



Cabinet

Second Supplementary Agenda

Date:	Thursday, 15 January 2009
Time:	6.15 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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AGENDA

CORPORATE RESOURCES

14. **DISPOSAL OF LAND AT THE WARRENS - MAIN DEPOT SITE**
(Pages 1 - 46)

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WIRRAL COUNCIL

CABINET - 15 JANUARY 2009

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

THE WARRENS NURSERY, THINGWALL

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to advise Members of the responses to the statutory advertising of the proposed disposal of land and designated Public Open Space at the Warrens Nursery, Thingwall, to Wirral Primary Care Trust "the PCT" to facilitate the construction of a Health Centre.

2. Background

2.1 Cabinet will recall that it last considered a report on the redundant nursery site and depot buildings at the Warrens, Thingwall on 16th October 2008. At that meeting it resolved that:

- (1) The land at the Warrens Nursery be declared surplus to requirements and authorises its disposal, subject to planning permission being obtained and satisfactory terms being agreed.
- (2) The District Valuer be jointly commissioned by the Council and the PCT to determine the value of the premium for lease.
- (3) Any provisionally agreed terms of disposal be reported to a future Cabinet
AND
- (4) Any objections received in respect of the disposal of Public Open Space, associated with this proposal be reported.

2.2 Accordingly, the statutory requirement to advertise the disposal of Public Open Space in this location was complied with by placing Public Notices in the local press on 10th and 17th of December 2008.

The closing date for written objections was 7th January 2009.

3. Responses to the Statutory Advertisements

3.1 The Council received 31 individual objections to the proposed disposal of this area of Public Open Space, with an additional 8 from the following organisations:

- Open Spaces Society,
- Wirral Footpaths and Open Spaces Preservation Society
- Wirral Society
- Barnston Conservation Society 1984 and the
- Friends of Arrowe Country Park.
- Friends of Ashton Park
- Wirral Parks Partnership
- Wirral Green Belt Council

- 3.2 In summary, the principle bases for the objections to the proposed sale of Public Open Space in this location, were as follows:
- The land is within the Green Belt.
 - The land is part of Arrowe Park.
 - The land should be used for horticulture/allotment purposes.
 - Highway congestion and traffic safety, loss of woodland, wildlife habitat and footpaths.
 - The land should be used for a library or community centre.
 - The public have rights of access over the land.
 - The PCT should find an alternative site in the vicinity.
- 3.3 Copies of all the objections received are attached to this report, but without individual's names and addresses. This has been done as those that have responded may be unwilling for their personal details to be published and there has been insufficient time to contact them to seek their agreement to do so.
- 3.4 Members will recall that the Cabinet's decision to proceed with the proposed disposal of land at the Warrens to the PCT was reviewed by the Corporate Services Overview and Scrutiny Committee on 10th November 2008. The issues and concerns raised at that meeting are reflected widely in the written objections received to the sale of Public Open Space in this location. The Committee resolved (Minute 21 refers):
- That this scrutiny Committee recognises the strong feelings of the witnesses to this Committee. The issue in front of the Committee is simply whether or not the Council should dispose of this land. Any decisions on planning matters are for the Planning Committee and if necessary the Planning Inspector to decide. That is the proper forum for many of the views expressed tonight. In the light of the current condition of the site and the Council's need to dispose of it, this Committee endorses the Cabinet recommendations.*
- 3.5 The Council is required to consider these objections and decide whether the Cabinet's previously agreed intention to dispose of Public Open Space to the PCT is outweighed by the objections received opposing this course of action. However, it has discretion as to whether to accept them or to proceed with the proposed disposal of the Public Open Space in question. Members will be aware that many of these issues, in particular the most numerous objection that the land is within the green belt and is part of Arrowe Park, will be addressed by the Planning Committee when the PCT applies for planning permission. The planning issues are not a matter for Cabinet but are a matter for consideration by the Planning Committee if and when an application for planning permission is submitted. The issue for Cabinet to consider is whether the land should be sold.
- 3.6 It is not considered that the objections lodged raise any significant issues which have not already been considered by Members. Therefore, it is recommended that Cabinet endorses its earlier decision to dispose of the land subject to planning permission being obtained.

