

COUNCIL

Monday, 10 September 2018

Present: The Civic Mayor (Councillor Geoffrey Watt) in the Chair

Councillors	RL Abbey	A Gardner	B Mooney
	T Anderson	P Gilchrist	T Norbury
	B Berry	JE Green	M Patrick
	J Bird	EA Grey	C Povall
	C Blakeley	P Hackett	L Rennie
	A Brame	P Hayes	L Rowlands
	P Brightmore	A Hodson	C Spriggs
	D Burgess-Joyce	K Hodson	J Stapleton
	C Carubia	AER Jones	P Stuart
	P Cleary	C Jones	M Sullivan
	W Clements	T Jones	A Sykes
	T Cox	M Jordan	T Usher
	A Davies	S Kelly	J Walsh
	G Davies	B Kenny	S Whittingham
	P Davies	A Leech	I Williams
	WJ Davies	I Lewis	KJ Williams
	D Elderton	M McLaughlin	S Williams
	G Ellis	J McManus	J Williamson
	S Foulkes	C Meaden	
	S Frost	D Mitchell	

<u>Apologies</u>	Councillors	K Cannon	C Muspratt
		T Cottier	T Smith
		P Doughty	G Wood
		S Jones	

Prior to the meeting formally commencing and at the invitation of the Civic Mayor, Rev David Chester led the Council in prayer.

36 DECLARATIONS OF INTEREST

Members of the Council were invited to consider whether they had any disclosable pecuniary and/or any other relevant interest in connection with any matters to be determined at this meeting and, if so, to declare it and state the nature of such interest.

Name	Item No. and Nature of Declaration
Councillor	Item No. 3 – Council's Green Belt Policy (Minute No. 38 refers).
Steve Foulkes	Personal and prejudicial – by virtue of him being a member

of Magenta Living Board.
Item No. 3 – Council's Green Belt Policy (Minute No. 38 refers).
Councillor Anita Leech Personal and prejudicial – by virtue of her being a member of Magenta Living Board..

Councillor Jeff Green then sought advice from the Director of Governance and Assurance, Philip McCourt, as a Board Member of Magenta Living. Mr McCourt advised that those members who had declared on their Register of Interests their management or financial interest in companies and organisations including developers already mentioned had a financial interest in the outcome of the Local Plan process of which this was a part and on that basis he had advised those Members they had a prejudicial interest and should not take part in the debate.

Item No. 3 – Council's Green Belt Policy (Minute No. 38 refers).
Councillor Jeff Green Personal and prejudicial – by virtue of him being a member of Magenta Living Board.

In response to a question from Councillor Chris Blakeley, Philip McCourt then advised that had the Wirral Growth Company Partnership been in existence then any Members of that body would have had to declare a prejudicial interest for the same reasons.

37 **CIVIC MAYOR'S ANNOUNCEMENTS**

Having previously declared a personal and prejudicial interest in the main item of business on the agenda, Councillors Steve Foulkes, Jeff Green and Anita Leech vacated the Council Chamber and did not take part in the voting thereon (minute 38 refers).

The Civic Mayor noted that apologies had been received from Councillors Kate Cannon, Tony Cottier, Paul Doughty, Sharon Jones, Christina Muspratt, Tony Smith and Gill Wood.

The Civic Mayor then invited Councillor Mike Sullivan to make a short personal statement.

Councillor Mike Sullivan addressed the Council stating that it was with some sadness that he had resigned the Labour Whip and thanked Members across the Chamber from all parties for their kind words of support. Although, having voted twice for Jeremy Corbyn to be Leader of the Labour Party, it was not himself who had left the Labour Party, but the Labour Party who had left him.

The Leader of the Council, Councillor Phil Davies, then sought the permission of the Council to ask a question of the Director for Economic and Housing Growth.

A number of Conservative Members rose to request a 'card vote' and the Council divided as follows:

For the procedural motion (36) - Councillors R Abbey, J Bird, A Brame, P Brightmore, C Carubia, P Cleary, A Davies, G Davies, P Davies, W Davies, S Frost, P Gilchrist, L Grey, P Hackett, AER Jones, C Jones, T Jones, S Kelly, B Kenny, M McLaughlin, J McManus, C Meaden, D Mitchell, B Mooney, T Norbury, M Patrick, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

Against the motion (18) – Councillors T Anderson, B Berry, C Blakeley, D Burgess-Joyce, W Clements, T Cox, D Elderton, A Gardner, P Hayes, A Hodson, K Hodson, M Jordan, I Lewis, C Povall, L Rennie, L Rowlands, A Sykes and S Williams.

One abstention - Councillor G Watt (Civic Mayor).

Resolved (36:18) (One abstention) – That the Leader of the Council ask a question of the Director for Economic and Housing Growth.

