

**NOTICE IS HEREBY GIVEN to attend a Meeting of the Full Council which will be held in the COUNCIL CHAMBER at MAGHULL TOWN HALL on Wednesday 6th September 2023 at 6:30 PM**

**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 last meeting held on 28th June 2023 (pages 1 - 4)

**5 Local Plan - SPD Consultation**

***Recreation Mitigation on the Coast Supplementary Planning Document - Scoping***

The Councils in the Liverpool City Region (Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral) and West Lancashire Borough Council are jointly preparing a Recreation Mitigation on the Coast Supplementary Planning Document (SPD), in partnership with Natural England and the National Trust. Further information and details on how to comment can be found at [www.sefton.gov.uk/recreationmitigation](http://www.sefton.gov.uk/recreationmitigation).

The Recreation Mitigation on the Coast SPD scoping is available for comment until **8am Monday 9th October 2023**. Members are asked to consider the report (pages 5 - 22)

**6 Planning Applications.**

DC/2023/1007 Maghull Football Club, Tommy Gent Way, Maghull, Liverpool, L31 3DY  
Erection of 1 No. covered stand (seating); 1 No. covered stand (standing); 2 No. covered dugouts; 1 No. entrance booth with turnstile; pitch perimeter barrier (1.1m height); ground boundary fencing; siting of 6 No. 15 metre high floodlighting columns and provision of hardstanding to a minimum width of 0.9 metres from pitch side perimeter on all four sides of the pitch.

PTO

DC/2023/01041 Land At Durants Cottages Melling Lane Maghull L31 3DG  
Erection of 4 No. semi detached dwellings (plots 1, 2, 3 and 4) following the demolition of No's 1 and 2 Durants Cottages. Erection of 2 No. detached dwellings (plots 5 and 6) and erection of replacement dwelling following demolition of No. 4 Durants Cottages.  
Conversion and reinstatement of of No. 4 Melling Lane including two storey extension to the rear to form a dwellinghouse. Creation of a communal garden, with a new access road from Melling Lane and associated car parking

DC/2023/00065 - Variation of Condition 2 pursuant to planning permission  
DC/2017/01532 - Poverty Lane, Maghull Land Bounded By Poverty Lane To The South, A Railway Line To The West. Whinny Brook To The North And The M58 Motorway To The East, Maghull,  
Variation of condition 2 pursuant to planning permission DC/2017/01532 allowed on appeal  
ref APP/M4320/W/20/3257252 date: 22/02/2021 - to be changed to: The southern half of the distributor road shall be completed by March 2024, but no more than 498 dwellings shall be occupied until the distributor road between Poverty Lane and School Lane, as shown on drawing A083347 91-18-C001-rev-E (or a subsequently approved version thereof), is constructed and available for use by the public.

Members are asked to consider the report (pages 23 - 46)

## **7 LA Boundary Review**

A public consultation on the future of Sefton's local government boundaries is running from 25th July 2023 to 2nd October 2023. Members are asked to consider whether to submit a response from the Council (pages 47 - 49)

## **8 Request to Change the Licensing Provision - The Venue**

Members are asked to consider the report (pages 50 - 53)

## **9 Minutes for Noting**

For information only (pages 54 - 61)

## **10 Chairman's Closing Comments**

For information only.



Miss A. McIntyre FSLCC  
Town Clerk

# **Minutes of the Full Council Meeting Held Wednesday 28th June 2023 at 6:30 PM**

Those present :

Mayor : Cllr K Hughes

Deputy Mayor : Cllr Jo Burns

Councillors : Cllr L Birchall, Cllr G Birchall, Cllr P Brougham, Cllr P Darlington, Cllr J

Desmond, Cllr R Ferguson, Cllr M Lock, Cllr S May, Cllr C Parker, Cllr C Purcell

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

## **1 Apologies For Absence**

Apologies were received from Cllrs Leatherbarrow, McCormack, McKinley, and Sayers.

## **2 Declarations of Interest**

None received.

## **3 Public Participation.**

None.

## **4 Grant Application - Maghull In Bloom**

John Spicer - Chair of Maghull in Bloom and trustee Rosalynne Gill attended the meeting to present their grant application for the forthcoming year. A brief update on Maghull in Bloom was provided. All Members thanked Maghull in Bloom for their amazing work around the town.

Cllr Lock gave special mention to Betty Fletcher who unfortunately has passed, as she was a fantastic volunteer who would be sadly missed. Cllr Lock proposed, if grant application agreed, the amount of the grant be increased by 10% due to current inflation from £2000 to £2200. All members agreed.

**RESOLVED that the grant application for Maghull in Bloom for £2200 be agreed.**

## **5 Planning Applications.**

Members discussed the planning applications listed on the agenda. Several residents attended the meeting for the application to place an advertising hoarding at the junction of Hall Lane and Northway (DC/2023/00930). It was noted that the permission to place this hoarding had already been agreed by MTC at a previous meeting and that the make up of the Council was different to that which had agreed the contract with the applicant. A resident handed in a petition objecting to the development which would be sent to Sefton LPA on the resident's behalf.

**RESOLVED that the applications be noted.**

**6 To Confirm the Minutes of the Last Meeting**

**RESOLVED** that the minutes of the Annual Council Meeting held on 17th May 2023 be approved as a correct record.

**7 Minutes for Noting**

**RESOLVED** that the minutes be noted.

**8 Civility and Respect Pledge**

Members were informed of the Civility and Respect Pledge, which was an initiative brought by the Local Council Sector to encourage good behaviour amongst councillors and staff so that the working environment for all would be professional and considerate. By signing this pledge MTC would be the first Local Council in Sefton to sign the Pledge and the second in Merseyside. Halewood TC had already signed the Pledge.

**RESOLVED** that:

- 1. The Council would sign the Pledge;**
- 2. The report be noted.**

**Cllr S May left the meeting.**

**9 AGAR - Annual Return to External Auditor**

Members considered the Annual Return as part of the External Audit requirements. The Town Clerk read out the following questions to Elected Members of the Council as detailed in Section 1 of the Annual Return:-

1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements. The Town Clerk confirmed that the Council has answered 'yes' to this question and asked if elected members agreed. **Members confirmed their agreement.**

2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness. The Town Clerk confirmed that the Council has answered 'yes' to this question and asked if elected members agreed. **Members confirmed their agreement.**

3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances. The Town Clerk confirmed that the Council has answered 'yes' to this question and asked if elected members agreed. **Members confirmed their agreement.**

4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations. The Town Clerk confirmed that the Council has answered 'yes' to this question and

asked if elected members agreed. **Members confirmed their agreement.**

5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required. The Town Clerk confirmed that the Council has answered 'yes' to this question and asked if elected members agreed. **Members confirmed their agreement.**

6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems. The Town Clerk confirmed that the Council has answered 'yes' to this question and asked if elected members agreed. **Members confirmed their agreement.**

7. We took appropriate action on all matters raised in reports from internal and external audits. The Town Clerk confirmed that the Council has answered 'yes' to this question and asked if elected members agreed. **Members confirmed their agreement.**

8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements. The Town Clerk confirmed that the Council has answered 'yes' to this question and asked if elected members agreed. **Members confirmed their agreement.**

9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit. The Town Clerk confirmed that the Council has answered 'not applicable' to this question as the Council do not have any Trust Funds, and asked if elected members agreed. **Members confirmed agreement.**

#### **RESOLVED that:**

- 1. Section 1 of the Annual Governance Statement 2022/23 be approved and signed by the Town Clerk and Mayor;**
- 2. Section 2 – Accounting Statements 2022/23 be approved and signed by the Finance Officer and Mayor;**
- 3. The publication dates of the accounts be noted;**
- 4. The Annual Governance Statement be submitted to PKF Littlejohn, the External Auditor;**
- 5. The report be noted.**

**10**

#### **Business Plan 2023- 2027**

Cllr C Parker, the Leader of the Council, provided an overview of the Business Plan 2023-2027. Members were informed:

- The Vision for Maghull Town Council.
- This business plan was only a overview as the details will be formed by the committees.
- MTC core business would be the parks and green spaces.
- Goal was to have a sustainable, greener Maghull.

- Improve accessibility, bio-diverse green spaces in our parks.
- Ensuring our spaces would be multi-generational.
- Review neighbourhood plan to link in Home Watch for safer Maghull.
- Continue ideas for the business network, collaborating with businesses in Maghull.
- Review the Maghull Advice Centre and how to improve the offer for residents.

It was noted that the Business Plan was weighted towards Community Services within the Council. Members discussed that this could prove an excessive level of commitment for the team and that some of the objectives could move to a different team to assist with the completion of the Business Plan's core features. It was also noted that this was a living document which would see some revisions during its lifetime so that it was an agile and relevant document.

**RESOLVED that:**

- 1. The Business Plan 2023-2027 be approved and adopted by the Council;**
- 2. The report be noted.**

**11 Chair's Report**

The Mayor thanked all for attending and stated that he would like the Council to work together as team going forward.

CHAIR

**Report to:** Full Council  
**Date of Meeting:** 6<sup>th</sup> September 2023  
**Agenda Item Number** 6  
**Subject:** Local Plan – SPD Consultation  
**Report of:** Town Clerk  
**Exempt / Confidential**  
**Report:**

### Summary

As a statutory consultee, the Council has the right to comment on planning policies, both established and in draft form, which affect the area.

<b>Maghull Town Council Priority</b>	<b>Yes/No</b>
1. A Sustainable and Greener Maghull	No
2. High Quality, Accessible, Biodiverse Green Spaces and Parks	No
3. An Excellent Offer for the Youth of Maghull	No
4. A Great Place to Live, Work and Visit	Yes
5. Statutory Requirement	Yes

### Recommendation(s)

1. Members agree the comments to be submitted for the scoping document;
2. That the report be noted.

### Reasons for Recommendation(s)

The Town Council is a statutory consultee for the area, and it is appropriate for the Council to represent the residents by making comments on any draft policies, if so desired.

### Alternative Options Considered and Rejected

None. The Council is a statutory consultee for planning policies and it is appropriate for the Council to represent the residents to the LPA.

### What will it cost and how will it be financed?

#### (A) Revenue

Any Planning Consultant costs are met from the Neighbourhood budget.

#### (B) Capital

None

### Implications of Recommendations:

<b>Financial Implications</b>	None
<b>Resource Implications</b>	Met within the appropriate budget

<b>Legal Implications</b>	LGA 1972, Town and Country Planning Act 1990
<b>Equality &amp; Diversity Implications</b>	None

### **Implementation Date for Decision**

Immediately following the Council meeting.

### **Appendices**

None

### **Background Papers**

Neighbourhood Plan  
Previous submissions to LPA

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

### **1. Background**

The Council has previously submitted its response to the Recreation Mitigation Strategy as adopted by Sefton MBC. As this is a regional document it is proposed to submit the same document again to ensure that the Council's views are taken into account at the regional level.

It should be noted that the comments were submitted under the previous administration.

### **Recommendation(s):-**

- 1. Members agree the comments to be submitted for the scoping document;**
- 2. That the report be noted.**

**Liverpool City Region and West Lancashire**

# **Recreation Mitigation on the Coast**

**Supplementary Planning Document**

## **Scoping Report**

**August 2023**

## **Recreation Mitigation on the Coast SPD**

The Local Planning Authorities (LPAs) of the Liverpool City Region (Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral) and West Lancashire are jointly preparing a Recreation Mitigation on the Coast Supplementary Planning Document (SPD), in partnership with Natural England and the National Trust. Once adopted, this will replace the current interim approaches several of the Councils have in place.

Recreation mitigation on the coast is a process to reduce harm arising from new housing development due to more people visiting the coastal internationally important nature sites. The SPD will set out what proposals applicants for certain new developments will have to do to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) regarding recreation pressure on the Coast.

This scoping report is the first step in preparing the SPD. The SPD will provide detailed guidance on the interpretation and implementation of policies within the Local Plans of each of the participating authorities.

The purpose of this document is to engage key stakeholders in considering the scope and content of the SPD in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

The responses on this scoping report will inform the preparation of a draft SPD, which will then be published for formal consultation together with a Consultation Statement setting out how comments received have informed the content of the SPD. All comments received will be taken into account in preparing the final version of the SPD which will then be taken forward for adoption. Once adopted the SPD will carry full weight as a material consideration in the determination of planning applications.

**Comments should be made by 08.00 Monday 09 October 2023**

## **What is a Supplementary Planning Document (SPD)?**

SPDs give more detailed guidance to policies in the Adopted Local Plan, 'made' (i.e. adopted) Neighborhood Plans and a future Spatial Development Strategy for the Liverpool City Region. They are subject to public consultation under The Town and Country Planning (Local Planning) (England) Regulations 2012. Once adopted SPDs are material considerations in the determination of planning applications.

## **Planning Policy Context**

### SPD Links with National Policy and Legislation

The SPD will be produced so it is consistent with the National Planning Policy Framework (NPPF) and The Town and Country Planning (Local Planning) (England) Regulations 2012. Regard will also be had to the Planning Practice Guidance (PPG) and the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations).

### SPD Links with Local Plans

The SPD will be prepared to provide further guidance in relation to the interpretation and implementation of the relevant policies in each of the Local Plans of participating authorities.

