



**MAGHULL
TOWN
COUNCIL**

Maghull Town Hall

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

You are hereby summoned to attend an Ordinary Meeting of the Council which will be held in the Council Chamber, Maghull Town Hall on Wednesday 20 April 2022 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.

1 Apologies For Absence

2 Declarations of Interest

3 Public Participation.

4 To Confirm the Minutes of the Last Meeting

Members are asked to confirm the minutes of the Full Council meeting held on 2nd February 2022 (Pages 1-6)

5 The Venue Lease Arrangements

Members are asked to agree the arrangements for the new Licensee for the Venue. (Pages 7-8)

6 Planning Applications.

DC/2022/00375

Development of a 'net zero carbon in operation' eight-form entry Secondary School (Class F1) for 1,200 pupils to replace the current Deyes High School buildings except for the Sixth Form, for 300 pupils, which will be retained. Development comprises the demolition of the existing school buildings, excluding the Sixth Form, and the erection of a two and three story new building with associated indoor and outdoor sports facilities, a part-covered six court multi-use games area (MUGA), external canopies, an energy centre and service compound, covered cycle parking, motorcycle and car parking, alterations to the site access, hard and soft landscaping, fencing, boundary treatments and signage, together with the formation of a temporary access from Deyes Lane for construction purposes and the provision of contractor facilities and associated works required during construction.

P.T.O.

Deyes High School Deyes Lane Maghull Liverpool L31 6DE

DC/2020/00418

Inspectorate Ref: APP/M4320NV/21/3284528

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.

Site Of Former Royal British Legion , 326 Liverpool Road South, Maghull, L31 7DE

LCC/2022/0003

Demolition of existing building and erection of purpose built building (and ancillary structures) to house high temperature treatment facility for the management of medical waste

Culzean W2E Ltd, Tower House, Stopgate Lane, Simonswood Industrial Park
Simonswood.

7 Municipal Calendar

The proposed municipal calendar for 2022-23 is attached for approval. (Pages 9-11)

8 Fair deal for Maghull Campaign

Members to receive a verbal update on the campaign.

9 Council Vacancy - Co-option

Members are asked to consider the candidates for the vacancy on Maghull Town Council.

10 Report on Sefton Borough Council Matters

For noting only. Please note Sefton MBC is currently within Purdah regulations.

11 Chairman's Closing Comments

For noting only.

12 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 paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

13 Update on Leases

Members are asked to consider the valuations received for property owned by the Council. (Pages 12-14)

A. McIntyre

Miss A. McIntyre FSLCC
Town Clerk

Minutes of the Full Council Meeting Held Wednesday 02 February 2022 at 6:30 PM

Those present :

Mayor : Cllr J Sayers

Councillors : Cllr Ju Burns, Cllr Jo Burns, Cllr C Carlsen, Cllr A Carr, Cllr C Carragher, Cllr J Desmond, Cllr R Ferguson, Cllr K Hughes, Cllr A Lloyd, Cllr P Mc Kinley, Cllr Y Sayers, Cllr F Sharp

In attendance : Ms P Landor, Mr E Landor

Officers : P Dillon, D Healey, S Lawrence, A Mc Intyre, A Spencer

1 Apologies For Absence

Apologies were received from Cllr T Hughes.

2 Declarations of Interest

All Cllrs except for Cllr Carr declared a prejudicial interest in Item 6 Budget 2022/23. Dispensation granted.

3 Public Participation.

Mr K Pheysey from Scrummies informed the Council he felt it was unfair to be served a 3 month notice to vacate the premises. As the notice put his business at risk, this will cause a loss of revenue and puts future bookings within Maghull in jeopardy.

Mr K Pheysey previously forwarded Questions below to The Town Clerk:

1. Regarding your letter dated the 19th Jan 2022 – it is stated “Although heads of terms are in place, the absence of a signed lease between both parties, has caused confusion on how the pavilion should be used and what roles and responsibilities each party has” It is clear from council minutes dated the 16th May 2018 that the Pavilion (section 3 – subsection b) states “That as part of the leasehold agreement, the “top” bowls pavilion is only used for the purposes of storing and preparing food as part of the catering arm of Scrummies Ltd; Please explain the confusion?