Councillor Chris Blakeley, then with the Mayor's permission, read out a letter from Richard Mawdsley, Director of Development, Peel Holdings, to the Leader of the Council in which Mr Mawdsley had criticised the Council for 'grossly misrepresenting' the figures for new homes Peel Holdings were due to deliver.

The Leader of the Council then asked a question of Brian Bailey, Director of Economic and Housing Growth regarding the figures quoted in two of the motions before the Council of 6,500 and 6,450 new homes attributed to Peel Holdings to be built at Wirral Waters. How much credence and confidence could the Council place in these being delivered putting the figures in the context of completing a Local Plan which would satisfy a Government Planning Inspector?

In advance of Mr Bailey's response the Director of Governance and Assurance responded to a question from Councillor Ian Lewis and stated that as officers were not part of the debate and were not voting they did not declare interests, however any interests officers did have were declared through employment procedures and done so in writing to ensure there were no conflicts of interest.

Mr Bailey stated that the Council had a duty to identify sufficient land to accommodate the number of houses set out by the Government's guidance in

its formula. There was new Government guidance which now also set out a test of deliverability, not just identifying numbers but also numbers of completions in the period, especially in the first five years. The Council did have sufficient evidence from Peel Holdings for 1,100 homes to be delivered but it didn't have evidence beyond that 1,100 so far although the Council was in a consultation period and open to further evidence being produced.

Responding to further questions, Mr Bailey stated the need to look at all sites within the Borough and identify sufficient land supply to deliver the number of homes required, there was no test for greenbelt sites akin to what there was for brownfield sites. The draft Local Plan would be presented for an 'Examination in Public' chaired by an independent Government Inspector and had to be deliverable otherwise it might be deemed unsound. The consultation process was asking the public, partners and developers to come forward and respond to what had been put forward and the Council would then be open to looking and listening to these submissions.

38 COUNCIL'S GREEN BELT POLICY

The Civic Mayor introduced the item on the Council's Green Belt Policy for which three motions had been submitted. He suggested that the Council debate all three motions as one and on a motion by Councillor Phil Davies, seconded by Councillor George Davies, it was –

Resolved – That in accordance with Standing Order 12(2) all three motions be debated in one debate with separate votes on each.

In standing to move a Motion submitted in accordance with Standing Order 7, Councillor Chris Blakeley sought the agreement of the Council to the variation of the Motion. The Council gave its agreement to the variation of the Motion as required by Standing Order 12(1), such agreement being given by general consent.

Accordingly, Councillor Chris Blakeley moved and Councillor David Burgess-Joyce seconded the following varied Motion –

“Council welcomes Cabinet's decision to finally commence preparation of the Local Plan, as first required by the Planning and Compulsory Purchase Act 2004.

Council further notes that Cabinet have identified potential sites for development.

Council recognises that there are currently 6,000 empty properties in Wirral and that Peel Holdings have stated that they are on target to provide up to 6,500 homes on Wirral Waters by 2035, with five planning applications submitted since March 2018.

Council welcomes and supports the Leader of the Council's resolute commitment to protect Wirral Green Belt when he stated in 2017, ***"I am not prepared to allow our green belt land to be built on. I am resolute about that commitment. It is the jewel in Wirral's crown and greatly valued by our residents."*** (Wirral Globe 16th February 2017)

Council also recognises the valuable role Green Belt provides in halting urban sprawl and protecting our local environment.

Council welcomes both the current and draft revised versions of the National Planning Policy Framework (NPPF) that state that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Council also notes and supports the draft revised version of the NPPF which states that local authorities should regard development of new buildings on the Green Belt as inappropriate.

Therefore; Council requests the Cabinet to work with empty home owners, Peel Holdings and other developers including the Wirral Growth Company, in order to deliver Wirral's housing needs to ensure that there is no inappropriate development on Green Belt land.

Furthermore, Council considers that there is no requirement for any release of land for development from the Green Belt and calls on Cabinet to work to that end."

Councillor Pat Cleary accepted that in light of the revised Conservative motion, his amendment was now redundant and in accordance with Standing Order 12(12), with the agreement of the seconder, Councillor Allan Brame and the Council, the amendment was withdrawn.

