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Commission.
- 8.6 This Authority embraces the Department for Business Innovation and Skills’ “Regulators Code” which came into force on 6th April 2014, and it’s standards have been integrated into our regulatory culture and processes. The Authority supports the principals of better regulation to promote efficient and effective approaches to regulatory inspection and enforcement that improve regulatory outcomes without imposing unnecessary burdens on business.

Merseyside Association of Local Councils (MALC)

| | |
|------|--|
| From | Cllr Ken Dalton, Acting Secretary of MALC Tel: 07706 188794 cllr.k.dalton@halewoodtowncouncil.gov.uk |
| To | All Town/Parish Councils on Merseyside |
| Re: | Continuation of MALC |
| Date | January 29 th 2021 |

Dear Colleagues,

I am grateful for the opportunity to have this correspondence shared at your Town/Parish Council meeting. My name is Cllr Ken Dalton and I am the Acting Secretary for MALC in addition to my role as an elected member at Halewood Town Council.

I am writing to all councils to ascertain the interest in continuing with our representative body MALC (the Merseyside Association of Local Councils). This body – a satellite of the Lancashire Association of Local Councils – has drifted over the past 18 months due to the ill health and the subsequent passing of its former secretary, Ken Cleary. Ken had been a champion of MALC for many years and was known to many.

Historically, MALC has provided a forum for small councils across Merseyside to raise the profile of our area at both a Lancashire-level and through NALC. However, it has very much been a member-led body (rather than clerk-led) and we must therefore decide whether there is sufficient interest among Town Councillors in maintaining it as an outside body.

Daniel Wilson, Town Clerk at Prescot Town Council, hosted a short but useful meeting for interested members on Wednesday January 27th. There were 6 elected members present (5 from Knowsley and 1 from Sefton) with one apology. As a next step, it was proposed that an Acting Secretary was appointed who would formally write to Parish/Town Councils to ascertain interest and either convene a meeting schedule for 2021/22 or disband the body. I have the dubious pleasure of being appointed into that role.

What are we requesting of your Town/Parish Council?

I ask that you consider this issue and provide me with a response in writing by 20th March 2021 (I appreciate some agendas will already be closed for meetings in February). Depending upon the response, we will aim to schedule a further meeting for interested members and then set an AGM for the election of officers etc.

A Future Purpose of MALC

Our meeting on 27th January discussed the opportunities and priorities MALC might consider. There were positive suggestions about renaming the body to reflect the LCR (Liverpool City Region) rather than Merseyside and where/how influence could be brought to bear on principal authorities with respect to local government finance. As Acting Secretary, I am persuaded that MALC would represent a good use of Town Councillors valuable time and offer an opportunity to raise the profile and increase the influence of the small councils' sector.

If any members would like to discuss MALC or know more of its history I am happy to chat over the phone or Zoom. My contact details are at the top of this communication.

I look forward to your response.

Yours faithfully,

Ken Dalton

Cllr Ken Dalton,

Acting Secretary, MALC.

MAGHULL TOWN COUNCIL
AMENITIES COMMITTEE MEETING
HELD 18TH NOVEMBER 2020
VIRTUAL MEETING VIA ZOOM

PRESENT - Councillor Y. Sayers (In the Chair) and Councillors (Cllrs): Desmond, K. Hughes, McKinley and J. Sayers.

ALSO PRESENT –A. Spencer (Amenities Manager) and S. Larking (Minutes)

The Chair welcomed everyone to the meeting.

1. APOLOGIES FOR ABSENCE – Apologies received from Cllr Carr
2. DECLARATION OF INTERESTS – The Amenities Manager advised that all Cllrs, as precept payers, declare an interest in the agenda item about the budget.

NOTE: 6:35pm: Standing Orders suspended while Officers tried to resolve a technical issue to allow live streaming. Unable to resolve issue so meeting continued from 6:40pm. The meeting was recorded and will be made available to view.

3. PUBLIC PARTICIPATION – No requests received
4. MINUTES OF AMENITIES COMMITTEE 23rd SEPTEMBER 2020.

Cllr K. Hughes asked for it to be noted that the group of volunteers referred to at agenda item 9 (page 4) was not party political. All volunteers welcome.

RESOLVED that the Minutes of Amenities Committee held on 23rd September 2020 were approved as a correct record. Note: Minutes to be signed at the next opportunity.