Town Clerk: The confusion spoken of relates to the maintenance of the building i.e. who is responsible for maintaining the fabric of the building not what activity takes place within the building.

2. In the same agreed minutes, it is stated “Should Members approve the recommendations of officers, Sefton Council’s Legal Department will be requested to draft a lease between Maghull Town Council and Scrummies Ltd. Upon receipt of this lease, this will be presented to Full Council for approval at the next available meeting” Despite numerous repeated requests and after nearly 4 years no lease has been issued. I have discussed this with Angela on numerous occasions and the answer was always “Sefton Council do take their time” 4 years! – How many times has a request been made to Sefton Council for a draft lease agreement?

Town Clerk: The Council is disappointed that a lease has not been signed. I have contacted Sefton Legal Services several times regarding the lease. However, Covid 19 has meant that their services have been reduced as they have focussed on more immediate legal issues e.g. child endangerment. Following on from the Amenities Committee request for an independent commercial valuation, any discussion of the lease was put on hold until this valuation was completed.

3. In your letter it is stated “We have received a report back from this contractor that the soak-away has reached the end of its life and requires replacement. These works will result in significant cost to council” A number of questions arise from this from our point of view. We have not been presented with the alleged report! We have not been invited to discussion around cost to rectify! Why?

Town Clerk: The contractor has stated that the soak away, which should be for freshwater run off not foul water, is completed blocked with grease. The soak away comprises a large pit full of stones. All of the stones and sides of the pit are covered in grease. The two options are to replace or clean out. The pavilion cannot be connected to the mains drains as the fall is too shallow and would mean a pipe running over the bowling green and the Council losing this asset. Following discussions with our pest controller the cheaper option of digging a new soak away has been rejected as the grease in the "old" soak away would attract vermin to the pavilion and naturally bring them closer to the main building. It is not usual for the Council to share internal documents or commercially sensitive information with third parties.

4. How much has the contractor quoted to attach the Pavilion to the main drainage system? And how many quotations have been sourced?

Town Clerk: No quotes have been sourced as we have been told that the drop is too shallow to allow the drains at the pavilion to be connected to the main drains. A previous quote for works like this has given an average of £100 per meter. A guesstimate of the distance from the pavilion to the main drains is 100 – 150 meters.

5. Simply put - why did you (Angela) not have the decency to discuss the issues with us so we could possibly agree an amicable way forward? With respect to Council, as outlined in our email dated the 23rd January 2022- the Town Clerks decision could have a devastating impact on the reputation of our business – what levels of authority are provided to a Town Clerk as this decision has cost over £5k lost to budget.

Town Clerk: The matter of the issues with the grease in the soak away has been discussed several times with you by Siobhan, Phil, Alex and myself. The decision to terminate the tenancy was taken under emergency powers after discussion with the Leader of the Council. This was because there was a public health issue with the continuing discharge of grease to the soak away despite requests that this cease, the issues around pest control in the area and the public liability issue to the Council of a public footpath being covered in greasy water which would be a significant health hazard to any member of the public. Barriers have gone up today to ensure the safety of the public who use the park. However, this plainly cannot continue as it is, and a permanent solution must be found. The public are very sensitive to any restrictions on their movement in a public park. The loss of revenue to the Council is £4200 p.a. which is 0.059% of the precept. The cost of works to ensure the pavilion is suitable for a commercial catering operation is considerably more than that.

6. I would suggest this question also relates to verbal (lack of) discussions to find amicable solutions. On the 18th Oct 2021 we were informed that the lease of the "Venue" had been passed over and the new tenant wished to cancel the lease. As a catering company in need of a working kitchen (and aware of the issues around the ongoing suitability of the Pavilion) In 2020 – 2021 budget this function room raised £28,090 towards the precept-why was this not put to Public tender prior to awarding a new contract and also why has it only just been announced (over 3 months later at over a possible loss pro rata cost of £7k) to the budget? We as a business may have been looking to secure this lease.

Town Clerk: The lease for the Venue is still open. Packs detailing the heads of terms and conditions of tenancy will be ready to be issued early next week with a window to apply for the tenancy of 4 weeks. The Council will then decide to whom the lease will be awarded. The offer to apply is open to Scrummies.