### **Halton**

Policy HE1: Natural Environment and Nature Conservation

Pages 166-168

Policy CS(R)20: Natural and Historic Environment

Pages 80-82

CS(R)21: Green Infrastructure

Page 89 of

<https://www3.halton.gov.uk/Documents/planning/planning%20policy/newdalp/DALP%20Adopted.pdf>

### **Knowsley**

Policy CS8 Green Infrastructure

Pages 81-82 [Knowsley Local Plan: Core Strategy](#)

<https://localplanmaps.knowsley.gov.uk/documents/knowsley-local-plan-adopted-core-strategy.pdf>

### **Liverpool**

Policy STP3 Protecting Environmentally Sensitive Areas

Policy GI6 Protection of Biodiversity and Geodiversity

Pages 239-240 of <https://liverpool.gov.uk/media/1361302/01-liverpool-local-plan-main-document.pdf>

### **St Helens**

Policy LPC06 Biodiversity and Geological Conservation

Pages 125-126 of [Microsoft Word - Local Plan Written Statement - FINAL adoption version 16.06.2022 \(sthelens.gov.uk\)](https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local_Plan_Written_Statement_-_FINAL_adoption_version.pdf?m=637940059004200000)

[https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local\\_Plan\\_Written\\_Statement\\_-\\_FINAL\\_adoption\\_version.pdf?m=637940059004200000](https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local_Plan_Written_Statement_-_FINAL_adoption_version.pdf?m=637940059004200000)

### **Sefton**

Policy NH2 Nature

Pages 136-137 of [Local Plan \(sefton.gov.uk\)](#)

<https://www.sefton.gov.uk/media/1133/a-local-plan-for-sefton-for-adoption-final.pdf>

### **Wirral (note, Local Plan submitted for examination)**

Policy WD3 Biodiversity and Geodiversity

Pages <https://www.wirral.gov.uk/files/sd1-wirral-local-plan-2021-2037-submission-draft-may-2022-reg-19-publication-final-260422/download?inline>

### **West Lancashire**

Policy IF4: Developer Contributions

Policy EN2 Preserving and Enhancing West Lancashire's Natural Environment

Pages 133-136 and 141-149 of [https://www.westlancs.gov.uk/media/546038/wllp\\_oct-2013.pdf](https://www.westlancs.gov.uk/media/546038/wllp_oct-2013.pdf)

## **Sustainability Appraisal and Strategic Environmental Assessment**

Supplementary Planning Documents do not require a Sustainability Appraisal (SA) but may in exceptional circumstances require a Strategic Environmental Assessment (SEA) if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the relevant strategic policies.

This SPD supplements policies in the Local Plans of the participating LPAs, all of which have been subject to SA and SEA and detailed scrutiny at the Examination (in the case of Wirral examination is underway). The SPD is focused on environmental mitigation measures. It is therefore considered that a Strategic Environmental Assessment is not required.

If you believe SEA is required, please set out what the exceptional circumstances are requiring one to be undertaken as part of your response.

## **Habitats Regulations Assessment**

Supplementary Planning Documents in exceptional circumstances require a Habitats Regulations Assessment where they are likely to have a significant effect on the conservation objectives of designated nature sites of international importance or on the integrity of such a site.

This SPD is being prepared to help reduce likely significant effects on the internationally important nature sites on the Coast (shown at Appendix A) which were identified in the Habitats Regulations Assessment Reports for the Local Plans in each area. The SPD seeks the conservation management of the habitats and species for which these sites were designated. It is therefore considered that further Habitats Regulations Assessment is not required for this SPD.

If you believe further Habitats Regulations Assessment is required, please set out what the exceptional circumstances are requiring one to be undertaken as part of your response.

## **Scope of Recreation Mitigation on the Coast SPD**

It is proposed that the SPD will cover and be organised as follows:

- **Introduction**  
General introduction to the topic; what we are trying to achieve; what an SPD is; overview of the sub region
- **Legislative and Policy Context**  
Overview of relevant legislation and the national planning context; summary of city region Spatial Development Strategy and individual Local Plan policies; summaries of Local Plan HRA conclusions
- **Protected areas in sub-region**  
Overview of designated nature sites of international importance in the area (including map – see Appendix A); the reason for their protection; overview of how they are under threat/pressure

- **Need for sub-regional approach**  
Why impacts arising from recreational disturbance is cross boundary; link to evidence and link to survey work to show how people visit from the wider area
- **Potential and likely impact of new development on protected areas**  
Scale and type of new development proposed (e.g. housing, employment, visitor accommodation etc); potential impact of that growth; summary of survey work and what this shows
- **Identified mitigation measures required**  
General overview of mitigation measures; introduction, definition and explanation of Strategic Access Management and Monitoring (SAMMs) and Suitable Accessible Natural Green Spaces (SANGs); types of measures that will be acceptable
- **Securing mitigation measures**  
Different options that developers have to mitigate the impact of their proposal; introduction of an approach to mitigation through a financial contribution that developers can opt in to; potential different zones for variable charging rates; charging rate to pay for mitigation measures; approach if developers do not opt in
- **Implementation and Monitoring**  
How we will secure improvements; how we will collect 'opt in' fee; how will identify priorities for spend; how this will be managed; indicators

## Timetable of SPD preparation and Next Steps

Note, this timetable is indicative at this stage and is subject to change.

SPD Scoping consultation starts	Monday 14 August 2023
SPD Scoping consultation end	08.00 Monday 09 October 2023
Draft SPD prepared, considering comments made to the scope, Chief Planners and Growth Director approval	October - November 2023
Political reporting / approval following consideration of comments	November 2023
Publish draft SPD for consultation	December 2023
Take account of comments made and update the SPD	Early 2024
Adopt the SPD	Late Spring - Summer 2024

This consultation (on the scope of the SPD) will run for eight weeks to take account of summer holiday period. Following this, Officers will review your comments, which will be used to inform the preparation of a draft SPD. This will then be consulted on and the responses again reviewed and appropriate amendments made to the SPD, as necessary, before the final version of the SPD is then adopted by all the LPAs.

## How to get involved

This document has been prepared to identify the scope of the emerging Recreation Mitigation on the Coast SPD and raise awareness of, and interest in the document. Comments are sought on the scope that has been set out through this document.

## How to comment

Comments on whether you agree with the scope of this SPD and/or whether there are other things that should be included should be sent to:

[rmsconsultations@sefton.gov.uk](mailto:rmsconsultations@sefton.gov.uk)

RMS Scoping Consultation  
Merseyside EAS  
The Barn, Court Hey Park  
Roby Road  
Huyton  
Merseyside  
L16 3NA

Comments must be received by **08.00 Monday 09 October 2023**

For help in completing this form, please contact [rmsconsultations@sefton.gov.uk](mailto:rmsconsultations@sefton.gov.uk)

## Data Protection

The personal information provided in your consultation responses will be processed in accordance with the requirements of the Data Protection Act 2018.

- All comments, including personal details, received will be logged securely.
- Comments from private individuals will be published online but these will be made anonymous
- Comments from groups, organisations and companies will be published online giving name of group, organisation and company only
- No contact details (including home address, email or telephone number) will be published
- The Council may need to contact you to request further information or clarification in relation to the comment(s) made
- Personal details will be used for the purposes of SPD production only

For further information see:

Halton

[Data Protection \(halton.gov.uk\)](https://www3.halton.gov.uk/Pages/councildemocracy/Data-Protection.aspx)

<https://www3.halton.gov.uk/Pages/councildemocracy/Data-Protection.aspx>

Knowsley

[Data protection | Knowsley Council](https://www.knowsley.gov.uk/your-council/data-protection)

<https://www.knowsley.gov.uk/your-council/data-protection>

Liverpool

[Privacy notice - Liverpool City Council](https://liverpool.gov.uk/privacy-notice/)

<https://liverpool.gov.uk/privacy-notice/>

St Helens

[Your data rights - St Helens Borough Council](https://www.sthelens.gov.uk/article/5374/Your-data-rights)

<https://www.sthelens.gov.uk/article/5374/Your-data-rights>

Sefton

[www.sefton.gov.uk/PlanningGDPR](http://www.sefton.gov.uk/PlanningGDPR)

Wirral

[Data Protection Policy | wirral.gov.uk](https://www.wirral.gov.uk/about-council/freedom-information-and-data-protection/data-protection-policy)

<https://www.wirral.gov.uk/about-council/freedom-information-and-data-protection/data-protection-policy>

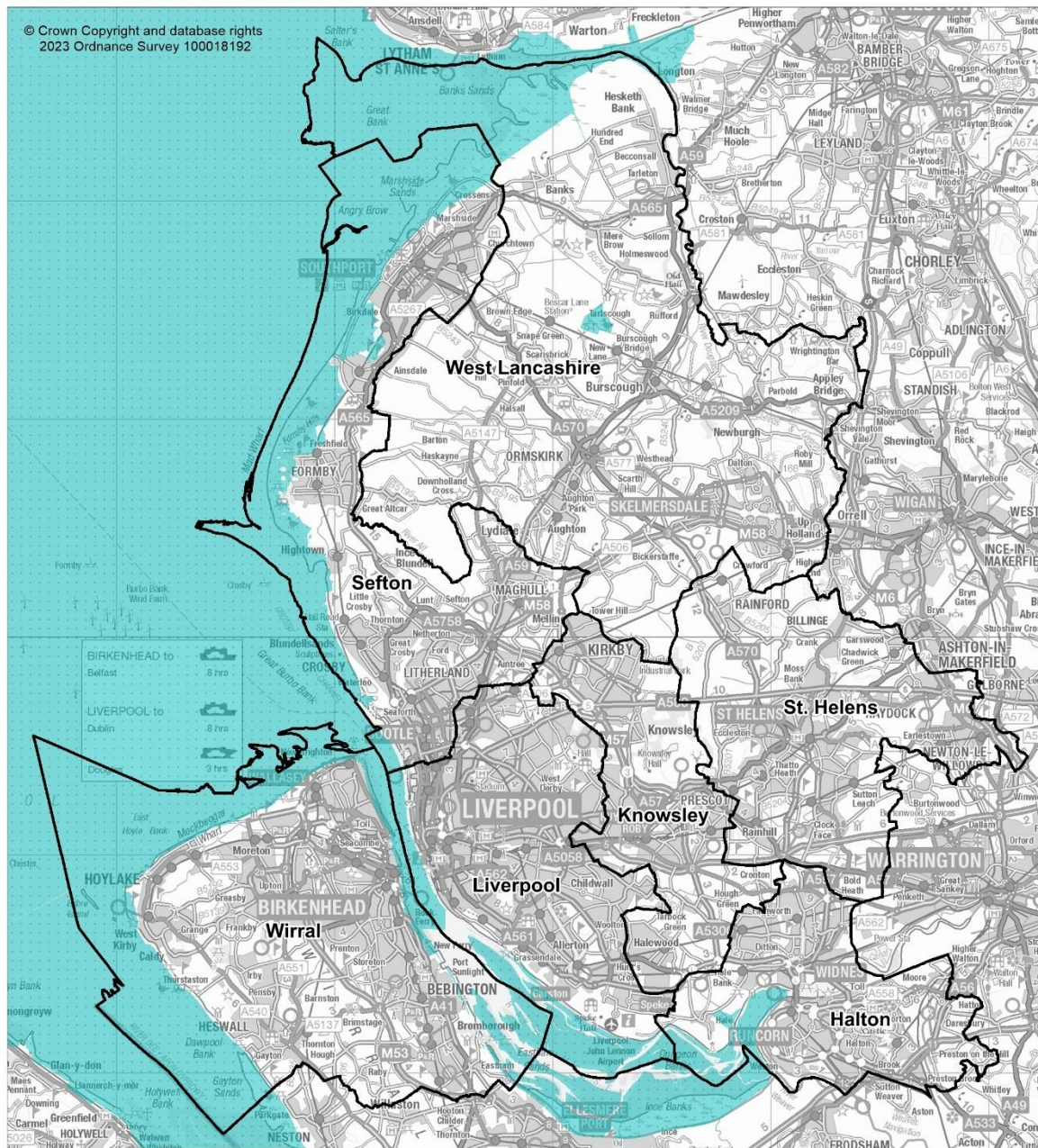
West Lancashire

[UK General Data Protection Regulation \(GDPR\) - West Lancashire Borough Council \(westlancs.gov.uk\)](https://www.westlancs.gov.uk/about-the-council/information-governance/general-data-protection-regulation-gdpr.aspx)

<https://www.westlancs.gov.uk/about-the-council/information-governance/general-data-protection-regulation-gdpr.aspx>

## Appendix A

### Map of Participating Authorities and Protected Coastal Designations





**MAGHULL TOWN COUNCIL**

Planning Services  
Sefton Council  
Magdalen House  
30 Trinity Road  
Bootle  
L20 3NJ

Angela McIntyre Town Clerk  
Maghull Town Hall  
Hall Lane  
Maghull  
Merseyside L31 7BB

Date: 23<sup>rd</sup> February 2022  
Our Ref:  
Your Ref:  
Tel: 0151 526 3705

Email: [angela.mcintyre@maghull-tc.gov.uk](mailto:angela.mcintyre@maghull-tc.gov.uk)

Dear Sir/Madam,

**2021 Draft Information Note: Managing and Mitigating the impact of recreation pressure on the Sefton Coast – Sefton’s Interim Approach Draft for Consultation and development management purposes**

Maghull Town Council (MTC) welcomes the opportunity to comment on Sefton Council’s 2021 Draft Information Note on Managing and Mitigating the impact recreation pressure on the Sefton Coast – Sefton Interim Approach (SIA) published for public consultation ending on 25 February 2022.

The SIA and Draft Evidence Report (Version 24) - Towards a Liverpool City Region European Sites Recreation Mitigation and Avoidance Strategy (DER) were fully considered at a MTC Full Council meeting held on 2 February 2022.

MTC takes a close interest in the planning and development of Maghull and the surrounding area. It was responsible for the preparation of Maghull Neighbourhood Plan (2017-2037), which forms part of the statutory development plan.

The policies of the Neighbourhood Plan set out MTC’s commitment to ensure that community infrastructure is considered as part of the planning process. This includes provision for Open Space improvements including outdoor recreation and the enhancement of Green Corridors (Policy MAG1, AP6.8- 6.9).

MTC’s response to public consultation on SIA is set out below and is made in the context of MTC’s ongoing strategic priorities set out in the Neighbourhood Plan.