5. AMENITIES MANAGER UPDATE – COMMITTEE RESOLUTIONS

The Amenities Manager reported on resolutions in progress (highlighted in grey in report) as follows:

- Mersey Forest: Officers continue to work with Mersey Forest. Applying for grant funding. Progress to be reported at next meeting
- Council's Vehicles/Fleet: Procurement Policy and Service Level Agreement (SLA) now in place with Knowsley Council. Work on fleet is one of several projects that will now be progressed
- Judo Hut: Building demolished. Winterburns of Rochdale had done an excellent job.
- Alternative Legal Provision: This had not been progressed to date
- Bid Writer: This had not been progressed due to capacity issues
- Grounds Maintenance Operations 2020/21: Work on appraisals ongoing. 3 completed including training and development needs identified; 3 in progress
- "Friends Of" Groups: Update on projects circulated with papers Projects will complement Council's work in parks. Further discussion at Agenda item 7.

Cllrs Mckinley noted that information had been put on social media about the use of Whinneybrook Playing Field on Saturday mornings for football coaching. He said the Council would be happy to support free coaching if relevant insurance and safeguarding policies were in place. He didn't believe that information on social media was sufficient. He asked for further investigation. The Amenities Manager reported that legal advice had been sought from Sefton. The advice was that Maghull Town Council did not have enforcement powers to stop usage unless it was for illegal activities.

Other key points noted:

- Issue is about income/profit. Welcome that someone is giving up their time to coach young people. However, if they are making a profit by using Council land free of charge that's a different issue. Reported that the coach runs sessions in a local school and pays rent
- Liability/insurance an issue
- There is a precedent. Room hire charged for Maghull Art Group as tutor was charging for classes
- Exercise class held in Old Hall Park since first lockdown
- Council is committed to supporting Community Groups; offers grant funding
- Maghull residents are paying for the upkeep of parks; someone running a business should not be able to use the park for free
- The Council need to exploit its assets
- Officers to contact Football Coach and check that they are DBS cleared, have safeguarding policies and relevant coaching qualifications, and are insured

On the point about insurance/liability the Amenities Manger reported that the Council must ensure that parks/open spaces it owns and maintains are free from hazardous and safe to use.

RESOLVED that

- 1. Officers to contact the coach using Whinneybrook Playing Field on Saturdays**
- 2. The report be noted**

6. UPDATE ON THE REFURBISHMENT OF CHILDREN'S PLAY AREA AT GLENN PARK PROPOSED 2020/21

The Amenities Manager provided a short verbal report. Major works to the park had been completed. Some minor works to be completed including installation of bins. It looks good. Play area has been expanded to the green gym. New fencing with 2 access gates at either end. The site is muddy after the works. No immediate plans to reopen the park as need to reseed some areas and allow time for grass to grow. There's an area of the park that looks sparse. Maghull in Bloom are considering planting options. Positive feedback from residents. Residents want to know when park will reopen. Would like to keep closed for the next 4 weeks if Cllrs agree.

RESOLVED that

- 1. Glenn Park to remain closed for a further 4 weeks to complete all works and allow for reseeding**

2. Verbal report be noted

7. UPDATE ON THE ROLE OF “FRIENDS OF” MAGHULL GROPS

The Amenities Manager ran through the proposed community projects including planning, creation of flower beds, tree planting and a rockery/wall.

Projects as follows:

- KGV Park: Replant flower beds in former rose garden to create a community picnic area
- Dodds Park: Build wall around memorial at entrance to park with support
- Mersey Avenue: Plant 5 flower beds
- South Meade Park: Replant a flower bed
- Old Hall Park: Plant trees from Mersey Forest scheme
- Pimbley Field: Plant trees from Mersey Forest scheme

Database of Community Members set up. Amenities Manager working with Community Services Manager to set up and progress groups. Some projects require procurement.

Cllrs noted that it was good to see progress.