- 3.7 In the event that Cabinet resolves to continue with the proposed disposal to the PCT, I also recommended that Call-in is waived. The adjourned Public Inquiry in respect of the other part of the site has been re-scheduled for 10 to 13 February 2009. The Call-in period will probably expire around 26 January and, if five working days are allowed before the Call-in is considered by the Corporate Services Overview and Scrutiny Committee, only five working days will remain before the Inquiry commences. If the Inquiry is to be cancelled, the Council will need to have exchanged contracts with the PCT beforehand and that work cannot take place until the Call-in process is concluded, or waived. The PCT has indicated that it requires contracts to be exchanged by 31 January 2009, in order to withdraw its appeal in respect of the other site. Given these tight timescales, the Council and the PCT will need to prepare for the Inquiry (in case agreement cannot be finalized in time) and brief Counsel, thus incurring significant legal costs.
- 3.8 As this matter has already been subject to Call-in, I believe treating the decision as Urgent and waiving Call-in better serves the public interest. The criterion for judging when a decision is Urgent is whether: 'any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest'. In my view, the wasted costs likely to be incurred by the Council and the PCT preparing for the Inquiry whilst a Call-in notice was considered by Overview and Scrutiny would seriously prejudice the Council's and the public's interest. In accordance with the Constitution the Chief Executive is satisfied that the decision proposed (the disposal to the PCT) is 'reasonable in all the circumstances' and has also agreed, should Cabinet so resolve, that the decision may be treated as Urgent: i.e. to the waiving of Call-in.

4. Financial implications

- 4.1 The site is currently a liability requiring maintenance by the Council and is not used. If Cabinet resolved to dispose of the site it is suggested that it be leased to the PCT on a 125-year lease. The lease would be limited to use of the site as a health centre with an absolute prohibition on any other use. The premium will need to be agreed following the valuation by the District Valuer. This is expected to be in line with figures previously reported to Cabinet.

5. Staffing implications

- 5.1 There are no staffing implications arising out of this report.

6. Equal Opportunities implications

- 6.1 None

7. Community Safety implications

- 7.1 None

8. Local Agenda 21 implications

- 8.1 The new Health Centre would be built to the latest standards for energy consumption and insulation, etc.

8.2 The site is well situated in terms of accessibility by public transport, as several bus routes pass within 5 minutes walking distance.

9. Planning implications

9.1 There is a statutory requirement to determine planning applications in accordance with the Development Plan unless it can be demonstrated that material considerations indicate otherwise. A planning application at this site, which departs from the policies in the adopted Development Plan would need to be referred to the Secretary of State before planning permission could be granted.

9.2 Planning permission will be required for the new Health Centre. The Unitary Development Plan for Wirral shows the site as within the Green Belt. Proposals outside the use of the site as a nursery, and any new buildings, will require planning permission. A proposal for new build development will be subject to UDP Policies GB2 'Guidelines for Development in the Green Belt', TL11 'Development at Countryside Recreations Sites, GR7 'Trees and New Development and TR9 'Requirements for Off Street Parking. Inappropriate development can only be considered if there are very special circumstances to outweigh the objectives of Green Belt Policy.

10. Anti-poverty implications

10.1 None

11. Human Rights implications

11.1 None

12. Social Inclusion implications

12.1 None

13. Local Member Support implications

13.1 This report will be of particular interest to Members in the Pensby and Thingwall Ward.

14. Background Papers

14.1 Reports to Cabinet 23rd July 2008, 29th November 2007, 28th June 2006, Social Care and Health Select Committee, 2nd September 2004, 18th January 2006.

15. Strategic Asset Management Implications

15.1 The Council's Asset Management Plan requires land and building to be used to support corporative objectives. This transaction proposes to dispose of a surplus asset, which is currently a liability, for community health purposes.

16. Strategy Context

- 16.1 The development of a Health Centre would be in line with Strategic Objective 3, “to improve health & wellbeing for all, ensuring people who require support are full participants in mainstream society”.

17. RECOMMENDATIONS

- 17.1 That Cabinet notes the objections received and agrees to proceed with the proposed disposal in accordance with its decision on 16th October 2008.
- 17.2 That the Director of Law, HR and Asset Management is authorised to agree the premium payable, following the valuation by the District Valuer, in consultation with the Leader and Deputy Leader of the Council; and
- 17.3 That the Director of Law, HR and Asset Management be authorised to enter in to the necessary legal documentation to dispose of the land to the PCT on the terms outlined in this report.

Bill Norman

Director of Law, HR and Asset Management

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DB

Wirral Borough Council
Conveyancing Section
Town Hall
Brighton Street
Wallasey

Dear Sir,

Reference DB/LD/L8/1313

The proposed sale of 1.68 ha of
land at the Warrens, Thingwall
Road East, Thingwall Wirral.

I would like to object to the
proposed sale of 1.68 ha of land at the
Warrens Thingwall East, Thingwall
Wirral. It is part of Arrowe Country Park
and is green belt land

yours faithfully

Joyce M Pherson

REF/DB/LD/48/1313

1/1/09

Dear Sir

Concerning Warrens Nursery
The council has turned down offers for
the use of the nursery on Shingwall Road
East. It's been laying idle for five or six
years.