Councillor Stuart Kelly moved and Councillor Dave Mitchell seconded the following motion submitted in accordance with Standing Order 7 –

- “1. Council notes the report to Cabinet of 23 July 2018 – Core Strategy Local Plan – Review of Development Options; in particular, the resolution of Cabinet to authorise consultation in September of sites recommended for housing use.
2. The necessity to consult on sites for housing provision arises from the Government’s ‘Objectively Assessed Need’ (OAN) for housing in Wirral of 803 houses per year.
<https://www.gov.uk/government/collections/household-projections#live-tables>
3. Appendices 5 and 6 of that report relate to a recommendation of potential release of land from the green belt to meet a perceived gap of 4,794 houses identified in table 3 of the report. Council recognises that fundamental questions have been asked by members of the public concerned about the accuracy of the population projections, the over ambitious assumptions about economic growth and the capacity of the sites being considered for release. Taken together with actual historic growth and building rates and the detailed nature of these contributions, Council considers that a detailed review is required of the work undertaken to date in order to justify any assumptions made.
4. Table 3 of that report makes allowance for 1,100 houses to be delivered at ‘Wirral Waters’ during the period of the plan (2018-2033).
5. Since the report was published and Cabinet resolved to begin the consultation, Peel Land and Property Group has published data which indicates that it is able to deliver up to 6,450 new houses within its site during the period of the plan.
6. Council considers that in light of the new data submitted by Peel Land and Property Group, there is no requirement for any release of land for development from the green belt and calls on Cabinet to review its resolution.
7. Council further agrees with Peel that ‘Wirral Waters’ can only be delivered with true and honest collaboration and genuine partnership working. They identify the fact that this involves a ‘whole place’ approach to regeneration including the planning and delivery in the wider underpinning infrastructure.
8. Council therefore calls on Cabinet to work with, rather than against, Peel Land and Property Group to this end.”

Councillor Pat Cleary moved and Councillor Stuart Kelly seconded the following amendment submitted in accordance with Standing Order 12(9)

Paragraph 3, insert the following at the end of the second sentence, i.e. after "...considered for release."

"In addition, there is considerable scope to reduce the number of empty properties across Wirral."

Councillor George Davies moved and Councillor Phil Davies seconded the following motion submitted in accordance with Standing Order 7 –

"Council recognises that it has a legal duty to prepare a Local Plan which will guide and determine land use in Wirral over the next fifteen years.

Council notes with concern that the current Conservative Government has set Wirral a target of 12,000 new homes to be built in Wirral by 2035 which will be extremely challenging.

Council recognises the importance of the Borough's Green Belt in providing a vital amenity for Wirral residents and preventing urban sprawl.

Council accepts the conclusion of officers' technical analysis presented to the special meeting of Cabinet on the 23rd July which concluded that there is insufficient brownfield land to accommodate the Government's housing target for Wirral and that there is currently no alternative to reviewing the potential of land in the Green Belt to meet the shortfall in the Borough's housing and land supply if the Council is to submit a sound and legally compliant Local Plan to the Secretary of State.

Council therefore:

1. Reaffirms that developing Green Belt sites must always be a last resort and that every effort should be made to focus development on brownfield sites;
2. Rejects comments made by Tory Cabinet Minister, Liz Truss, as reported in the Daily Mail on the 7th August 2018, that planning laws should be ripped up so that homes can be built in the countryside.
3. Agrees to make representations to the Government against the issuing of top-down housing targets which fail to take into account the housing needs of areas like Wirral;
4. Agrees to continue to make strong representations to owners of brownfield land in the Borough to develop new housing as a matter of urgency and to examine all options available, including the use of compulsory purchase orders, to accelerate development of brownfield sites;

5. Agrees to write to Wirral's MPs to request that they lobby Parliament to introduce legislation to prevent land owners from land-banking;
6. Supports the timetable for submitting a Local Plan as set out in the report to Cabinet on the 23rd July;
7. Notes the process set out for ensuring consultation on Green Belt sites and encourages local residents to take part."

During the course of the debate, Councillor David Elderton presented a petition of some 521 Wirral signatories requesting that Column Road fields and Caldys Woods green belt be saved.

Following the debate and Councillors Chris Blakeley, Stuart Kelly and George Davies having replied, the Civic Mayor then moved to the voting on each of the three motions.

Prior to the vote on the Conservative motion, a number of Members rose to request a 'card vote'. A recorded vote was then taken on the motion and the Council divided as follows:

For the motion (25) – Councillors T Anderson, B Berry, C Blakeley, A Brame, D Burgess-Joyce, C Carubia, P Cleary, W Clements, T Cox, D Elderton, G Ellis, A Gardner, P Gilchrist, P Hayes, A Hodson, K Hodson, M Jordan, S Kelly, I Lewis, D Mitchell, C Povall, L Rennie, L Rowlands, A Sykes and S Williams.

Against the motion (30) – Councillors R Abbey, J Bird, P Brightmore, A Davies, G Davies, P Davies, W Davies, S Frost, L Grey, P Hackett, AER Jones, C Jones, T Jones, B Kenny, M McLaughlin, J McManus, C Meaden, B Mooney, T Norbury, M Patrick, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

One abstention – Councillor G Watt (Civic Mayor).

The Conservative motion was therefore lost (25:30) (One abstention).