RESOLVED that

1. The report be noted

8. PROPOSED AMENITIES SERVICE BUDGET 2021/22

The Amenities Manager ran through the context of the report:

- Each Committee had an opportunity to consider budget proposals and financial implications in advance of Finance and General Purposes Committee on 9th December
- Proposals will be presented to Full Council in January 2021
- Amenities Budget is in 2 parts
 - Operation costs
 - Asset Maintenance. 5-year plan agreed by Cllrs.
- Tax Base: Expect to remain same for 2021/22. Maybe an increase due to house building. Final figures will available from Sefton in next few weeks
- Rental income: Income from football/bowling likely to be the same for 2021/22 – 2 football clubs and 2 bowling clubs. There may be a third bowling club, but this is to be confirmed
- Income from assets (ATC and Bowling Pavilion): expected to be the same for 2021/22
- Income: Will be reduced. No further funding from Sefton for Bobby’s Wood and Old Hall Park and unclear if any income for hire of Tennis Pavilion and courts. Discussion with Tennis Club ongoing about outstanding hire charges
- Staff costs: Assume pay rise of 2% and covers pay increments for some staff.

In summary, under the proposed budget there is a shortfall of £22,072 for Operation Costs. This would require an increase in precept of £3 to meet the shortfall.

Points raised by Cllrs:

- Breakdown of nominal code 5204 (Parks Management) requested. Noted that this includes planting, playground equipment and benches
- What discussions have been held with those who hire Council's assets about continuing to hire next year. Noted that no discussion held but expect the RAF/ATC and Scrummies to continue to hire assets
- Need to review/refresh how the Council raises money. Concerns that response to deficit is to put up Precept. Need to look at how the Council can be more creative in generating income rather than putting the burden on rate payers
- Funded Town Clerk to achieve a qualification (CiLCA) which gives Councils powers under the General Power of Competence to raise funds. Little evidence
- Council has two elements – core functions (e.g. running costs and parks) and events. Appointed a Community Services Manager to add social value/capital. The idea was that the post would try and generate income and not be a drain on Council business.
- Need to evaluate external grant aid and milk Council's assets. Consider external expertise to support this work – noted that Cllr Sharp has secured £60,000 for works in Bobby's Wood. Consider what was achieved previously e.g. Arm's Length Company received £100,000 from external funding. Funding used to set up Maghull Radio and a business incubator.

In response the Amenities Manager noted the request for a financial refresh. He reported that the Community Services Manager was working with community groups and Sefton CVS on funding options. External funding under pressure with limited opportunities. It was unlikely the gap in funding could be met by grants.

The Amenities Manager moved on to discuss the Asset Maintenance Plan:

Key points:

- Bigger gap in budget if deliver the approved Asset Maintenance Plan
- Want to avoid managing decline in parks if unable to replace play equipment
- Recommend increasing precept as risks of using reserves. Needed if any unforeseen circumstances e.g. a death in service
- Covid pandemic has had an impact on income
- Agree that there should not be an automatic call on raising the precept. However, need to be clear what the financial situation is

Key comments by Cllrs:

- Lydiate have secured grant funding for changing rooms
- Concern about impact on rate payers as proposals are for Amenities only
- Clarification need on limits on reserves. Could keep 20%
- Need to consider cuts to some maintenance projects – e.g. flooring for Town Hall and air conditioning for radio station. Is this required if broadcasting from home?
- Residents use parks. Concerns about time taken to replace play equipment, works get pushed back
- Review plan for year 2 works to making savings. Some projects to be put on hold. Works to parks should not slide because of works to the Town Hall

- Capital items to be refunded from reserves

In response the Amenities Manager noted the following:

- Clerks network and share skills and experience. Happy to work with Lydiate and draw on their expertise
- Need to present a balanced budget to Full Council
- Page 26 of the report set out the agreed asset maintenance plan for year 1 (2020/21).
 - Demolition of the Judo Hut had been completed. Some additional costs incurred (approx. £900 due to ground works)
 - Cemetery Risk Assessment to be completed by St Andrews not Maghull Town Council. Saving of £3,000
 - Bins for Parks. Costs to be met from s106 funding. Saving of £6,069
 - Some project delayed as Procurement Policy only recently agreed
- Noted that current level of reserves is £546,580. Advice from SLCC and NALC is that councils should hold reserves for 6-9 months operating costs. The Council's annual running costs are £769,710.
- Can replace some items of play equipment quickly but can take longer to replace others. Procurement policy should help. Also issues about surface when replacing play equipment which increases costs