**Developing a Recreation Mitigation Strategy**

MTC acknowledges that the Habitat Regulations place a legal responsibility on Local Authorities to mitigate any adverse impact from planned growth on designated and protected European Sites. In the background documentation published for consultation, it is explained that Natural England (the statutory body responsible for nature conservation in England) requires that a strategic solution, in the form of a Recreation Mitigation Strategy (RMS) is prepared and implemented for the Liverpool City Region (LCR). The DER confirms that Local Authorities in the LCR are currently working in collaboration to prepare

a RMS. Progress to-date on the development of an RMS is welcomed and supported by MTC.

MTC supports the principle of developing and implementing a RMS for the Liverpool City Region led by the Merseyside Environmental Advisory Service.

MTC notes that the RMS is still at an embryonic stage. The DER confirms that data to support an RMS is incomplete and at present inadequate, and is to be addressed by commissioning new surveys, in order to provide a robust evidence base.

It is anticipated that the necessary surveys will be completed in June 2022. With the evidence base provided by this survey information, an RMS will be formulated and following consultation in Spring 2023 adopted in the same year.

The timetable and programme for developing the RMS is set out in Section 11 of the DER. However, MTC wish to bring to your attention that there appear to be errors and/or inconsistencies in the chronological sequence and timeframes indicated (reference paragraph 5.54 and 11.2 of the DER). The chronology and timescales set out in Section 11 suggest that the earliest adoption date may in fact be mid 2024 as opposed to 2023.

The current position can therefore be summarised thus. The DER is a Draft document to be updated and informed by further evidence gathering before formulating and promulgating a strategic solution, a RMS. Moreover, the aims and objectives of the RMS have yet to be determined. Similarly, the governance procedures for implementation of a strategy, and the measurement and success criterion following implementation are as yet not identified.

MTC would therefore suggest that the aims and objectives of the RMS must acknowledge the Maghull Neighbourhood Plan as a development plan document and respond to Neighbourhood Plan Policy MAG1: Priorities for funding Infrastructure Projects.

#### 2021 Draft Information Note

The initiative taken by Sefton Council in progressing an SIA is welcomed by MTC.

Nevertheless, the introduction of SIA which proposes to introduce an opt-in levy on new housing or opt- out alternative, prior to the formulation of a RMS, is considered to be premature and unjustified at this point in time for the following reasons:

- 1) The Interim Approach is not justified in the absence of an RMS underpinned by robust evidence base;
- 2) The RMS is still to be produced and subject to public consultation.
- 3) The RMS is a Liverpool City Region response to the issue of mitigating and managing recreational pressures on coastal designated sites. The issues, response and solution to relieve recreational pressure on sensitive coastal areas requires a regional response and not a 'go it alone' initiative as proposed;
- 4) The introduction of an opt-in levy prior to determining how funds are to be used or the ability to measures the effectiveness of any mitigation is invalid and fundamentally unsound;
- 5) The interim approach advocated by Sefton Council does not consider Open Space improvements including outdoor recreation and the enhancement of Green Corridors (Policy MAG1, AP6.8- 6.9), which are identified in the Maghull Neighbourhood Plan.

### Draft Evidence Report (DER) and Survey Data

The DER reports that there are significant evidence-base shortcomings to be resolved prior to completing the RMS. Several different visitor surveys are referred to (reference DER, paragraph 5.2 and 10.1) and were undertaken between 2009 – 2018. These surveys provide a range of information covering different years, locations and methodologies. The surveys were not designed to understand or interpret the link between housing, improved access and recreation activity at the coast. de Environmental Advisory Service.

Significantly, most of the surveys undertaken preceded the opening of Brooms Cross Road and the impact it has undoubtedly had in making the Sefton Coast more accessible to the wider urban conurbation, east of the Borough.

The DER recognises this has to be addressed and appreciates that the formulation of RMS cannot be progressed until this data is available and assessed.

MTC agrees that the RMS cannot be formulated before requisite evidence and surveys have been completed. The DER reports that this is the conclusion reached by the RMS Steering Group. The roll out of the SIA is therefore premature and itself not underpinned by a robust evidence basis.

MTC consider that the surveys to be conducted should assess the impact of improved accessibility to the Sefton Coast since Brooms Cross Road was opened in 2016.

### Housing, Future Growth

The proposition in the DER is that recreational pressures on coastal areas and protected European sites derives from housing growth and that any mitigation measures shall be funded by imposing a levy on new housing completions.

The hypothesis in DER that recreation pressure is a direct consequence of housing growth in the region is false. Recreational pressures on the coast derives from the existing population and is not merely a function of new housing development. In fact, the concept that the burden of mitigation falls on new housing is an oversimplification. New housing growth does not necessarily correspond to population growth as the factors that influence housing need and provision include the rate of household formation and demographic profile of the existing population. It is not solely linked to population growth. Recreation pressures on the coast arise from health, wealth, lifestyle, more leisure hours and increased car ownership.

Moreover, (Habitat Regulations place a legal responsibility on local authorities to mitigate any adverse impact from planned growth on designated European Sites). The DER identifies that increased pressure on the coast also derives from economic activity namely the growth of Liverpool 2 and the expansion of the Liverpool John Lennon Airport. Although the Sefton Local Plan allocates 81.6 hectares of land for employment, there is no suggestion that contributions towards meeting the cost of mitigation should be sought from businesses. This suggests that there is a disproportionate burden on housing development, which is expected to fund all mitigation measures without any contribution from businesses.

Appendix 8 of the DER sets out details of intervention measures and costs for Site Access Management Measures (SAMB) and Sustainable Alternative Natural Greenspace (SANG) based on 15-year financial period with an estimated cost of circa £9.2m.

It is proposed that this cost is to be met by imposing an opt-in levy or tariff on new dwellings for schemes of 10 or more homes. A differential tariff is to be applied for new dwellings according to their location within a defined 'Core' and 'Outer Zone'.

Based on housing requirements set out in emerging and adopted Local Plans, it is estimated that the potential supply of new in the City Region in both Core and Outer Zones will be 68,334 dwellings.

MTC consider that this figure is an overestimate mainly drawn from the housing provision identified from Local Plans prepared by Local Authorities. However, these plans cover different periods of time. For instance, the Local Plans adopted by Knowsley and Sefton end in 2028 and 2030 respectively, before the conclusion of the 15-year financial plan. Beyond this period, housing provision in these two Local Authority areas will be dependent on a Local Plan review, which is awaited. Wirral Council has yet to publish its Draft Local Plan and any predictions regarding housing supply have yet to be tested at Examination. Nevertheless, the potential supply of new housing in Wirral is set at 11,400 over the next 15 years.

The assumptions regarding housing growth and delivery are suspect. Consequently, if the rate of house completions falls short of the predicted levels then the expenditure costs identified in the Financial Plan will not be met.

MTC consider that placing the burden of mitigation of costs on new housing development is a disproportionate to the impact that housing development will have on recreational pressure on coastal areas. There is no evidence that recreational pressure on the coast increases in correlation to house completion rates. MTC objects to the approach taken, and on matters of detail, and particularly the mechanism for funding the cost of mitigation.

### Inner Core and Outer Core Zones

The DER and SIA propose a spatial approach to recreation pressure avoidance. Two zones are identified. An inner core zone of up to 5km to European site boundaries generating an assumed 75% of coastal visits and an outer zone of >5km generating less than 25% of visits.

The Core and Outer Zones are defined on Map 1 of the SIA. Maghull and Aintree are located in the Outer Zone and the rest of the Borough in the Inner Zone.

Paragraph 2.2 of the SIA identifies that a contribution will be required for each new home, £299 per new dwelling in the Core Zone (closest to the Coast) covering Bootle, Crosby, Formby and Southport, and £63 per dwelling in the Outer Zone (away from the Coast). This includes most of Sefton East – Maghull and Aintree.

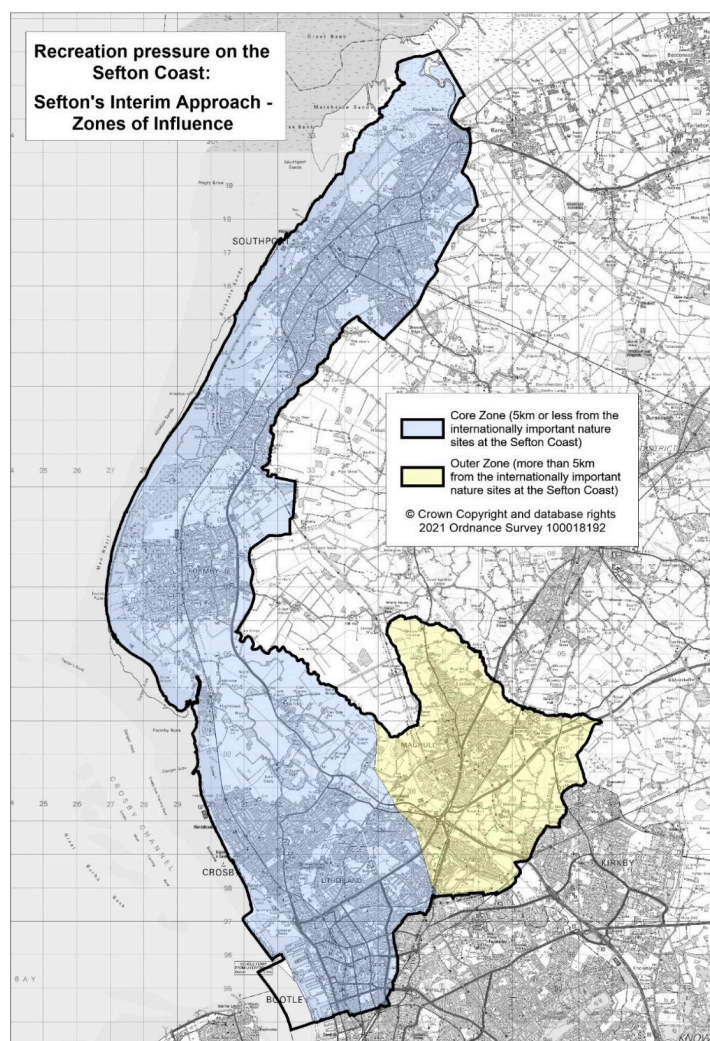


Figure 1 - Core zone and outer zone of influence, in relation to the Sefton Coast (Extract from 2021 Information Note: Managing and mitigating the impact of recreation pressure on the Sefton Coast - Sefton's Interim Approach)

There is no explanation as to how the figure of £299 and £63 were reached. Thus, it is not possible to assess whether these differing amounts are justifiable or valid. The survey data does not support the differential tariff proposed to be applied in each zone or any other measures in advance of RMS.

The Council's proposition is that recreation pressure on the Coast arise solely from new housing development, and therefore the cost of mitigation should be funded by financial contributions from housing developers. If this is the case, why then is a discount proposed for Maghull which accommodates the largest housing allocation in the adopted Local Plan (Site MN2.47 – Land East of Maghull, 85.8 hectares, 1400 dwellings).

The justification for the largest housing allocation on land at East of Maghull was on the basis that it would provide a sustainable urban extension. A key factor was its accessibility to the highway network and public transport connections, and therefore it is a contradiction

in point to suggest that residents and new householders in Maghull are constrained in terms of accessibility, and thus less likely to visit the coast.

Moreover, the limits of the Core and Outer Zones are based on a 5km distance from European sites, with some allowance for accessibility. The allowance for accessibility does not appear to have taken into account the ease of access to the coast from Maghull and further east provided by Broom Cross Road.

Indeed, as previously referred to, the evidence base provided by surveys carried out-to-date were in the main undertaken before the opening of Broom Cross Road in 2016. If the spatial approach to recreation pressure avoidance is adhered to, then in the view of MTC this should be based on drive time (isochrone) mapping techniques as opposed to physical distance i.e <5km or > 5km.

Furthermore, the proposed differential tariff makes make no allowance for socially deprived areas such as Bootle where the level of contribution will be the same as areas in the Borough where land values are higher.

There is also no relief for previously developed sites which ought to be regarded as a priority over greenfield locations.

#### **‘Procedural Missteps’**

Section 8 of the DER sets out avoidance and mitigation options in the form of SAMMs and SANGs. The estimated costs for SAMMs are set out in Appendix 8 of the DER. Examples of potential SANG locations by Local Authority area are set out in Table 8 of DER. There are no cost details for SANGs proposed within the Core or Outer Zone as DER advises these are likely to be complex and dependent on-site specific considerations.

The approach adopted raises a number of issues.

MTC considers that the principle of preparing a detailed cost plan and mitigation measures (SAMMS) before deciding, determinising and consulting on a strategic solution (RSM) is fundamentally flawed and incorrect – ‘the cart before the horse’.

Paragraph 35 of the National Planning Policy Framework (NPPF) advises that ‘Local Plans and spatial development strategies’ are to be examined to assess whether they have been prepared in accordance with legal procedural requirements and whether they are sound’. This is defined as ‘Positively Prepared, Justified, Effective and Consistent with national policy’.

Sefton Local Plan has been subject to public consultation, a process of examination and adoption. In accordance with paragraph 35 of NPPF, it has been found to be ‘Positively Prepared; Justified; Effective and consistent with national policy’.

However, the introduction of a tariff (i.e. planning obligations) on new housing at the mid - point of the adopted Local Plan has to satisfy a different set of tests set out in NPPF.

Paragraph 57 of NPPF identifies that planning obligations must only be sought where they

meet all of the following tests (Regulation 122(2) of the Community Infrastructure Levy Regulations 2010) namely:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development;
- c) Fairly and reasonably related in scale and kind to the development.

The evidence and survey data demonstrating that the imposition of a tariff on new homes is necessary has not been undertaken (a). The link between new housing development and recreational pressure is not proven and, in any case, will not apply to all residential developments (b). In accordance with criterion c), planning obligations must be relevant and fairly and reasonably related to the development to be permitted, otherwise their introduction is ultra vires. There is no reference in the SIA to the above national planning policy requirements.