Prior to voting on the Liberal Democrat motion Councillor Stuart Kelly confirmed that he would be happy to accept the amendment proposed by Councillor Pat Cleary. In advance of the vote on the Liberal Democrat motion, as amended, a number of Members rose to request a 'card vote'. A recorded vote was then taken and the Council divided as follows:

For the motion (25) – Councillors T Anderson, B Berry, C Blakeley, A Brame, D Burgess-Joyce, C Carubia, P Cleary, W Clements, T Cox, D Elderton, G Ellis, A Gardner, P Gilchrist, P Hayes, A Hodson, K Hodson, M Jordan, S

Kelly, I Lewis, D Mitchell, C Povall, L Rennie, L Rowlands, A Sykes and S Williams.

Against the motion (30) – Councillors R Abbey, J Bird, P Brightmore, A Davies, G Davies, P Davies, W Davies, S Frost, L Grey, P Hackett, AER Jones, C Jones, T Jones, B Kenny, M McLaughlin, J McManus, C Meaden, B Mooney, T Norbury, M Patrick, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

One abstention – Councillor G Watt (Civic Mayor).

The Liberal Democrat motion was therefore lost (25:30) (One abstention).

Prior to the vote on the Labour motion, a number of Members rose to request a 'card vote'. A recorded vote was then taken on the motion and the Council divided as follows:

For the motion (28) – Councillors R Abbey, P Brightmore, A Davies, G Davies, P Davies, W Davies, S Frost, L Grey, P Hackett, AER Jones, C Jones, T Jones, B Kenny, M McLaughlin, J McManus, C Meaden, B Mooney, T Norbury, M Patrick, C Spriggs, J Stapleton, P Stuart, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

Against the motion (26) – Councillors T Anderson, B Berry, C Blakeley, A Brame, D Burgess-Joyce, C Carubia, P Cleary, W Clements, T Cox, D Elderton, G Ellis, A Gardner, P Gilchrist, P Hayes, A Hodson, K Hodson, M Jordan, S Kelly, I Lewis, D Mitchell, C Povall, L Rennie, L Rowlands, M Sullivan, A Sykes and S Williams.

Two abstentions – Councillors J Bird and G Watt (Civic Mayor)

Resolved (28:26) (Two abstentions) -

Council recognises that it has a legal duty to prepare a Local Plan which will guide and determine land use in Wirral over the next fifteen years.

Council notes with concern that the current Conservative Government has set Wirral a target of 12,000 new homes to be built in Wirral by 2035 which will be extremely challenging.

Council recognises the importance of the Borough's Green Belt in providing a vital amenity for Wirral residents and preventing urban sprawl.

Council accepts the conclusion of officers' technical analysis presented to the special meeting of Cabinet on the 23rd July which concluded that there is insufficient brownfield land to accommodate the Government's

housing target for Wirral and that there is currently no alternative to reviewing the potential of land in the Green Belt to meet the shortfall in the Borough's housing and land supply if the Council is to submit a sound and legally compliant Local Plan to the Secretary of State.

Council therefore:

- 1. Reaffirms that developing Green Belt sites must always be a last resort and that every effort should be made to focus development on brownfield sites;**
- 2. Rejects comments made by Tory Cabinet Minister, Liz Truss, as reported in the Daily Mail on the 7th August 2018, that planning laws should be ripped up so that homes can be built in the countryside.**
- 3. Agrees to make representations to the Government against the issuing of top-down housing targets which fail to take into account the housing needs of areas like Wirral;**
- 4. Agrees to continue to make strong representations to owners of brownfield land in the Borough to develop new housing as a matter of urgency and to examine all options available, including the use of compulsory purchase orders, to accelerate development of brownfield sites;**
- 5. Agrees to write to Wirral's MPs to request that they lobby Parliament to introduce legislation to prevent land owners from land-banking;**
- 6. Supports the timetable for submitting a Local Plan as set out in the report to Cabinet on the 23rd July;**
- 7. Notes the process set out for ensuring consultation on Green Belt sites and encourages local residents to take part.**

39 VACANCIES

The Civic Mayor asked the Council to note the changed political balance, in light of the resignation of a Member of the Labour Group, and in respect of which conversations would take place between Officers and group Leaders before the next meeting of the Council.

In respect of outside bodies and on a motion by Councillor Phil Davies, seconded by Councillor George Davies, it was –

Resolved – That Councillor Angela Davies replace Councillor Pat Hackett on the Liverpool City Region Employment and Skills Board.

Councillor Chris Blakeley queried whether the Leader of the Council was in a position to nominate a Chair for the Business Overview and Scrutiny Committee.

Although Councillor Phil Davies confirmed that he would be formally proposing Councillor Pat Hackett as Chair and Councillor Jean Stapleton as Vice-Chair, the Director of Governance and Assurance informed the Council that as there was no report before the Council, the matter would come back to the ordinary Council meeting in October.