Cllrs agreed a revised plan for Year 2 works as follows:

| Works | Estimated Cost (£) | Rationale |
|--|---------------------------|--|
| Install new electricity meter at Whinneybrook (Pump) | 3,000.00 | Required |
| CCTV at Glenn Park | 4,000.00 | Important to protect investment in park |
| Demolish Pavilion Whinneybrook | 5,000.00 | Demolish rather than refurbish as not used |
| Replacement play equipment for parks as per ROSPA report | 30,000.00 | Important to maintain parks |
| TOTAL | 42,000 | |

The following works to be moved to Year 3:

| Works | Estimated Cost (£) |
|--|---------------------------|
| Reflooring Town Hall | 5,000.00 |
| More CCTV around Town Hall and overflow car park etc | 1,600.00 |
| Repaint indoors at Town Hall to improve appearance | 7,000.00 |
| Shutters to Town Hall Main entrance | 7,000.00 |
| Sub Total Two | 20,600 |

Work (£5,000) to separate Electricity supply to outside buildings identified as a saving. Air conditioning works be completed in Year 1 (2020/21).

The Amenities Manager reported that the revised plan would leave a budget shortfall of around £30,000. This would require a precept increase of £4.52. The total proposed precept increase was £7.78 (£3.26 for Amenities Team and £4.52 for revised Asset plan.) This is a 3% increase on 2020/21. The proposed Precept increase for the Town Hall as £9.78

Summary of closing comments made by Cllrs:

- Concerns about affordability of Precept increase for residents, particularly those not in work. Need to consider other options
- Concerns that Police, Fire and Sefton Council are likely to increase their Precepts.
- Precept increase should be a last resort
- Any increase should be as low as possible and less than £10.00 across all budgets
- Understand that need to pay wages, pensions etc but concerns that may need to review staffing in the future
- Propose Precept increase of £3.00 to cover amenities costs
- Revised Asset Maintenance Plan to be reviewed by Finance and General Purposes Committee
- Financial refresh to be arranged as soon as possible
- All funding options to be explored

RESOLVED that

- 1. Undertake a financial refresh**
- 2. Recommend a raise in precept of £3.00 to cover the core running costs of the Amenities Service**
- 3. Revised Asset Plan to be reviewed by Finance and General Purposes Committee**
- 4. Consider use of reserves for capital items**
- 5. The report be noted**

9. CHAIRS REPORT

No report given

CHAIRMAN

MAGHULL TOWN COUNCIL
VIRTUAL COMMUNITY SERVICES COMMITTEE
HELD 4^h NOVEMBER 2020 BY ZOOM

PRESENT - Councillor Carragher (In the Chair) and Councillors (Cllrs) Desmond, Doherty (until 18:50), Ferguson, T. Hughes and Y. Sayers.

ALSO PRESENT - P. Dillon (Community Services Manager) and S. Larking (Minutes)

The Chair welcomed everyone to the meeting including anyone viewing on livestreaming.

1. APOLOGIES FOR ABSENCE

Apologies received from Cllrs Lloyd, Mullen and Sharp

2. DECLARATIONS OF INTEREST

None received.

3. PUBLIC PARTICIPATION

None received. Meeting being recorded and will be available for viewing.

4. MINUTES OF COMMUNITY SUPPORT & ENGAGEMENT COMMITTEE OF 19th AUGUST 2020

RESOLVED THAT: The minutes of the meeting held on 19th August 2020 were approved as an accurate record. Note: minutes to be signed at next opportunity.

5. COMMUNITY SERVICES WORK PROGRAMME

The Community Services Manager reported that the work programme had been decimated by the impact of Covid 19 and ongoing restrictions. This would impact on planned Christmas activities. He provided the following update:

- **Christmas Tree in Maghull Square:** London and Cambridge Properties (LCP) have advised that there will be Christmas lights but no Christmas tree at Maghull Square this year. This is due to ongoing works to improve the car park. They are looking at options for planting a living tree for future years.
- **Pensioners Lunch/Hampers:** Council will be unable to host a lunch this year due to restrictions on gatherings. Recommend that increase the number of hampers. In 2019 provided 55 hampers at a cost of £500. Recommend offer 100 hampers at a cost of up to £1,000. Will work with Morrisons Community Champion again as they offer a discount which allows more food items for the hampers. Will use Venue for packing hampers to allow for social distancing. Hampers to be delivered in the week of 14 December. Nominations for hampers and help in delivering very welcome.