It would be the ideal place for a training
centre for the young people to learn
the practical side of horticulture it would
have given the young hopefuls a chance
for future Employment.

It could have been supplying food for the
Hospital a quarter of a mile away.

The Council has been defeated twice by a
vote of the people to keep it open it's
on green belt land and it is part of the
Artowe Park estate since day one.

Four of the lodges, a farm, and the stately
Arrowe Hall, have been sold by the Council
with no money spent on maintenance or
improvement to the park at all.

A quarter of the park is gone for the
Hospital, more land for carparking,

Now they want the nursery for a Health
centre with extra land for a Helicopter pad,

Soon there will be no Arrowe park left

"It's been run down Deliberately"

I v Voda

P.S.

"Green belt land should be protected before
profit, more land for carparking
will be next."

2nd January 2009.

Dear Sir,

Ref: DB/LD/L8/1313

Glasshouse area - The Weavens.

We strongly object to the sale of the above land on the grounds that if this encroachment on green belt land is allowed to go ahead other sales will follow and eventually there will be no greenbelt at all! This should not be allowed under any circumstances.

Yours truly

A. M. Pickstock

Mrs D. M. Pickstock
Mr. A. Pickstock.

Ref: DB/LD/LB/1313

31.12.08.

Dear Sir,

I wish to express concern regarding the proposed disposal of land at The Warrens. If the land is sold, I presume the Council relinquishes all control, irrespective of the site being Green Belt land. Open spaces are disappearing alarmingly, therefore, protecting this area is paramount. As you have in the past, please uphold the principles of Green Belt Control. In my humble opinion, to safeguard this area of Green Belt, the Council should retain ownership.

Yours faithfully,

Seth, O'Donnell.

REF. DB/LD/L8/1313.

29.12.08.

Dear Sir or Madam.

I strongly object to the sale of Green Belt land at the Warrens Thingwall Road East.

Since the closure of the Nurseries it would appear very little if any attempt has been made to find a suitable use for this site.

At the recent Ball-in Procedure at Wallasey Town Hall Nov 10th 2008 the large number of people who attended voiced their objections to the site being called "surplus to requirements".

It was very clear at this meeting what a great demand there is for Allotments on Wirral.

This sale would be an encroachment and loss of Park land which should be for public enjoyment. If the Council is looking for more income perhaps a few less Council workers wages might help. especial those who have mismanaged Local Affairs & Finance.
(Selling Green Belt, Closing Libraries etc!)

J. Stubbs (Mrs)

Y/c. DB/LD/L8/1313

DB

6th January 2009

Dear Sir,

I wish to register my objection to the council selling off our greenbelt for development at the Werris in Thurgwell.

It is important to preserve the greenbelt for future generations but at the moment it seems to be for sale to the highest bidder.

Yours faithfully

David Pearson

5/1/09

Dear Sir or Madam. (DB/LD/PL81313)

Ref: Proposed Sale of 1.68 HA. land of
the Warren Thingwall Rd East Thingwall.

We strongly object to the selling of
the above, for any such building development.

Greenbelt land needs to be preserved
~~but~~ do not want any more encroachment.

~~on~~ on losing footpaths, ruining the
wildlife, We regularly go walking in
this area with ~~our~~ grandchildren.

It would ~~benefit~~ ~~the~~ ~~local~~ ~~community~~ ~~for~~
~~it~~ ~~is~~ ~~an~~ ~~amenity~~ ~~space~~ ~~as~~ ~~it~~ ~~is~~
so beautiful with lots of botanical
plants & trees.

yours

Mrs Green
& Mr R Green

28.12.08

Dear Sir

My husband and myself strongly object to the land at the Warens being sold off. It is part of Arrove Park and Green Belt land. That says it all.

How much more of Arrove Country Park are you going to sell off. Have you not already sold enough to the hospital. The way it is going we will have not much of our park left, in years to come we will have no park left.

We Strongly Object

MR MRS H TRIPP

Conveyancing Section,
Legal & Member Services,
Dear Sirs.

04/01/09

Ref. DB/LD/LB/1313.

I note that it is proposed to sell land at The Wrens, Thingwall Road East and I wish to place on record my opposition to this sale.

The area concerned is part of Arrowe Park and is Green Belt land and if the area is no longer required for horticulture it should be cleared and returned to the park for public use.

I see the proposed sale as a means of "getting around" Council and Govt. decisions on Green Belt retention.

Yours sincerely, W. J. Pearson.

30 Dec 02

DB

Dear Sir.

We the undersigned wish to object most strongly, to the proposed disposal of 1.68 HA of land at The Warrens, Thingwall Road East, Thingwall Wirral, Merseyside.