The tariffs proposed under SIA should not be brought in as an ad hoc measure in advance of a fully articulated and justified RSM. The DER identifies that additional surveys are to be undertaken and therefore the action proposed is not 'Justified'. The measures proposed and costed in Appendix 8 of DER are not effective as RSM is promoted as a strategic approach for the Liverpool City Region. SIA is an interim measure promoted on a unilateral basis by one Local Authority.

All sites allocated for residential development in the Sefton Local Plan were viability tested. Allocated sites already completed or with planning permission will be exempt whilst those sites still to come forward will carry an additional burden in addition to any site-specific planning policy requirements. The MTC view is that any financial obligations to be imposed should be considered as part of the Local Plan Review process, now due five years post-adoption of the Sefton Local Plan.

In addition, MTC is concerned as regards the implications on the Maghull Neighbourhood Plan. The Neighbourhood Plan forms part of the statutory development plan. It sets out local strategic objectives which include provision for Open Space improvements including outdoor recreation and the enhancement of Green Corridors (Policy MAG1, AP6.8- 6.9). The interim approach advocated by Sefton Council does not consider the provisions of the Maghull Neighbourhood Plan. There is a heightened risk of the Neighbourhood Plan being disregarded at LCR level in the absence of acknowledgement and support from Sefton Council.

#### **Matters of Detail**

MTC consider that the costed and proposed measures set out in Table 1 of Appendix 8 have been prepared prematurely. The measures and actions proposed are put forward in advance of a strategy.

As an observation, there are relevant details omitted. For example, it is noted there is no cost provision for the accommodation of staff appointed and no provision of for equipment, training or recruitment.

We trust that above representations will be taken fully into account and that the evolution of a Strategic Approach to mitigating the impact of recreation pressure on European protected sites in preference to a unilateral initiative as proposed – SIA. MTC wishes to participate in the consultation process to achieving that objective and wishes to be notified at the appropriate stage

Yours faithfully

Prepared by Landor Planning Consultants Ltd on behalf of Maghull Town Council  
PO Box 1983  
Liverpool  
L69 3FZ



**Report to:** Full Council  
**Date of Meeting:** 6<sup>th</sup> September 2023  
**Agenda Item Number** 7  
**Subject:** Planning Applications  
**Report of:** Town Clerk  
**Exempt / Confidential**  
**Report:**

### Summary

As a statutory consultee, the Council has the right to comment on planning applications within the area.

<b>Maghull Town Council Priority</b>	<b>Yes/No</b>
1. A Sustainable and Greener Maghull	No
2. High Quality, Accessible, Biodiverse Green Spaces and Parks	No
3. An Excellent Offer for the Youth of Maghull	No
4. A Great Place to Live, Work and Visit	Yes
5. Statutory Requirement	Yes

### Recommendation(s)

1. Members agree the comments to be submitted for the applications
2. That the report be noted.

### Reasons for Recommendation(s)

The Town Council is a statutory consultee for the area, and it is appropriate for the Council to represent the residents by making comments on the applications, if so desired. The Council has agreed to comment, if required, on major applications and changes of use.

### Alternative Options Considered and Rejected

None. The Council is a statutory consultee for planning applications and it is appropriate for the Council to represent the residents to the LPA.

### What will it cost and how will it be financed?

#### (A) Revenue

The Planning Consultant costs are met from the Neighbourhood budget.

#### (B) Capital

None

### Implications of Recommendations:

<b>Financial Implications</b>	None
<b>Resource Implications</b>	Met within the appropriate budget

<b>Legal Implications</b>	LGA 1972, Town and Country Planning Act 1990
<b>Equality &amp; Diversity Implications</b>	None

### **Implementation Date for Decision**

Immediately following the Council meeting.

### **Appendices**

None

### **Background Papers**

Neighbourhood Plan  
Appeal decision  
Previous submissions to LPA

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

## **1. Background**

The Council has represented the residents during the process of planning applications and appeals for the LEM site since 2017.

The Council continues to represent Maghull during the applications as they continue to come through for the site.

The Council's Planning Consultants, Edward and Philippa Landor have provided draft comments for the two major applications on the agenda.

### **Recommendation(s):-**

- 1. Members agree the comments to be submitted for the applications**
- 2. That the report be noted.**



# CHRONOLOGY AND OVERVIEW LAND EAST OF MAGHULL

Maghull Town Council Meeting of 6 September 2023

On Behalf of  
Maghull Town Council  
August 2023

**LANDOR** Planning  
Consultants Ltd

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APPENDIX 1 – SEFTON LOCAL PLAN POLICY MN3 – LAND EAST OF MAGHULL

## 1.0 PLANNING POLICY BACKGROUND

- 1.1 The statutory framework for Maghull and wider Borough comprises the Sefton Local Plan (SLP) adopted April 2017 and Maghull Neighbourhood Plan (MNP) adopted January 2019.
- 1.2 Policy MN2 of the SLP identifies approximately 85 hectares known as Land East of Maghull as allocated for housing, employment and mixed-use development.
- 1.3 Policy MN3 of the SLP identifies that the development of the site is intended to create a *sustainable urban extension* consistent with an overall master plan. Components of the overall development are to include a minimum of 1,400 dwellings, a 20-hectare business park adjacent to the M58, a small-scale local shopping centre, flood relief channel and a main park along Whinny Brook, sports provision and a distributor road (running between School Lane in the north and Poverty Lane in the south). Part 6 of MN3 includes a series of phasing requirements including a limitation that no more than 250 dwellings shall be served from School Lane and 250 dwellings from Poverty Lane prior to the construction of an internal bus route/distributor road. A full copy of Policy MN3 is attached as Appendix 1. The phasing requirements in Part 6 are highlighted.
- 1.4 This site is also the subject of Policy MAG 6 in the MNP, that requires the masterplan to include the distribution of land uses and a framework for the delivery of essential infrastructure.

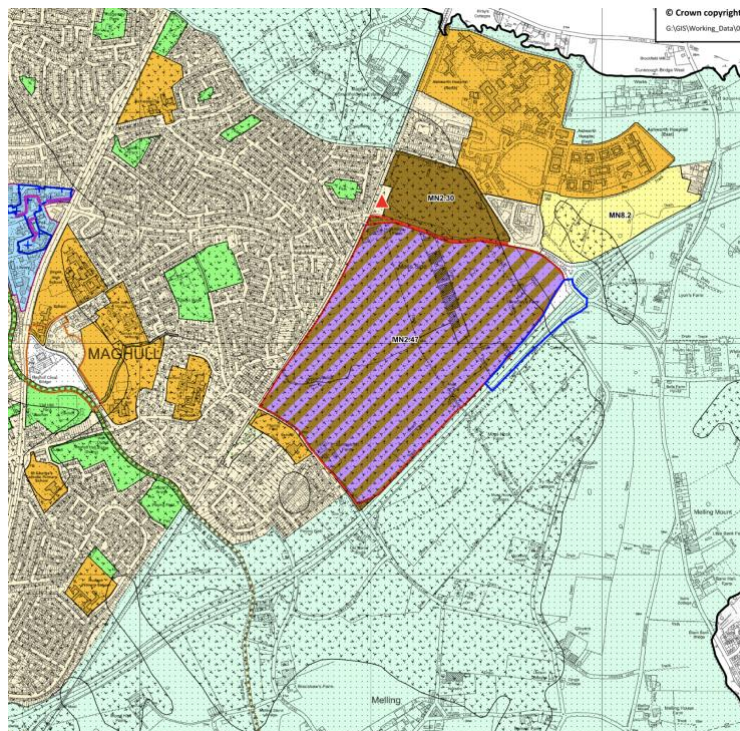


Figure 1 – Land East of Maghull – Housing, Employment and Mixed Use Allocation (Sefton Local Plan

Table 1 – Planning Policy Chronology

Policy Document	Date of Adoption/Approval by Sefton Council
Sefton Local Plan	April 2017
Land East of Maghull SPD	September 2017
Maghull Neighbourhood Plan	January 2019
Land East of Maghull Master Plan	January 2019

## 2.0 PLANNING HISTORY

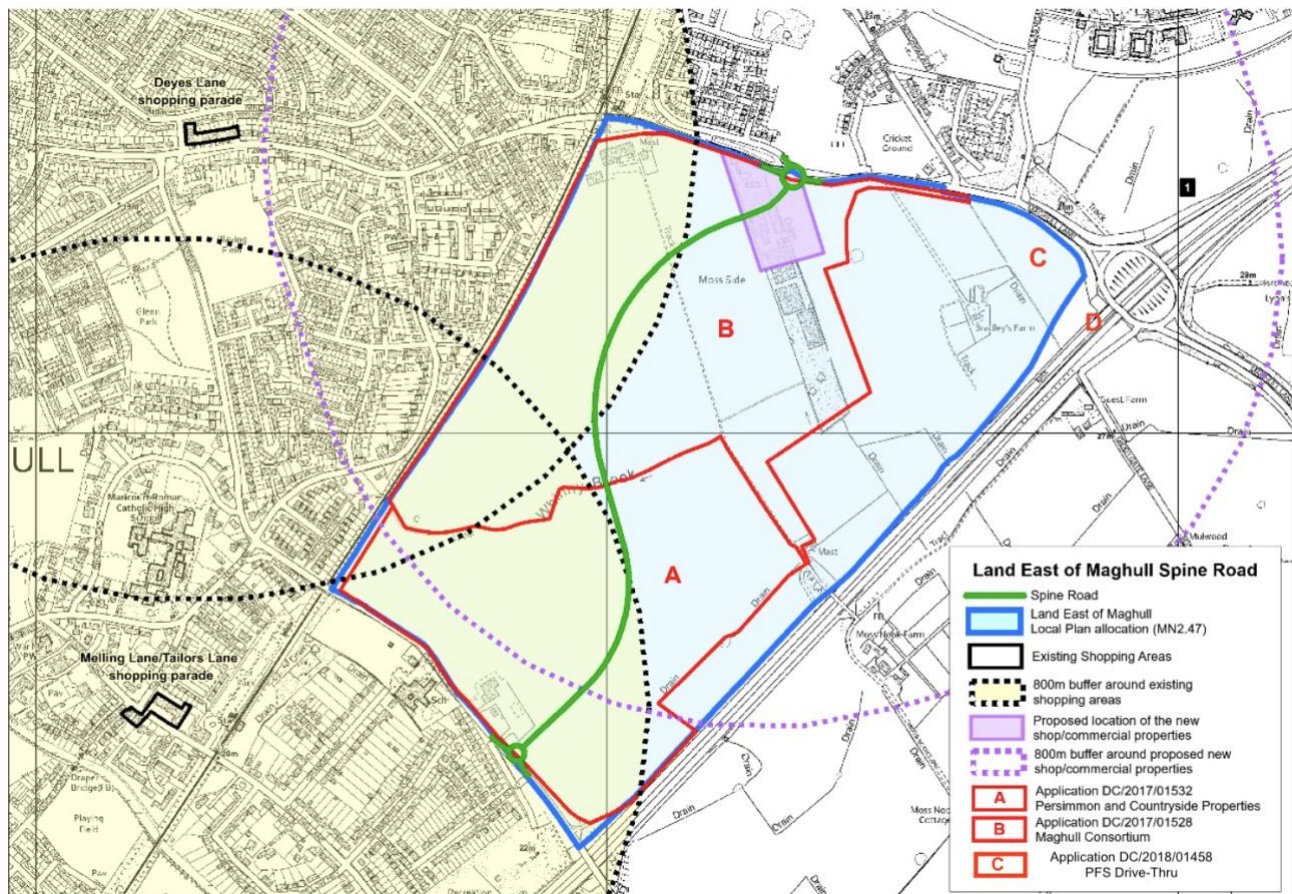


Figure 2 – Plan of application areas with inductive spine/distributor road connecting Poverty Lane and School Lane

Table 2 – Relevant Planning History

Map Reference	Application Reference	Description of development	Decision
D	DC/2017/00953	Creation of two new west facing slip roads to junction M58	Approved 20/10/2017
A	DC/2017/01532	Full planning permission for No. 841 dwellings, new vehicular accesses off Poverty Lane, public open space (park) and associated infrastructure (FRC) and outline approval for older person's housing.	Approved 22/02/2021
B	DC/2017/01528	Full planning permission for a new vehicular access off School Lane, distributor road and FRC and outline approval for No. 855 dwellings, local centre, sports provision and older person's housing.	Approved 12/10/2021
C	DC/2018/01458	Full planning permission for a PFS, Drive thru café and 2 No. drive thru restaurants with access.	Approved 21/10/20
A	DC/2023/00065	Variation of condition 2 pursuant to planning permission DC/2017/01532 allowed on appeal ref APP/M4320/W/20/3257252 date: 22/02/2021 - to be changed to: The southern half of the distributor road shall be completed by March 2024, but no more than 498 dwellings shall be occupied until the distributor road between Poverty Lane and School Lane, as shown on drawing A083347 91-18-C001-rev-E (or a subsequently approved version thereof), is constructed and available for use by the public.	Subject to determination

- 2.1 Full planning permission under reference DC/2017/00953 was granted by Sefton Council for two west facing slip roads to M58 on 20 October 2017 (Map reference D). The slip roads, funded by the Liverpool City Region Growth Fund, were opened and completed on 21 August 2020. The completion of the slip roads were a phasing requirement in Part 6 of Policy MN3.
- 2.2 Full planning approval for No. 841 dwellings with reference DC/2017/01532 ( Map reference A) was granted on 12 February 2021 following an appeal hearing at which MTC appeared as a Rule 6 Party, privileged position, meaning that it was allowed to be legally represented and appear and present evidence as an interested party. The presiding Inspector granted planning permission subject to conditions in compliance with the phasing requirements set out in Part 6 of Policy MN3 including that no more than 250 dwellings shall be occupied prior to completion of a distributor road connecting Poverty Lane and School Lane.
- 2.3 Full planning permission for a new vehicular access from School Lane, distributor road and FRC and outline planning permission for 855 No dwellings, local centre, sport park and older person's housing ( Map reference B) was granted on 12 October 2021 by Sefton Council.
- 2.4 Full planning permission for a PFS, drive-thru café and 2 No restaurants with access from School Lane/Maghuil Lane was granted by Sefton Council on 21 October 2020. This permission has

been implemented and facilitates access to the allocated employment/business park adjacent to the M58.