- Food Bank: Demand for support is increasing. They will need extra support for Christmas. Have requested selection boxes and pyjamas for Children. The Council has been supporting the Food Bank via Sefton Ward Funding secured by Cllr McKinley. There was less than £100 left. Recommend that funding vired from underspends to support the Food Bank
- Christmas Competition for Children. Competition open to different age groups. Prizes to be awarded. All entrants to receive a selection box

Key points made by Cllrs:

- Consider vulnerable families as well as older members of the community for hampers. Schools and Maghull Family Well Being Centre will be able to help
- Those on the vulnerable Persons list to be contacted to check if they would like a hamper
- Cllrs Carragher, Fergusson and Y. Sayers offered to volunteer at the Food Bank
- Other local stores to be contacted (Asda, Lidl, Aldi and Home Bargains) to see if they can provide support for Hampers.
- Consider a Christmas picture hunt/trail around Maghull

RESOLVED THAT:

- 1. Interim work programme for Christmas 2020 approved**
 - a. Number of Christmas Hampers to be increased to up to 100 for pensioners and vulnerable families**
 - b. Funding to be vired to support the Maghull Food Bank**
 - c. Christmas Competition for Children to be launched**
- 2. The report be noted.**

6. COMMUNITY SERVICES BUDGET 2021/22

The Community Services Manager reported that the Committee needed to consider budget expenditure and priorities for 2021/22. The budget for 2020/21 had been affected by Covid. If council rental remains reduced the activities budget will stay at £16,467 broken down as follows:

| | |
|--------------------------|------------------|
| NEIGHBOURHOOD ACTIVITIES | 2,500.00 |
| EVENTS | 2,917.00 |
| CHRISTMAS ACTIVITIES | 2,550.00 |
| YOUTH PROVISION | 4,000.00 |
| GRANTS | 4,500.00 |
| | 16,467.00 |

- **Events:** It was hoped that events could be hosted in 2021/22. The Town Clerk had suggested that the Committee may want to consider an increase in Precept to host a “celebration” event post pandemic as and when this becomes possible.
- **Civic Awards:** Would look to host in Spring 2021. Event would be bigger to recognise the contribution of volunteers supporting the community during the Pandemic. A paper would be presented with proposals for categories in response to comments that current categories may not best reflect contributions made. It was agreed to increase the budget from £1,800 to £3,000.
- **Income Generation:** Will look to maximise income through external grants and land hire charges. The Circus and Fair were keen to return which would generate income. It was noted that there is pressure on grant funding. Cllr Sharp may be able to advise as he has secured external funding for projects he is leading on.
- **“Friends Of “Groups:** Some funding will be required to support Friends of Groups. Groups developing in Bobby’s Wood, Dodds Park and Glen Park. Support received from group led by Cllrs K and T Hughes.

Note Cllr Doherty left the meeting at 18.50pm due to work commitments.

Key points made by Cllrs:

- Will host community events, when its safe to do so
- Noted that unlikely to be able to host events until Quarter 2 or 3 2021/22
- Cllr Carragher happy to support Cllr Sharp’s work in Bobby’s Wood

RESOLVED THAT:

1. **The events budget to be increased to include £3,000 for the Civic Awards**
2. **Funding for “Friends Of” Groups agreed**
3. **The report be noted**

7. COMMUNITY YOUTH SUPPORT NETWORK

Cllr Mullen was unable to attend the meeting due to work commitments. Cllr Fergusson is happy to help. It was noted that the Active Foundation Soccer league had been postponed until after the second lockdown. Deyes High and Maricourt had expressed interest. Expecting good uptake when the league can start

RESOLVED THAT: The report be noted.

8. CHAIRS REPORT

The Chair was pleased to report that Sefton Council had helped feed and support vulnerable children in need during half term. She noted that vulnerable children would be helped by decisions made at the meeting to support Maghull Food Bank. She asked Cllrs who wanted to support the Food Bank to contact the Community Services Manager.

She thanked everyone for attending. She reminded everyone to stay safe.

RESOLVED THAT: The report be noted.

CHAIRMAN

DRAFT

MAGHULL TOWN COUNCIL
FINANCE & GENERAL PURPOSES COMMITTEE MEETING
HELD 9th SEPTEMBER 2020

PRESENT - Councillor J Sayers (In the Chair) and Councillors (Cllrs): K & T Hughes, D Mullen and S Doherty.