7. Some minor questions – On agreement of the lease we were advised access could be obtained via the bottom gate on occasion. We attempted this and we were told this was not allowed – who authorised the leisure centre staff to "spy" on us and then lied to in emails saying a member of the public said,, Why has the Town Hall not fulfilled its obligations to arrange maintenance to the Pavilion? Soffits/Facia/drains etc ?

Town Clerk: No one has authorised anyone to spy on anyone else. The park is open to members of the public who have complained that the grassy areas are damaged when the van is driven over them. If they spot this on a weekend they go the Leisure Centre who pass this on to the Town Hall. The Council has also received complaints from MOPs who aren't happy about the damage inflicted by the van's tyres. These complaints have been discussed with you and you have been asked to park on the car park not on the grass verges and use the path around the bowling green to access the pavilion. You have been asked to use the path way because the bowling green surface can be damaged if it is walked on when it is being chemically treated particularly during the winter months.

The Council has spent a considerable amount of money dealing with the drain's issues and has responded promptly when notified of the overflowing soak away. The lease offered would have been a full repairing lease which meant that Scrummies would have been responsible for the fabric of the building.

Cllrs comments:

- The bowling hut is not fit to run a catering company from.
- Issues with the soak away could be dangerous to the public.
- The Lease should have been completed sooner.
- Good communication between Scrummies and MTC is a must.

This issue to be added to the amenities meeting on 9th February 2022 for the committee to make a decision.

Mr K Pheysey left the meeting.

All Members agreed to move item 8 before item 4.

8 Recreation Mitigation Strategy Consultation

Members received a presentation from Edward Landor regarding the Recreation Mitigation Strategy which was currently out for consultation. This related to a draft information note relating to an additional charge for developers of residential estates to mitigate the impact on the coast that increased numbers of visitors would mean. This had resulted in a two tier system in coastal zone and outer zone with a levy on each zone which could be detrimental to Maghull.

Members discussed the impact that the proposed strategy would have on Maghull which included:

- Developers taking advantage of the cheaper levy in the eastern parishes
- A preferential levy for the use of brown field sites not being proposed
- SANGs being too far away to be a useful decoy to the coast e.g. Arrowe Park
- The zones being calculated by distance rather than travel time
- The top slicing of monies away from Maghull despite development taking place within the area.

It was proposed that MTC should:

- Disseminate the technical feedback produced by Landor Planning Consultants as our feedback to the consultation to be used as the basis for the Council's response to the consultation.
- Organise and lead a town-wide fair deal campaign for Maghull, and instruct the

Town Clerk to identify a budget to engage the community in the campaign and write to the leader of Sefton Council and formally request that;

a) There should be no top slicing of S.106 monies from Maghull based developments to fund activities outside of the area. To allocate any funding to support Maghull based diversionary activities already outlined within Maghull's Neighbourhood Plan.

b) Allocate a fair share of the new homes bonus to Maghull as we are taking a large percentage of Sefton's housing needs.

c) Reintroduce double-rating from Sefton Council.

d) Any "community" S.106 funding arising from Maghull based development, should be used for the strategic priorities within Maghull's Neighbourhood Plan.

A Recorded Vote was requested.

FOR - Cllr June Burns, Cllr Carlsen, Cllr Carr, Cllr Ferguson, Cllr Ken Hughes, Cllr Lloyd, Cllr McKinley, Cllr John Sayers, Cllr Yvonne Sayers, Cllr Sharp.

AGAINST - Cllr Carragher.

ABSTAIN - Cllr Desmond.

Therefore the motion was carried.

RESOLVED that:-

- 1. MTC to disseminate the technical feedback produced by Landor Planning Consultants as our feedback to the consultation together with the additional points raised during the debate;**
- 2. The analysis provided by the technical feedback be used to lead a town-wide fair deal campaign for Maghull;**
- 3. The Town Clerk be authorised to allocate the budget for the campaign from agreed resources;**
- 4. That the report be noted.**

Cllr Josh Burns left the meeting.

Edward and Philippa Landor left the meeting.

4 To Confirm the Minutes of the Last Meeting

RESOLVED that the Minutes from Full Council on 3rd November 2021 were approved as a correct record.