## 3.0 MAGHULL TOWN COUNCIL'S CONTRIBUTION

- 3.1 MTC has made a number of representations to Sefton Council since the first applications were submitted in 2017. These have been made in the context of MTC's overall support for the principle of developing Land East of Maghull according to the comprehensively planned approach required by the Local Plan, SPD, Master Plan and as reflected in the Neighbourhood Plan.
- 3.2 MTC's representations have been made on the basis that any planning permission granted be subject to robust mechanisms to secure the provision of the key infrastructure necessary to support the development in accordance with policy.
- 3.3 The planning applications at A and B submitted in 2017 were not initially policy compliant or supported by a Master Plan. However, through the submission of representations and by participating in the Appeal Hearing in 2020, MTC secured the following concessions from the developers:
- FRC to be completed prior to any houses;
  - Construction traffic routed east away from existing roads in Maghull;
  - A commitment to providing a local convenience shopping centre within the development;
  - A limit of no more than 250 houses accessed from Poverty Lane prior to the completion of a spine/distributor road;
  - A legal framework securing the future management and maintenance of the flood relief channel (FRC).
- 3.4 Regrettably, it was not possible to secure a condition requiring that a temporary haul road be constructed within the site and from which all construction traffic could access the M58 because there is no policy requirement for the developer to do so.
- 3.5 Nevertheless, the outcome of the Planning hearing was that the conditions and obligations on which the appeal was allowed was in full compliance with MN3 Part 6 as listed in the Appendix 1.

## APPENDIX 1

### MN3 LAND EAST OF MAGHULL

1. Land East of Maghull (shown on the Policies Map) is identified as a Strategic Mixed Use Allocation. The development of this site will create a comprehensive high quality, well- designed sustainable urban extension containing integrated, distinctive, safe and secure residential neighbourhoods, a Business Park and improvements to local infrastructure.

2. Proposals for development within Land East of Maghull will only be granted planning permission where they are consistent with a single detailed master plan for the whole site which is approved by the Council. The master plan should accord with this policy and any associated Supplementary Planning Document and may be submitted prior to or with the first application. Planning permissions will be linked to any necessary legal agreements for the improvement, provision, management and maintenance of infrastructure, services and facilities, open spaces and other matters necessary to make the development acceptable and which facilitate comprehensive delivery of all phases of development within the site in accordance with the master plan.

3. Proposals for development within this site must demonstrate a comprehensive approach to infrastructure provision (including provision of an appropriate proportion of financial and/or 'in kind' contributions towards strategic and/or local infrastructure required to enable the comprehensive development of the site). All residential applications within the site must contribute proportionally (on a per dwelling basis) to the following improvements:

1. the expansion of Summerhill Primary School to become a two form entry school
2. the provision of a main park within the site
3. new slip roads at junction 1 of the M58 motorway
4. subsidy of a bus service through the site for a period of 5 years from the practical completion of the distributor road.

4. No applications for residential or employment development will be permitted until a Supplementary Planning Document relating to this site has been adopted by the Council.

5. The development of the site must provide:

a. A minimum of 1,400 dwellings, incorporating a range of housing types and tenures to meet identified housing needs. This will include the provision of affordable / special needs housing (policy HC1), and at least 2 dedicated older persons housing schemes (reserved for residents of 55 and over) each comprising at least 25 dwellings.

b. A 20 hectare (net) serviced Business Park for office and light industrial (class B1), general industrial, (B2), and storage and distribution (B8) uses. The Business Park will be located adjacent to the site's north eastern boundary as set out in the broad location identified in figure 6.1.

c. Small-scale retail and commercial development to ensure the convenience shopping and other needs of new residents are met. This should be no more than 2,000 sq m (gross) in total.

d. A new 'main park' within the site located either side of Whinney Brook. This must incorporate an equipped play area, new habitat creation, and provision for outdoor sports.

e. A landscaping network including tree planting, buffer zones between employment and housing areas and to the M58 motorway and railway, the strategic paths and cycle routes network.

f. A layout that provides:

- a bus route across the site from School Lane / Maghull Lane in the north to Poverty Lane in the south;
- a distributor road(s) that encourages residential traffic from the southern part of the site to access / egress via School Lane / Maghull Lane. The distributor road(s) will run from School Lane / Maghull Lane through the site and will cross Whinney Brook; and
- appropriate separation of commercial and residential traffic

g. walking and cycling routes within and beyond the site linking new and existing residential areas and Business Park to the railway stations, bus services, local shops, open space, and schools. This will include improving existing rights of way within the site, including upgrading the existing Maghull no. 11 footpath to a pedestrian / cycle way

h. Effective management of flood risk within the site, including use of sustainable drainage systems. The development of the site will result in the reduction of flood risk on site and to the adjacent railway line. No residential development will be located in Flood Zones 2 or 3 following any watercourse realignment, and

i. The long-term management and maintenance of public open space, landscaping, and sustainable urban drainage systems, to be agreed by the Council.

Walking and cycling routes within and beyond the site linking new and

6. The following phasing requirements will be applied to ensure that the required infrastructure is provided alongside new development:

a. Maghull North station must be operational before the practical completion of the 500<sup>th</sup> dwelling

b. The southbound on slip and northbound off slip at Junction 1 of the M58 motorway must be constructed before the practical completion of the 500<sup>th</sup> dwelling

c. No more than 250 dwellings will be served from Poverty Lane and no more than 250 dwellings will be served from School Lane / Maghull Lane, prior to the completion of the internal bus route / distributor road

d. The access into the Business Park from School Lane / Maghull Lane must be constructed to an appropriate standard, servicing into the business park provided, and the landscaping framework to the business park implemented before the practical completion of the 500<sup>th</sup> dwelling

e. The proposed Business Park must not be occupied until the new slip roads are completed at Junction 1 of the M58

f. The local shopping provision must be constructed and made available for occupancy before the practical completion of the 750<sup>th</sup> dwelling, and

g. The main park and outdoor sports provision will be provided in a phased manner.

XX September 2023

Diane Humphreys  
Senior Planner  
Planning Services (Development Management)  
Sefton Metropolitan Borough Council,  
Magdalen House,  
30 Trinity Road,  
Bootle,  
L20 3NU.

Dear Ms Humphreys,

**Planning Application: DC/2023/00065**

**For: Variation of condition 2 pursuant to planning permission DC/2017/01532 allowed on appeal ref APP/M4320/W/20/3257252 date: 22/02/2021 - to be changed to: The southern half of the distributor road shall be completed by March 2024, but no more than 498 dwellings shall be occupied until the distributor road between Poverty Lane and School Lane, as shown on drawing A083347 91-18-C001-rev-E (or a subsequently approved version thereof), is constructed and available for use by the public.**

**At: Land Bounded By Poverty Lane To The South, A Railway Line To The West. Whinny Brook To The North And The M58 Motorway To The East Maghull**

We act for Maghull Town Council ('MTC') and submit representations on its behalf following submission of additional information by the applicant, Countryside Partnerships and Persimmon Homes ('the Applicant') to vary condition 2 pursuant to DC/2017/01532 allowed at appeal under reference APP/M4320/W/20/3257252 ('the appeal decision'). The Application relates to residential development of land north of Poverty Lane and south of Whinny Brook that forms part of a wider site allocated for development in the Sefton Local Plan known as Land East of Maghull.

Condition 2 attached to the appeal decision was imposed by Inspector Clegg following a Public Hearing. It requires that 'no more than 250 dwellings shall be occupied until the distributor road between Poverty Lane and School Lane as detailed Drawing A083347- 91-18-C001-rev-E is constructed and available for use by the public.

Condition 2 reflects the requirements of the Sefton Local Plan, Policy MN3 Part 6 (c), Maghull Neighbourhood Plan as well as the adopted SPD and Masterplan.

To vary Condition 2 and allow 498 dwellings to be occupied prior to the completion of a distributor connecting Poverty Lane and School Lane brings the whole scheme into conflict with the development plan. Furthermore, at the Public Hearing the Applicant asserted that the distributor road would be completed at the earliest opportunity. Therefore, applying for a variation of condition 2 totally contradicts the stance adopted by the Applicant at the Public Hearing.

For its own part, Sefton Council's position at the Appeal Hearing was that it was seeking assurances on the early completion of the distributor road (reference paragraph 9 - Appeal Decision).

In letters of representation of 17 and 26 February 2023 respectively, MTC set out its reasons for objection to varying condition 2. MTC also brought to the LPA's attention that the application is to be assessed against the provisions of Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('EIA'). Lifting the threshold for the provision of the distributor road from 250 to 498 dwellings results in a significant change from the position when planning permission was granted following EIA based on surveys and data undertaken a decade ago. MTC is pleased to note that supplementary information provided by the Applicant includes an EIA Addendum and updated traffic survey information. MTC's representations are based on a review of the following information provided by the applicant:

1. Cover letter dated 7 August 2023 - Tetra Tech
2. Environment Statement Addendum Report 2 - Tetra Tech
3. Traffic Technical Note 2 – Response to Sefton Council comments June 2023 - Eddisons

In the covering letter, the Applicant advises that the application description is amended adding a prefix to the description that *'The southern half of the distributor road shall be completed by March 2024, but no more than 498 dwellings ....'*

Having considered the above information, MTC's object to the variation of condition 2 for the reasons set out below.

## **Planning Policy Objection**

The number of dwellings that can be served from Poverty Lane before the completion of the distributor road (250 units) is enshrined in planning policy (Part 6 of Policy MN3 of the adopted Sefton Local Plan). It is also referred to in Sefton Council's adopted SPD (Land East of Maghull, 2017) and the Masterplan, prepared by the Applicants and subsequently adopted by the Council. The Maghull Neighbourhood Plan, Policy MAG 6 – Land East of Maghull refers to the phased delivery of development and adherence to the Master Plan.

Condition 2 is crucial to delivery of a sustainable development providing sustainable transport alternatives to the private car. That it is the second condition reflects its significance accordingly recognised by the appeal Inspector as a priority to reflect the requirements of the Sefton Local Plan

and Maghull Neighbourhood Plan as well as the adopted SPD and Masterplan. The proposal to vary Condition 2 is a deviation from the aforementioned documents and would bring the whole scheme into conflict with the development plan.

The applicant, Persimmon and Countryside Properties, the Council and MTC as a Rule 6 Party agreed to the imposition of this condition to ensure compliance with policy. If the applicants had indicated to the Appeal Hearing that the provisions of Policy MN3 and MAG6 in relation to the distributor road could not be met, then planning permission would not have been granted. Thus the Inspector considered the imposition of condition 2 as the only basis on which planning permission could be granted.

The Applicant has not provided any policy justification for varying condition 2 as a departure from development plan policy resulting in an additional 249 dwelling (100% uplift) in the number of dwellings that can be occupied prior to the completion of the distributor road.

On the contrary, the Applicant's case relies solely on the premise that planning policy can simply be subverted on the grounds that the existing road network can accommodate the traffic generated by 498 dwellings served from exclusively from Poverty Lane. This approach chooses to ignore the vision of a sustainable urban extension where first preference is for walking, cycling or the bus before the private car. It also disregards the impact that additional traffic, in the absence of a distributor road, will have on the amenity of existing residents of Maghull and outlying communities, in terms of increased traffic, noise and pollution.

MTC note and agree with the consultation response provided by the Council's Principal Engineer in its Highways Development and Design Department 16 August 2023 stating that;

*"There is serious highway concern that the spine road through the whole East Maghull development site will not be delivered in its entirety to facilitate pedestrian, cycle, bus, general traffic and construction traffic movements and any future approval of the current application will further reduce the likelihood of the full spine road being built".*

This is because planning Policy MN3 Part 6 (c) allows 250 dwellings (and for which permission has been granted) to be accessed from School Lane prior to the completion of a distributor road. In the event that the application is approved, then up to 748 dwellings ( $498 + 250 = 748$ ) could be constructed prior to the completion of a distributor road connecting Poverty Lane and School Lane. In this scenario over 50% of the housing requirement for Land East of Maghull (set at a minimum of 1400 dwellings) could be completed without a distributor road/bus route. Thus would create a series of cul-de sac developments without wider connectivity to publicly funded infrastructure intended to create a sustainable development.

## Statutory Test

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that *'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*

The onus is on the Applicant to identify any material considerations that may outweigh development plan policy MN3 Part 6 (c) and for the LPA to assess.

The Applicant has undertaken a highway assessment to determine that there is sufficient capacity in the existing highway network to accommodate 498 dwellings accessed from Poverty Lane. The MTC dispute these findings for reasons set out elsewhere in this letter. However, whether or not sufficient capacity exists to justify the change sought does not constitute a 'material consideration' to justify disregarding development plan policy.

Moreover, the applicant's methodology based on predict, provide and mitigate through highway improvements runs counter to the vision of creating a sustainable urban extension designed to encourage public transport use, walking or cycling through a new park, to a local centre, to a new rail station or a place or work on the business park.

Indeed, no mitigation is offered by the Applicant to compensate for the lack of a sustainable transport alternatives i.e availability of good quality non-car transport options for the new residents including bus services in the absence of a road connecting Poverty Lane and School Lane once 498 dwellings are completed.