ALSO PRESENT – A McIntyre (Town Clerk) D. Healey (Finance Officer) and S. Lawrence (Minutes). Public viewing via YouTube.

1. APOLOGIES FOR ABSENCE – Cllr C Carlsen, T Carr & P Mckinley.
2. DECLARATION OF INTERESTS – None notified.
3. PUBLIC PARTICIPATION – due to the Covid 19 pandemic public participation is submission of comments or questions to the Council prior to the meeting commencing. None received.
4. MINUTES OF THE PREVIOUS MEETING

RESOLVED that the Minutes of the meeting held on 27th February 2020 for Finance & General Purposes Committee were approved as a correct record.

5. TREASURER'S REPORT AND FINANCIAL STATEMENTS AS AT 31st JULY 2020

The Finance Officer reported that all budgets are currently showing an under spend. This is mostly due to the Covid 19 pandemic. Town Hall budget has completed payments on two PWLB loans; however there is an outstanding amount £302,242.48 on other loans. The Local Government Association has agreed a 2.75% pay award for staff on Green Book Terms and Conditions. The pay award is for one year and has been backdated to April 2020 for all Maghull Town Council Staff. Facilities have received there ROSPA reports and shows a lot of work needs completing to the park equipment, therefore there will be a rise in spending from there budget.

RESOLVED that The Financial Statements as of 31st July 2020 be noted.

6. AGREEMENT WITH KNOWSLEY COUNCIL TO PROVIDE PROCUREMENT SUPPORT

The Town Clerk gave a brief overview of the report, explaining the importance of procurement. Members requested as the Finance & General Purposes Committee held in February 2020 that Sefton MBC and Liverpool City Region Authorities be approached to see if they would be willing to provide support for procurement purposes to the Council. LCR stated that they would not be willing to enter into such agreement with the Council. Sefton MBC stated that they were not in a position to assist the Council at this time. Therefore Knowsley is our best option at this time. Also the re-wire on the Town Hall is on hold due to MTC needing a full specification to

provide to a contractor. Procurement training would be provided to MTC Staff and Cllrs.

RESOLVED that:-

- 1. Maghull Town Council enters into a Service Level Agreement with Knowsley Council Procurement Team for a period of 1 year;**
- 2. Agreed that the cost of the SLA is to be met from savings within the procurement function;**
- 3. The report be noted.**

7. CHAIRS REPORT – None Given.

8. EXCLUSION OF PRESS & PUBLIC

RESOLVED that the press and public be excluded due to confidential nature of the item under discussion.

9. DEBTORS TO THE COUNCIL

The Finance officer provided members with a brief update of the debtors report. Prior to lockdown a number of invoices were issued to users of the Town Hall and other buildings. A recommendation to write to debtors to ensure debt is paid before access is granted to the Town Hall.

RESOLVED that:-

- 1. All members agreed to follow the debtors policy;**
- 2. Agreed the Finance Officer to write to bad debtors informing them access will be restricted until all outstanding debt is paid;**
- 3. The report be noted.**

10. MAGHULL TENNIS CLUB

The Town Clerk provided overview of the report. The Tennis club has met with officers and councillors in the past to discuss their difficulties in paying their rent. Before lockdown officers of the Club met with representatives of the Council to discuss a way forward for the club. To date the Council has not received any communication from the Club despite several promptings. Maghull Town Council officers have issued invoices according to the debtors' policy and are at stage 2.

If members decide to give the Club notice to quit, an asset would come back into the Council's use. It is proposed to refit the pavilion to enable the Grounds Maintenance Team to have wet/dry rest facilities i.e. sufficient space to dry their wet gear. The portakabin is classed as a temporary structure and as such has lasted well as the GMT's rest room. However, it is not particularly suitable for their needs and it would be an opportunity to improve their working environment. Quotes are currently being

obtained for the work to facilitate this change. The Tennis club would still be able to use the courts free of charge and use the Town Hall for players meetings going forward.

RESOLVED that:-

- 1. Agreed to give Maghull Tennis Club notice to quit;**
- 2. Transfer the GM team to the pavilion;**
- 3. The report be noted.**

CHAIRMAN