5 Budget Report 2022-23

The Finance Officer provided a summary of the budget report. MTC was committed to making efficiency savings wherever they could as well as seeking to maximise additional income by using external funding to make up the gap between core business responsibilities and the burden on the tax payer. However, the precept has had to be raised in the last 2 years to ensure that services continue to be provided. Although this precept level was the highest in Sefton it was not the highest within Merseyside.

Members discussed the recommendation to increase the level of precept considerably due to the level of works required and the cost of living increases which were forecast. This would mean a precept increase of £15.57 to £122.21 per Band D property, a 30p per week increase if all the works in the Asset Maintenance Plan were funded. This would give an overall precept level of £830,916 or 76p per week per resident. This would be a 12.75% increase in the precept.

During the debate Members also discussed the proposal to charge the Leisure Centre for parking on MTC land. It was proposed to discuss the matter further with Sefton MBC/Leisure Centre representatives to find a way forward for the charge.

RESOLVED that:-

- 1. The level of precept to be requested for the financial year 2022-23 would be £830,916;**
- 2. The budget for the forthcoming financial year 2022-23 as proposed be agreed;**
- 3. The proposed charging schedule and the fees/rent for the financial year 2022-23 be agreed;**
- 4. A meeting be arranged between MTC and the Leisure Centre to discuss the charge for the car park;**
- 5. That the report be noted.**

6

Hillsborough Law

Cllr Carlsen informed members that the Hillsborough Law has come from a review of the experiences of the Hillsborough families by former Bishop of Liverpool the Right Reverend James Jones - 'The Patronising Disposition of Unaccountable Power'.

Cllr Carlsen asked MTC to formally support the Hillsborough Law and ensure that the correct representations are made to the appropriate ministers in getting this bill through the House and made into law.

RESOLVED that

- 1. All Members agreed to support the Hillsborough Law;**
- 2. The organising group be written to expressing the support given by MTC to the proposals;**
- 3. The report be noted.**

7

Vexatious Complainant Policy

Members were informed that a Vexatious Complaints Policy was required by the Council to enable such complaints to be dealt with in an evenhanded and considered way. The appropriate way to deal with constant complaints from the same person or group was to have a policy which clearly set out how MTC would approach the matter and how any subsequent complaints would be dealt with.

The draft policy set out the method by which the Council would deal with such Complaints. The F&GP Committee had scrutinised the policy to determine whether the measures outlined in the policy would be sufficient or whether they needed to be more robust. They decided to recommend the policy to Full Council for adoption.

RESOLVED that:-

- 1. All Members agreed the proposed Vexatious Complaints Policy be adopted;**

2. That the report be noted.

9 Town Hall Rewire

Members were informed that the rewire of the Town Hall was a overall success and came in under budget. There were a few issues that still need to rectified. However, overall the work was completed satisfactorily.

Cllr Carlsen left the meeting.

10 Minutes for Noting

RESOLVED that the minutes of Finance and General Purposes Committee on 6th October 2021, Amenities Committee 6th October 2021, Community Services Committee on 13th October 2021 be noted.

11 Report on Sefton Borough Council Matters

No Report was received.

12 Chairman's Closing Comments

The Mayor thanked all Members for attending the meeting. Also congratulated Alex Spencer on his new job and wished him well on the behalf of MTC.

CHAIR

Report to: Full Council
Date of Meeting: 20th April 2022
Agenda Item Number 5
Subject: Licensee for The Venue
Report of: Town Clerk
Exempt / Confidential No
Report:

Summary

This reports details the process undertaken to award the contract for the Venue.

Maghull Town Council Priority	Yes/No
1. Development and Protect the Community	No
2. Develop Parks and Green Spaces	No
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	No
8. Statutory Requirement	No

Recommendation(s)

1. Members agree to the new arrangements for the Venue;
2. The report be noted.

Reasons for Recommendation(s)

The Licence/Lease for the Venue has been vacant since October 2021 and a new licensee is in place following a full tender procedure.

Alternative Options Considered and Rejected

None

What will it cost and how will it be financed?

(A) Revenue

The rent for the Venue will be included in the revenue for the council for the current financial year.