According to the covering letter dated 12 January, the Application is justified in part by viability considerations. The Applicant comments that;

*'It does however require substantial capital to deliver these works and the delivery of 250 dwellings will not be sufficient to cover the cost of the above works, which should really be shared with the other landowners within the wider allocation'.*

In its letter of representation of 17 February 2023, MTC noted that no viability information has been submitted (certainly not publicly). If viability is a material consideration to which the LPA is to give any weight, the onus is on the Applicant to provide a site specific independent financial evaluation to demonstrate its case.

It is noted that the Applicant has amended the description of development to include the completion for the southern half of the distributor road crossing over the Whinny Brook to the northern half of the wider site. As a result, the distributor road will terminate at an arbitrary, undefined point.

Whilst this is to be regretted, it nevertheless demonstrates that the Applicant has been able to reach an agreement with the landowners to the north of Whinny Brook regarding partial construction of the distributor road. This raises the question as to why it has not been possible to reach agreement on full completion of the road. There are no planning impediments to completion as planning permission for the construction of the road is in place and indeed has been captured in full perpetuity as works have commenced.

MTC consider there are no material considerations to outweigh planning policy and the requirements of Policy MN3 Part 6 (c). The completion or non-completion of the distributor road is to be resolved by commercial negotiation and is not the concern of the planning system.

## Highways

Notwithstanding that MTC's position is that condition 2 cannot be varied on the basis of highway grounds as the 250 dwelling limit is enshrined in policy, MTC commissioned Cora IHT, highway consultants, to review Traffic Technical Note 2 – Response to Sefton Council comments June 2023 prepared by Eddisons.

Cora IHT's assessment is enclosed with this letter. It identifies a number of shortcomings with the supplementary information provided by Eddisons. The trip rates assumed by Eddisons are considered to be low, unrepresentative and derived on the basis that sustainable infrastructure would be in place. This means that the traffic assessments prepared are not likely to be valid.

In addition, Cora IHT expresses a concern regarding the impact of the applicant's proposal on the junction of Poverty Lane and Foxhouse Lane. This junction is assessed as substandard, and the proposed mitigation are assessed as unsatisfactory from both a safety and sustainability perspective.

Similarly, the A9 Northway/Hall Lane junction is identified as currently sub-standard regarding pedestrian/ cycle crossing provisions and conflicting traffic movements. The proposed mitigation measures do not satisfactorily address issues relating to traffic flows or substandard design.

The A59 Northway/Eastway is currently substandard with regards to pedestrian/cycle crossing provision. The proposed development trips are assessed as likely to cause further detriment to sustainable accessibility at this junction and no mitigation is proposed.

Therefore, the highway case upon which the Applicant seeks to justify varying condition 2 disregards policy and does not stand up to scrutiny.

## Conclusion

To conclude, MTC objects to the application to vary Condition 2 pursuant to DC/2017/01532 allowed at appeal under reference APP/M4320/W/20/3257252. The variation of condition 2 sought by the Applicant would conflict with the adopted Sefton Local Plan, adopted SPD - Land East of Maghull adopted Maghull Neighbourhood Plan and approved Masterplan, prepared by the Applicants and subsequently adopted by the Council.

There are no material consideration justifying a departure from the Local Plan.

The Applicant agreed to the imposition of Condition 2 following a 3-day Public Hearing. If the applicant's had not agreed to Condition 2, in its current form, planning permission would not have granted.

Should the variation be allowed, Sefton Council would not achieve the early completion of the distributor road expressed as its aspiration at the Appeal Hearing. It would be to concede late completion and potentially non-delivery of the distributor road undermining the whole rationale for the site allocation as a sustainable urban extension.

For all the above reasons, MTC considers the application should be refused.

We thank you for your consideration of the above representations. MTC request to be kept informed regarding any decision or consideration of this application by the Council's Planning Committee.

Yours sincerely

**Edward Landor MRTPI/Philippa Landor BA (Hons) MSc Urban and Rural Planning**

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**[philippa@landorplanning.co.uk](mailto:philippa@landorplanning.co.uk)**

Encs Cora IHT, Transport Note (16 August 2023)

## Transport Note

**Project: Planning Application for Variation of Condition 2 pursuant to DC/2017/10532 allowed on appeal APP/M4320/W20/3257252 (22/02/2021) at Land to the north of Poverty Lane, Maghull**

**Application Number: DC/2023/00065**

**Date: 16<sup>th</sup> August 2023**

### Background

- 1.1.1 This Transport Note reviews the note prepared by Eddisons titled “RESPONSE TO SEFTON COUNCIL COMMENTS – JUNE 2023” for the above application. This note is prepared for Maghull Town Council (MTC).
- 1.1.2 The comments below highlights the areas where we believe further information is required to address the raised issues.

### Trip Rates

- 1.1.3 Eddisons have utilised the same trips rates as contained within their Transport Assessment and previous technical notes. These are extracted as shown below:

Time Period	Trip Rate		250-units		500- units	
	Arr	Dep	Arr	Dep	Arr	Dep
08:00 to 09:00	0.165	0.369	41	92	83	185
17:00 to 18:00	0.352	0.231	88	58	176	116

- 1.1.4 It is highlighted that the trip rates utilised are low as these were derived on the basis that sustainable infrastructure including bus and sustainable provisions would be in place. Edison would need to reassess the trip rates considering that the sustainable infrastructure wouldn't be in place, therefore, their trip generations are likely to be underestimated.
- 1.1.5 The use of 85<sup>th</sup> percentile trips rates should have been used. It is likely that without sustainable infrastructure in place the trip generations and traffic impact would be much greater within the assessed highway network.
- 1.1.6 Sefton Council raised similar concerns in their response dated 17<sup>th</sup> February 2023 which the June 2023 Eddisons' note still has not addressed.

*“Highways object to the current proposal as the traffic impact note submitted with the planning application is unacceptable and does not properly assess the traffic impact of increasing the number of dwellings using the proposed site access junction roundabout onto Poverty Lane from 250 to 498 dwellings before the spine road is fully built”.*

- 1.1.7 It is recommended that MTC object on the basis that the trip generations may not be representative of the proposed development. This means that the whole traffic impact assessment as contained in the technical note may not be valid.

**Poverty Lane / Foxhouse Lane Junction**

- 1.1.8 The Poverty lane / Foxhouse Lane junction is a crossroad junction which is substandard due to the number of conflict points associated with crossroads junction. The intensification of traffic at this junction increases the likelihood of accidents along with having a detrimental impact on pedestrian safety.
- 1.1.9 The junction capacity assessment shows that the junction will operate above its theoretical design capacity with queues increasing by up to 10 Passenger Car Units (PCUs). In order to mitigate the traffic impact Eddisons have proposed that the Poverty Lane single approach lane could be widened to two-lanes.
- 1.1.10 The above improvement is not acceptable from both a safety and sustainability perspective. The two-lane approach increases the conflict points further at an already substandard junction. Also with the introduction of a two-lane approach this would further reduce the ability for pedestrians to safely cross the junction.
- 1.1.11 In addition to the above, the use of more appropriate trips rates would increase traffic at the junction further leading to potentially higher levels of queuing compared to what has been assessed. Consideration should be sought on mitigation which improves sustainable accessibility by way of potentially signalling the junction to include pedestrian / cycle crossing facilities.

**A59 Northway/Hall Lane**

- 1.1.12 The A59 Northway/Hall Lane junction is currently sub-standard with regards to pedestrian / cycle crossing provisions as ped/cycle crossing movements conflict with turning traffic. The proposed development trips would further cause a detriment to sustainable accessibility at this junction.
- 1.1.13 To mitigate the traffic impact resulting from the proposed development, Eddisons have propose to amend the staging at the junction. From our experience we cannot see how they have managed to get such a significant improvement to the operation of the junction with the introduction of two additional stages to the junction signal cycle.
- 1.1.14 Notwithstanding the above, we have queries on the lane saturation flows which seem to be high and have been manually inputted rather than calculated. This means that the traffic flows may be artificially getting through the junction quicker than in reality.
- 1.1.15 It is recommended that the Sefton Council obtain the actual LINSIG program data and validate the modelling.
- 1.1.16 Consideration should be sought on mitigation which improves sustainable accessibility by way introducing pedestrian / cycle crossing facilities.

### **A59 Northway/Eastway**

- 1.1.17 The A59 Northway/Eastway junction is currently sub-standard with regards to pedestrian / cycle crossing provisions as ped/cycle crossing movements conflict with turning traffic. The proposed development trips would further cause a detriment to sustainable accessibility at this junction.
- 1.1.18 It is recommended that the Sefton Council obtain the actual LINSIG program data and validate the modelling.
- 1.1.19 Consideration should be sought on mitigation which improves sustainable accessibility by way introducing pedestrian / cycle crossing facilities.

### **Spine Road**

- 1.1.20 Sefton Council commented as follows:

*“There is serious highway concern that the spine road through the whole East Maghull development site will not be delivered in its entirety to facilitate pedestrian, cycle, bus, general traffic and construction traffic movements and any future approval of the current application will further reduce the likelihood of the full spine road being built.”*

- 1.1.21 Eddisons have not addressed the above comments satisfactorily. It is reiterated that the trips generated are low as these were derived on the basis that sustainable infrastructure including bus and sustainable provisions would be in place. Eddison would need to reassess the trip rates considering that the sustainable infrastructure wouldn't be in place, therefore, their trip generations is likely to be under estimated.
- 1.1.22 Until the above has been address it is recommended that MTC should object to the application.

### **EA Addendum Review**

- 1.1.23 We have reviewed EA Addendum and this reflects the findings of the Transport Assessment and Eddisons Technical Notes. However, until the concerns raised on trip rates/generations, sustainability and modelling have been addressed MTC should object to the conclusions of the EA.



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Louise Everard  
Planning Department  
Sefton Council  
Magdalen House  
30 Trinity Road  
Bootle  
L20 3NJ

XX September 2023

Dear Ms Everard,

**Town and Country Planning Act 1990**

**Reference: DC/2023/01041**

**Site Address: Land at Durant's Cottages, Melling Lane, Maghull, L31 3DG**

**Proposal: Erection of 4 No. semi-detached dwellings (plots 1, 2, 3 and 4) following the demolition of Nos. 1 and 2 Durant's Cottages. Erection of 2 No. detached dwellings (plots 5 and 6) and erection of replacement dwelling following demolition of No. 4 Durant's Cottages. Conversion and reinstatement of No. 4 Melling Lane including two storey extension to the rear to form a dwellinghouse. Creation of a communal garden, with a new access road from Melling Lane and associated car parking**

We refer to the above referenced application for planning permission for residential development on land at Durant's Cottages on Melling Lane, Maghull, L31 3DG.

We act on behalf of Maghull Town Council (MTC). We write to you to register objections to the proposed application as MTC is strongly opposed to the development. The planning reasons for our objections relate to the following matters which will be fully explained in this letter:

- Access, Servicing and Highway Safety
- Unacceptable Tree Loss
- Harm to non-designated heritage assets and the setting of non-designated heritage assets
- Negative Impact on the character and appearance of the area
- Insufficient supporting documentation to assess/justify the proposal (specifically there is no Highways Technical Information to support the submission; no Heritage Assessment and no Bat Surveys have been carried out)

**The Site and Development Proposals**

The site proposed for development is described as 'Land at Durant's Cottages'. It is a linear tract of land, irregular in form and comprising 0.42 hectares with frontage to, and access from Melling Lane. The site tapers towards the Leeds-Liverpool Canal and lies adjacent to the Merseyrail Northern Line.

Durant's Cottages is a row of five terraced properties dating from circa 1894. The application site includes Nos. 1, 2 and 4, but excludes Nos. 3 and 5 Durant's Cottages. The site also includes a derelict building of agricultural appearance which is attached to No. 2/2a Melling Lane and apparent from the first OS Map published 1850.

The proposed development comprises the demolition of Nos. 1, 2 and 4 Durant's Cottages and the erection of 7 No. new-build dwellings in their stead. It also includes the extension and conversion of the agricultural building attached to 2/2A Melling Lane. The proposals incorporate the widening of the existing access for the creation of an estate road and the felling of 35 trees.

Nos. 3 and 5 Durant's Cottages are excluded from the application site and would be stranded among the new development albeit with the existing access route retained.

The site and surrounding area are subject to the following designations:

- Primarily Residential Area within the Setting of Heritage Assets (Sefton Local Plan)
- Hall Lane Character Area (Maghull Neighbourhood Plan)
- Tree Protection Orders (TPO) 73, and 243 imposed by Sefton Council
- Flood Zone 2 (Environment Agency)

### 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, adopted in January 2019.

The application site and surrounding area is designated as a Primarily Residential Area in accordance with the adopted policies of the Sefton Local Plan. It is situated within Hall Lane Character Area in Maghull Neighbourhood Plan. Additionally, Sefton Council identifies that the following buildings/structures adjacent to the site boundaries are Non-designated Heritage Assets:

- The 18<sup>th</sup> century Leeds and Liverpool Canal, associated historic features and its setting
- Nos. 7 and 9 Melling Lane which appear on Yates Map of 1786
- Railway Bridge over the Leeds-Liverpool Canal built circa 1849

The relevant planning policy considerations are therefore identified as follows:

- HC3: Primarily Residential Areas (PRAs);
- MAG4: Residential Character Areas
- EQ2: Design;

- EQ3: Accessibility;
- EQ7: Energy Efficient and Low Carbon Design;
- EQ8: Flood Risk and Surface Water
- EQ9: Provision of Public Open Space, Strategic Paths and Trees
- NH1: Natural Assets
- NH2: Nature
- NH9: Heritage Assets;
- NH15: Non-Designated Heritage Assets;
- Supplementary Planning Document- Design;
- Supplementary Planning Document- Sustainable Travel and Development.

### Access, Servicing and Highways Safety

There is no Highways Technical Information submitted in support of the application to demonstrate that safe access and egress of the site can be achieved by all transport users.

It would appear that the proposals fail to comply with Sefton Local Plan Policies EQ2: Design and EQ3: Accessibility for the following reasons:

- No evidence that an appropriate visibility splay is achievable.
- Conflicting movements on the proposed access road at the retained access to 3 and 5 Durant's Cottages.
- No evidence that the proposed intensification of use would not undermine the road safety at the Level Crossing on Melling Lane.
- No suitable footway for pedestrians and/or wheelchair users.
- No provision for cyclist movement or storage.

As a minimum standard and in order to demonstrate compliance with the above reference policies, a Highways Statement is required to cover the following matters- Existing Conditions and Highway Safety around the site; Accessibility for Pedestrians, Cycles and Public Transport; Technical Details for Proposed Access and Servicing Arrangements including Swept Path Analysis; Visibility Splay; Trip Generation Forecasts and the Impact of development on the Level Crossing.

### Tree Loss

The Site is subject to two TPOs imposed by Sefton Council in order to protect the trees and woodland on the site in the interests of amenity. Trees also provide valuable habitat including for Protected Species such as bats.

The Arboriculture Impact Assessment submitted in support of the application indicates that it is intended to fell some 35 individual and groups of trees including Category B trees (T1, T4, T6, G13 (1 x tree), T18, G19 (1 x tree), and T34), Category C trees (T5, T10, T11, T12, T14, T17, T20, T21, T30, G32 (1 x tree retained), G33, T35 and T37), Category U trees (T3, T7, T12, T29, T31, T38 and T40).

The Preliminary Ecological Appraisal (PEA) identifies that three of the trees to be felled have potential for roosting bats (T29, T37 and T38) and yet the recommended Bat Survey work has not been undertaken.

There is no evidence that the proposal has been designed to take account of trees as a constraint to development or to minimise/mitigate against tree loss. There is no justification for the loss of higher amenity value Category B trees and moreover, the Proposed Site Plan (Drawing No. 1552/08A) does not indicate any replacement tree planting to mitigate the loss of trees and habitat. The proposals are therefore not in accordance with Local Plan Policies NH1, NH2 and EQ9.

### Design/ Impact of Development on the Character of the Area

Maghull Neighbourhood Plan places the site in the Hall Lane Character Area where characteristics include a mixture of established and imposing Victorian buildings, a mix of building materials including red and sandstone coloured bricks, stone, tiles and slate, and narrow, tree lined roads. Neighbourhood Plan policy MAG4: Residential Character Areas seeks that development proposals respect the distinctive characteristics of each Character Area.

The application proposal does not positively address the prevailing character, local distinctiveness and form of development within the Hall Lane Character Area. There is no attempt to respect the grain and layout of existing streetscapes or the materiality of historic and characterful buildings.

The proposed dwellings are fairly generic and demonstrate no evidence of contextual design in terms of scale, height, form, massing, style and detailing.

In particular, the height, form and massing will dwarf Nos. 3 and 5 Durant's Cottages to an inappropriate extent and will result in a harmful erosion of openness and spaciousness to the Leeds-Liverpool Canal.

It is considered that this combination of factors would have a considerable negative impact on the visual appearance and character of the area. As such, the design proposal as submitted fails to accord with the relevant criteria of Policy EQ2, the Design SPD and MAG4.

### Impact of development on Heritage Assets

Proposals affecting heritage assets and their settings should ensure that features which contribute to their significance are protected from losses and harmful changes.

The proposed development abuts the 18<sup>th</sup> Century Leeds and Liverpool Canal, with its associated historic features and setting identified as a heritage asset in Local Plan Policy NH9. Part 3 of the policy states that the canal is a 'key element which contributes to the distinctive identity of Sefton' and it is therefore 'strategic priority for safeguarding and enhancing into the future' in Local Plan Policy NH9.

Additionally, Nos. 7-9 Melling Lane opposite the site and the railway bridge crossing the canal adjacent to the southwest boundary of the site are identified by Sefton Council to be non-designated heritage assets (MME 4265 and MME9771).

A Heritage Assessment to assess the significance of these designated and non-designated heritage assets and the impact of development within its setting is required in accordance with NPPF and Sefton Council's Application Validation Checklist.

No Assessment has been carried out to assess the level of harm to the significance of designated heritage assets has been carried out. However, it is clear that the proposed dwellings, most particularly Plots 5 and 6 with extensive glazing to the rear and incongruous second floor balcony features are not sympathetic to the historic context of the canal-side setting and locally significant historic buildings.

In our view, the proposals would be harmful to the significance of heritage assets. There are no public benefits which would outweigh heritage harm. The application for planning permission is therefore non-compliant with Local Plan Policy NH9 and NH15.

### Summary

The proposal fails to comply with Local Plan Policies and therefore cannot be met with approval. In particular, the proposal raises issues in respect of access, servicing and highway safety; unacceptable tree and habitat loss; would have a negative impact on the character and appearance of the area and would be harmful to heritage assets. As such, we find development plan policy conflict with EQ2, EQ3, NH1, NH2, EQ9, NH9, NH15, MAG4 and the Design SPD.

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**

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**Report to:** Full Council  
**Date of Meeting:** 6<sup>th</sup> September 2023  
**Agenda Item Number** 8  
**Subject:** Local Government Boundary Review of Sefton  
**Report of:** Town Clerk  
**Exempt / Confidential** No  
**Report:**

### Summary

A Local Government Boundary Review is taking place in Sefton and, as this affects Maghull, it is appropriate that the Town Council responds.

<b>Maghull Town Council Priority</b>	<b>Yes/No</b>
1. A Sustainable and Greener Maghull	No
2. High Quality, Accessible, Biodiverse Green Spaces and Parks	No
3. An Excellent Offer for the Youth of Maghull	No
4. A Great Place to Live, Work and Visit	Yes
5. Statutory Requirement	Yes

### Recommendation(s)

1. Members agree the comments to be submitted for the Boundary Review;
2. That the report be noted.

### Reasons for Recommendation(s)

The Town Council should comment on the Boundary Review as it is the democratic method of ensuring that the area is represented appropriately at a Ward Councillor level..

### Alternative Options Considered and Rejected

None. The Council should submit comments on the Review.

### What will it cost and how will it be financed?

#### (A) Revenue

None

#### (B) Capital

None

### Implications of Recommendations:

<b>Financial Implications</b>	None
<b>Resource Implications</b>	Met within the appropriate budget
<b>Legal Implications</b>	LGA 1972, Representation of the People Act 1985

<b>Equality &amp; Diversity Implications</b>	None
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### **Implementation Date for Decision**

Immediately following the Council meeting.

### **Appendices**

None

### **Background Papers**

None

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

## **1. Background**

A public consultation on the future of Sefton's local government boundaries is running from 25th July 2023 to 2nd October 2023. This is known as an Electoral Review.

### **What is an Electoral Review?**

An electoral review examines and proposes new electoral arrangements for the whole local authority. These are:

- The total number of councillors to be elected to the council: council size.
- The names, number and boundaries of wards.
- The number of councillors to be elected from each ward.

### **Ward Patterns**

The Local Government Boundary Commission (LGBCE) carry out two phases of public consultation when they will invite proposals for new ward boundaries. At the first round of consultation, they will ask for proposals on new ward boundaries. Any responses to that consultation will be used to draw up draft recommendations for new boundaries across the area.

The LGBCE will then hold a second round of consultation on those proposals during which time you will be able to comment on them and propose alternatives.

The Commission will draw up new electoral arrangements that provide the best balance based on the statutory criteria. The criteria include three main elements:

- Delivering electoral equality for local electors. This means ensuring that each councillor represents roughly the same number of electors so that the value of your vote is broadly the same regardless of where you live in the local authority area.

- Interests and identities of local communities. This means establishing electoral arrangements which, as far as possible, avoid splitting local ties and where boundaries are easily identifiable.
- Effective and convenient local government. This means ensuring that the wards can be represented effectively by their elected representative(s) and that the new electoral arrangements, including both the council size decision and warding arrangements, allow the local authority to conduct its business effectively.

### **What is happening in Sefton?**

A public consultation on the future of Sefton's local government boundaries is running from 25th July 2023 to 2nd October 2023.

In drawing up a pattern of electoral wards, the LGBCE will seek to:

- Make sure that, within an authority, each councillor represents a similar number of electors.
- Reflect the electoral cycle so that each ward is represented by three councillors.
- Create boundaries that are appropriate and reflect community ties and identities.
- Deliver reviews informed by local needs, views and circumstances.

Views can be submitted via the [Local Government Boundary Review website](https://www.lgbce.org.uk/reviews), by email via [reviews@lgbce.org.uk](mailto:reviews@lgbce.org.uk) or by post:

Review Officer (Sefton)

LGBCE

PO Box 133

Blyth

NE24 9FE

### **Recommendation(s):-**

- 1. Members agree the comments to be submitted for the Boundary Review;**
- 2. That the report be noted.**

**Report to:** Full Council  
**Date of Meeting:** 6<sup>th</sup> September 2023  
**Agenda Item Number** 10  
**Subject:** Request from Licensees of The Venue  
**Report of:** Town Clerk  
**Exempt / Confidential** No  
**Report:**

### Summary

The Licensees of the Venue have requested a change to their lease in that they wish to hold 18<sup>th</sup> Birthday parties and the lease does not currently allow for that and that they wish the licence for the sale of alcohol to 2 am instead of midnight.

<b>Maghull Town Council Priority</b>	<b>Yes/No</b>
1. A Sustainable and Greener Maghull	No
2. High Quality, Accessible, Biodiverse Green Spaces and Parks	No
3. An Excellent Offer for the Youth of Maghull	No
4. A Great Place to Live, Work and Visit	Yes
5. Statutory Requirement	No

### Recommendation(s)

1. Members agree whether to change the lease requirements so that the Venue can hold 18<sup>th</sup> birthday parties;
2. To agree the request for the licence to be extended to 2 am;
3. That the report be noted.

### Reasons for Recommendation(s)

The Town Council, as the landlord of the Town Hall, has the final say on changes to the lease. A request has been received and it is for Full Council to agree any changes.

### Alternative Options Considered and Rejected

None. The Council has received a request and should respond.

### What will it cost and how will it be financed?

#### (A) Revenue

None

#### (B) Capital

None

### Implications of Recommendations:

<b>Financial Implications</b>	None
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<b>Resource Implications</b>	None
<b>Legal Implications</b>	LGA 1972, Licensing Act 2003
<b>Equality &amp; Diversity Implications</b>	None

### **Implementation Date for Decision**

Immediately following the Council meeting.

### **Appendices**

None

### **Background Papers**

None

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

### **1. Background**

The Venue Licensees have been holding functions at The Venue since June 2022. The lease states that the licensees cannot hold 18<sup>th</sup> birthday parties and they believe that this is holding back their business. The lease requirement has been in place since the previous tenant took up his lease and appears to have worked well. The Town Council has not received complaints from residents that they cannot hold 18<sup>th</sup> birthday parties at the Venue. This matter can be changed by the Council agreeing that the Licensees can hold the parties.

The request to change the alcohol licence is more complicated in that the Licensees have to apply to the Licensing Authority at Sefton MBC for permission to change the licence as well as asking for permission to change the lease. This matter may be decided by Sefton MBC under delegated authority, or they may decide to hold a sub committee of the Licensing Committee to decide the application.

Members should note that in the letter attached to this report, the Licensees state that they will have security present for all 18<sup>th</sup> birthday parties. Although, it is a requirement for appropriate security to be present at all functions, Members might wish to decide whether they would like to expand that requirement to all parties 21 years old and under.

### **Recommendation(s):-**

- 1. Members agree whether to change the lease requirements so that the Venue can hold 18<sup>th</sup> birthday parties;**
- 2. To agree the request for the licence to be extended to 2 am;**
- 3. That the report be noted.**

# *The Venue Maghull*

Tuesday, 22 August 2023

Dear Chloe, Paul and Angela,

Firstly, congratulations Chloe and Paul on your recent appointments, we would like to take the opportunity to wish you both every success in the new roles and if there is anything we can do to support then please let us know.

I would like to thank you all for your time at our recent meeting, Paul, Kellieann and myself thought it was a great first meeting and are looking forward to working together over the coming years.

As discussed in the meeting there are two areas that are holding us back with further success with The Venue and they are highlighted below. I have set them out to individually with some content, our proposal and our commitment to MTH.

## 1) Licenced Operating Hours

- a. Currently we operate a 12am bar which means we have to call last order at around 23:30 or earlier depending how busy we are and this is a real put off with prospective customers enquiring about functions with us.
- b. In most licenced premises the last couple of hours are when you take the most revenue so again closing the bar between 23:00-00:00 is really restricting us.

### Proposed Solution

- a) We propose to increase our operating hours to have a 2am bar meaning we would be able to then call last orders at around 01:30am which is in line with other functions suites/wedding venues. Being experiences operators with each of us having over 15 years+ each we know this will allow us to take increased bookings especially weddings and provide us with another 1.5-2hrs trading time which will in hand assist us in a more sustainable business.

### Commitment to MTH

- a) We will monitor the bookings especially around weddings which we are trying to promote more and if we feel that the increased hour are not having an effect or our revenues don't increase as we would like then we will happily reduce them back to the original as we would not be able to sustain our increased operating costs (wages) without us taking increased revenue over the bar.
- b) Together with Derek and Angela we will monitor the increased hours and if we or MTH find the increased hour are having any detriment to either our brand or MTH's then we will again revert back to the original operating hours.