(B) Capital

Implications of Recommendations:

Financial Implications	The Council will start to receive rent plus a service charge for the accommodation.
Resource Implications	None

Legal Implications	LGA 1972, LTA 1954
Equality & Diversity Implications	None

Implementation Date for Decision

Following Full Council

Appendices

None

Background Papers

None

Contact Officer	Angela McIntyre
Telephone Number	0151 526 3705
Email Address	Angela.mcintyre@maghull-tc.gov.uk

1. Background

The Venue's lease had expired and the current licensee di not wish to take up the offer of a continuance. Therefore, the Venue lease has been put out to tender so that the Council can achieve best consideration for the accommodation. The tender was publicised during March 2022 with a closing date of 1st April 2022. At that point 2 tenders were received.

The tender was opened under the Council's Contract Awarding rules in the presence of 3 councillors, namely Cllrs McKinley, J Sayers and Carr. Following an examination of the tender documentation it was agreed that the contract be awarded to Venue Events (NW) Ltd.

The signed Heads of Terms have been sent to Legal Services for them to draw up the lease with a proposed start date of 1st May 2022.

Recommendation(s):-

- 1. Members agree to the new arrangements for the Venue;**
- 2. The report be noted.**

Report to: Full Council
Date of Meeting: 20th April 2022
Agenda Item Number 7
Subject: Municipal Calendar
Report of: Town Clerk
Exempt / Confidential No
Report:

Summary

Maghull Town Council needs to agree its meeting dates for the forthcoming municipal year.

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

Recommendation(s)

Members are requested to:

1. Agree the dates of the meetings as detailed in the report and attached appendix;
2. Note the report.

Reasons for Recommendation(s)

MTC needs to agree its calendar of meetings and publish them on its website as part of its openness and transparency policy.

Alternative Options Considered and Rejected

None

What will it cost and how will it be financed?

(A) Revenue

None

(B) Capital

None

Implications of Recommendations:

Financial Implications	See above
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Resource Implications	Officer Time
Legal Implications	LGA 1972
Equality & Diversity Implications	None

Implementation Date for Decision

Immediately following the Council meeting.

Appendices

Draft Municipal Calendar

Background Papers

None

Contact Officer	Angela McIntyre
Telephone Number	0151 526 3705
Email Address	Angela.mcintyre@maghull-tc.gov.uk

1. Background

Every year the Council agrees its timetable of meetings, usually before the municipal year commences. To fit in with legislation the Council must hold an Annual Council meeting before 1st June each year (except in an election year which will be 2023).

2. Current Position

The Council must hold an Annual Council meeting by 1st June 2023 except in an election year when it must meet within 14 days of that election. The date of the election is Thursday 4th May 2023 and therefore MTC must hold its Annual Council by Thursday 18th May 2023.

Recommendation(s):-

- 1. Agree the dates of the meetings as detailed in the report and attached appendix;**
- 2. Note the report.**

Date	Meeting	Date	Meeting
2022		2023	
18 th May	Full Council (Annual Council)	21 st December – 4 th January	Christmas Holidays
30 th May – 3 rd June	Half Term	18 th January	Personnel Sub Committee
22 nd June	Community Services	25 th January	Full Council (Budget Council)
29 th June	Full Council	8 th February	Amenities
6 th July	Finance & General Purposes	13 th – 17 th February	Half Term
13 th July	Amenities	22 nd February	Community Services
20 th July	Personnel Sub Committee	15 th March	Finance & General Purposes
20 th July – 1 st September	Summer Holidays	22 nd March	Personnel Sub Committee
7 th September	Full Council	31 st March – 17 th April	Easter Holidays
28 th September	Finance & General Purposes	26 th April	Town Assembly/Full Council
5 th October	Amenities	4 th May	Elections
12 th October	Community Services	17 th May	Full Council (Annual Council)
24 th Oct – 28 th Oct	Half Term		
2 nd November	Full Council		
16 th November	Community Services		
23 rd November	Amenities		
7 th December	Finance & General Purposes (Budget)		

Please note: All meetings will take place on a Wednesday and start at 6.30 pm in the Council Chamber at Maghull Town Hall.