## 2) 18<sup>th</sup> Birthday Parties

## *The Venue Maghull*

- a. Currently the above events are not allowed at The Venue which is really restricting us on bookings. As you will be aware 18<sup>th</sup> Birthdays are really special occasions and one that is most celebrated with friends and family.
- b. We currently hold every other type of celebration including sweet 16<sup>th</sup>, School leavers and graduation celebrations all of which we have to be extra vigilant due to the age range that are celebrating. We have had nearly 20 of these type of evens in the last 12 months and have gone extremely well with no issues.
- c. When I have discussed this with licencing they are just as confused as us as you can have 16<sup>th</sup> 17<sup>th</sup> and 19<sup>th</sup> Birthday parties but not 18<sup>th</sup>. They have expressed no issues with us having this restriction taking off as we have had no breaches at The Venue since taking over and also the fact they know us as trusted licenced operations of multiple establishments.

### Proposed Solution

- a) We propose to have the restriction of 18<sup>th</sup> Birthday parties removed from our current trading licence at The Venue.

### Commitment to MTH

- a) We will have an increased policy ID checking policy
- b) A SIA Licenced Door Supervisor will be working on ALL 18<sup>th</sup> Birthday parties that we have.
- c) Together with Derek and Angela we will monitor these events and if we or MTH feel that are not something we wish to continue with for whatever reason then we will cease them with immediate effect.

We hope that the above is satisfactory and that we have given clear guidance as to why we need the above changes but if any further clarification is required then do not hesitate to contact us.

Kind Regards

*Kyle Hayes & Paul Hill*

**Directors**

**The Venue Maghull**

# **Minutes of Amenities Committee Meeting Held Wednesday 23rd November 2022 at 6:30 PM**

Those present :

Chairman : Cllr K Hughes

Councillors : Cllr P Darlington, Cllr R Ferguson, Cllr B Nixon

Officers : S Larking, A Mc Intyre

## **1 Apologies for Absence**

The Chair thanked those attending.

Apologies have been received from Cllr J Sayers, Cllr Ju Burns, Cllr C Carlsen and D Stephens

## **2 Declarations of Interest**

None declared.

## **3 Public Participation.**

None received.

## **4 To Confirm the Minutes of the Last Meeting**

**RESOLVED** that the minutes of the last meeting on 5th October 2022 be approved as a correct record.

## **5 Park Signage**

Members considered revised costs for signage. Costs reduced from £58,000 to £17,500 for 14 signs. Sign for Bobbys Wood to be paid for by Friends of Maghull and District.

Key points raised by Cllrs:

- Welcomed the reduced costs of the new option
- Cheap and cheerful.
- Concerns about risk of vandalism
- Signs are a necessity but not sure they are useful as most people don't check signs

The Town Clerk made the following comments in response:

- There is a legal requirement to provide information on who owns land and to provide a contact number
- Signs should be vandal proof
- Need to agree the main entrance for those parks with more than one entrance

**RESOLVED that**

**1. Funding agreed for 14 signs at £17,498 (excluding VAT) from Amenities core budget**

**2. The report be noted**

6

### **Tree Policy**

Members considered the draft Tree policy. They agreed that it made sense to have a Tree Policy for the Council.

#### **RESOLVED that**

- 1. Tree policy agreed and be implemented**
- 2. The report be noted**

7

### **Phase 3 Tree Planting**

At the last meeting Cllrs raised concerns about future tree planting. They requested trees be planted on the Meades to help alleviate flooding. The Town Clerk reported that it would take more than tree planting to resolve flooding on the Meades. While willow trees (not part of planting scheme) can help reduce flooding they are difficult to maintain as can split and be dangerous. The park was a flood plain when the houses were built and land drains had been installed. Unfortunately, drains had been damaged when the play area was upgraded. The Council is not liable for flooding. Recommend that advice sought from a drainage expert/engineer and consider options.

On tree planting Cllrs again raised issues about maintenance and security/personal safety and which parks trees are planted in. They agreed (unanimously) to cancel Phase 3 tree planting.

#### **RESOLVED that**

- 1. Phase 3 tree planting to be cancelled**
- 2. Drainage engineer to be appointed to advise on options to reduce flooding in the Meades**
- 3. The report be noted**

8

### **Flooding on The Meades**

Update covered under Agenda item 7.

#### **RESOLVED that**

- 1. A drainage engineer to be appointed.**
- 2. The report be noted**

9

### **Park Seating**

Members considered the options for installing benches in Maghull Parks. It was noted that the Council has a Memorial Bench Policy (approximately £500 for a bench, installation and maintenance). They preferred Option B. Agreed to fund 11 benches to celebrate the life of HM Queen Elizabeth II. In future benches to celebrate Maghull's history e.g. Frank Hornby, Dr Rowlands etc.

#### **RESOLVED that**

- 1. Agreed to fund 11 Option B benches. Memorial benches to the late Queen**

- 2. Future benches to celebrate Maghull History
- 3. The report be noted

**10 Budget 2023/24**

The Town Clerk noted that the Budget for 2023/24 was on the agenda to allow Members to consider any new projects e.g. benches, work in Round Meade or to review existing projects. Proposals feed into Finance and General Purposes (F&GP) Committee. Expecting Council Tax base from Sefton in early December.

Members noted that costs are increasing e.g. no longer have benefit of red diesel. Increase in precept likely to meet costs of planned maintenance and works to parks. It was agreed that costs for benches and work in Round Meade should be included in the budget for F&GP.


**RESOLVED that:**

- 1. Draft budget to include benches and works in Round Meade
- 2. The report be noted

**11 Chair's Report**

The Chair thanked everyone for their contributions to the meeting.

CHAIR



12/7/23

# **Minutes of Community Services Committee Held Wednesday 8th March 2023 at 6:30 PM**

Those present :

Chairman : Cllr Y Sayers

Councillors : Cllr S Doherty, Cllr R Ferguson, Cllr P Mc Kinley, Cllr B Nixon, Cllr F Sharp

Officers : P Dillon, S Larking

**1 Apologies for Absence**

Apologies have been received from Cllr Ju Burns, Cllr P Darlington

**2 Declarations of Interest**

Cllr Sharp declared an interest in Agenda Item 8 as Chair of Friends of Maghull and District. Cllr Doherty reported that he was now working for Citizens Advice.

**3 Public Participation.**

None notified.

**4 To Confirm the Minutes of the Last Meeting**

**RESOLVED** that the minutes of the meeting held on 16th November 2022 be approved as a correct record.

**5 Community Services Winter Programme Review 2022/23**

Members noted the following report from the Community Services Manager:

- Christmas Fayre: Successful event attended by 400-500 people
- Christmas Tree Switch on: Held after Christmas Fayre. Went well, over 200 people attended. Would like to link to events in the future
- Christmas Hampers: 110 hampers provided. Nominations received from a range of partners and local organisations. Working together has an impact. Helped by Home Bargains who stepped in at short notice due to changes to Community Champion in Morrisons. Overwhelmingly positive response to hampers
- Christmas Window Competition: More shops involved. Mayor of Maghull and Cllr Sharp judged the competition. It was very close. Flower Guy won. Positive feedback

Evolve, through Town Team, are considering a Christmas Tree at the Square. Need to clarify what they want from the Town Council

**RESOLVED** that the report be noted.

**6 Future Events**

Members noted the following:

- Civic Awards: Event had been successful. Lots of positive feedback. Video of Hudson School winning on Smith Brothers Foundation site. Will keep the event in February
- Maghullfest 2023: Will hold on 12th or 19th August, subject to other events on these dates. Looking for a main attraction e.g. dog show, car show or motor cycle display
- Funfairs: Sharlands and Silcocks would like to return to KGV Park. Propose that License fee is increased from £800 to £1,000.00
- 



- Circus not returning in 2023 due to ASB issues
- Youth Network. Cllr Darlington keen to pursue and happy for Members to send ideas to him
- Maghull Press: Second edition to be issued early March. New distributors. Will be available on-line later in the week. Next edition to be issued in August. Feedback positive on first edition
- Maghull Radio: Smith Brothers Foundation would like to host a 24 hr radiothon to raise money for mental health charities and raise the profile of Maghull Radio. Request for MTC to meet the costs of security approximately £350.00
- Glenn Park: Gamboling Arena Theatre returning with another show on Thursday 6th April - Pat the Painting Pig. It is an interactive show. Waiting for publicity material to promote on social media

In response Cllrs noted the following:

- Good atmosphere at Civic Awards. Young people made the night. Could ask nominees to do short video clips for future events.
- Cllr Nixon to explore with a local car club if they could arrange a car show at Maghullfest

#### **RESOLVED that**

- 1. Charge for land licence for events at KGV Park to increase to £1,000**
- 2. Funding agreed up to £350 towards security for Radiothon**
- 3. The report be noted**

7

#### **Extension of Cosy Club**

The Community Services Manager reported that the Cosy Club, on Monday afternoons, was popular with consistently high attendance - 60+ most weeks. As well as hot food there is entertainment e.g. Bingo. The Venue Licensee has cooked the food but not charged for her time. Sefton CVS have offered an opportunity to extend the Cosy Club, within existing resources until the end of April. A survey of attendees found that the main reason for people attending is for social interaction. Attendees have asked if the Club can continue. There is an Easter Party on 3rd April. After a break for a few weeks over Easter the proposal is that the Club moves to a coffee afternoon over the Summer ( to end of July) with some entertainment. Estimated cost is £700.

In response Cllrs noted that it was important to keep the momentum of the Club going and that the Echo is interested in a case study.

#### **RESOLVED that:**

- 1. An extension to the Cosy Club until the end of April**
- 2. Funding up to £700.00 for coffee afternoons until the end of July 2023**
- 2. The report be noted**

8

#### **Grant Award Update**

The Community Services Manager reported that Friends of Maghull and District (FOMD) have applied for a grant of £500 towards 5 standard trees in Central Square. Trees to be provided by Mersey Forest with a 5% discount. Town Clerk agreed in principle to funding if balance secured. Cllr Sharp reported that funding secured from Evolve, Maghull and Aughton Rotary Club and Maghull in Bloom. Some work to be done by contractors so trees can be planted (tarmac to be removed. Evolve arranging) and irrigation pipes to be installed. Cllr Sharp assured

Members that it would be 30 years before maintenance required on the trees.

**RESOLVED that the report be noted**

9

**Chair's Report**

Cllr McKinley noted the following:

- Sefton Council had held their budget meeting. Cllrs McKinley and Wilson had voted against the budget. A request for a vote to have unallocated New Homes Bonus money allocated to Maghull was declined. Still waiting for an acknowledgement/response to the letter from Town Clerk to the Leader of Sefton Council about the Fair Deal for Maghull
- Maghull Advice Centre (MAC) is open and going well. 67 people had attended to date. A range of services available including legal advice and benefits advice. Services provided by Big Help, Sefton CVS, Vauxhall Law Centre, Solicitors (Bell Lamb & Jynson) and Mental Health support (Barry Nixon). A Cllr Surgery is held on Wednesday mornings. Paper referral system for Big Help and Vauxhall Law Centre. Looking at an on line referral system. Waiting for a phone number for the Centre. Bid, via Friends of Maghull and District, for funding to Liverpool City Region Digital Connectivity Fund to help create a small IT suite at MAC
- Sefton Community Learning Service is running workshops and courses In April and May at the Town Hall.

**RESOLVED that the report be noted.**



CHAIR

# **Minutes of the Finance & General Purposes Committee Meeting Held Wednesday 22nd March 2023 at 6:30 PM**

Those present: Chairman : Cllr P Mc Kinley  
Councillors: Cllr C Carlsen, Cllr J Desmond, Cllr K Hughes, Cllr J McCall,  
Cllr B Nixon, Cllr J Sayers  
Officers: A McIntyre, D Healey

## **1. Apologies for Absence**

None Received.

## **2. Declarations of Interest**

None Received.

## **3. Public Participation.**

None attended.

## **4. To Confirm the Minutes of the Last Meeting**

**RESOLVED** that the minutes of the meeting held on 4th January 2023 for Finance & General Purposes Committee were approved as a correct record.

## **5. Treasurer's Report and Financial Statements**

Members were informed the budgets were on target for this time of year, and budgets continued to be monitored robustly.

## **6. Risk Register**

Members were informed that the Risk Register must be reviewed annually. It was appropriate for Finance & General Purposes Committee to review and agree the Register as part of their audit function.

Members considered the items detailed in the Risk Register. Members agreed that localised flooding issues be added to the register. With a high level of risk.

## **RESOLVED that:-**

- 1. Members agreed to add localised flooding issues to the Risk Register at a high risk;**
- 2. That the report be noted.**

## **7. Chairman's Closing Comments**

Thanked all members for attending.

## **8. Exclusion of Press & Public**

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

## **9. Debtors to the Council**

Members were provided with a brief update of the debtor's report.

**RESOLVED** that the RFO pursue the outstanding debtor.



60

#### **10. Update on Water Supply Invoicing on Old Hall Playing Fields**

Members were provided with update of ongoing water issues with the supply to Old Hall Playing Fields. One of the main issues was the delay in receiving up to date invoices so that they could be recharged appropriately as well as the significant officer time it took to implement.

#### **RESOLVED that :**

- 1. the RFO to ensure that the Football Club is invoiced promptly and the Cricket Club reimbursed as quickly as possible for the money owed to them from Maghull Football Club for water usage;**
- 2. The update be noted.**

#### **11. Pensions**

Members were informed that the Merseyside Pension Fund had issued the latest 3 year actuarial for MTC. The council's pension fund, which had previously been in credit, had moved into a debit situation following on from the McCloud judgement. MPF had offered the Council an option to pay the deficit over three years or pay in a lump sum in the next financial year.

Members discussed the change to the pension payment requirements following the McCloud judgement and noted that this would put additional pressure on the Council's finances.

#### **RESOLVED that:**

- 1. Maghull Town Council would pay Merseyside Pension Fund the sum owing over the next three financial years;**
- 2. The report be noted.**



19/7/23

CHAIR