This land is very dear to the people of this borough, and should, in our opinion be kept by Wirral Borough Council, for further use. Please, Please do not sell this land.

Yours Sincerely

Joan Crompton.

Joan Crompton

Conveyancing Section
- Town Hall
New Brighton.

5th Jan 2009

Re- Sale of land at the Warrens
Thingwall.

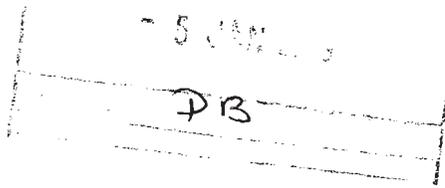
I would object to the sale of the
Warrens land on the basis on Environmant
I have lived there for 22yrs &
use the land for leisure & walking
my dogs I object very strongly to this
plan for sale

yours Sincerely
Gary Saultant.

DB

3 January 2009

The Conveyancing Section
Wirral MBC
The Town Hall
Brighton Street
Wallasey
CH44 8ED



Dear Sirs,

Proposed Sale of 1.68 hectares of land at The Warrens, Thingwall Road East, Thingwall, Wirral. Your Reference: DB/LD/L8/1313

I am writing on behalf of this Society to object to the above-mentioned proposal, to urge the Council to withdraw the proposal and to retain ownership of this piece of land.

It is commonly accepted that the land in question is part of the Wirral Green Belt. This Society is also of the firm opinion that it is still part of Arrowe Park as it was when the land was acquired by Birkenhead Council some 70 years ago. The fact that the area was used as a horticultural nursery for many years did not, in the Society's opinion, change the fact that this area is an integral part of Arrowe Park.

If the Council has no current use for the facilities at Warrens Nursery then it is the Society's view that the land should be returned to its original condition and treated in every way as part of Arrowe Park.

If financial circumstances require that this piece of land should generate income for the Council then this Society is of the opinion that it should be done by leasing the land, on as short a period as is practicable and preferably for horticultural purposes, but retaining ownership in Council hands.

Yours faithfully,

W B LELLO
Chairman

Conveyancing Section,
Legal Department,
Town Hall,
Brighton Street,
Wallasey CH44 8ED

B.Norman Esq,

Dear Sir,

Re. ~~Prop~~osed sale of land at The Warrens, Thingwall Road East

With reference to the above, we should like to object to the proposed sale of this land. Although this land has been used for agricultural purposes for many years, it is Green Belt land and if sold will obviously be purchased by a developer or the PCT with a view to development. It will therefore present a further encroachment into the already shrinking Green Belt land.

If it no longer fits the purpose and is surplus to requirements, it should be returned to the parkland from whence it was originally taken, to be enjoyed by the local people which was the original intention of the creation of Arrowe Park.

Yours faithfully,

E. Rafferty

(9.15) E.Rafferty.

F.A.O. Mr Best
Conveyancing Section Asset Management
Wirral Metropolitan Borough Council
Town Hall
Brighton Street
Wallasey
Merseyside CH44 8ED

Your ref: DB/LD/L8 1313

6 January 2009

Dear Mr Best

**Re: Section 123 Local Government Act 1972 (as amended) Disposal of 1.68 HA
land at the Warrens, Thingwall Road East, Wirral, Merseyside**

The Open Spaces Society (formally the Commons, Open Spaces and Footpaths Preservation Society) was founded in 1865 and is Britain's oldest national conservation body. It campaigns to protect common land, village greens, open spaces and public paths, and people's right to enjoy them.

We object to the disposal of this area of greenbelt open space.

We believe the area is used by local people for recreation and any disposal would be detrimental to the public. The land is part of Arrowe Country Park and should be retained.

The greenbelt designation will not be removed by any disposal, as far as we are aware, and it would still be necessary to show 'special circumstances' if development is proposed.

Yours sincerely



Nicola Hodgson
Case Officer
nicolahodgson@oss.org.uk

FAO The Conveyancing Section
Metropolitan Borough of Wirral,
Dept of Law, HR & Asset Management,
Town Hall,
Brighton Street,
Wallasey, Wirral,
CH44 8ED

7-11-11
DB

,Dear Sir / Madam

Ref DB / LD / L8 /1313 - The Proposed sale of 1.68ha of land at the Warrens, Thingwall Road East, Thingwall, Wirral.

This Society wishes to respond to the Council's invitation to comment on the decision by Cabinet, relating to the sale of this part of 'the Warrens' site, to declare it 'surplus to requirements'.

The Society acknowledges the Council's right to dispose of any land within its ownership. However, the Society wishes to object to the sale of the above portion of land, insofar as we understand that the reason for wishing to sell, is in order to enable the Wirral Primary Care Trust (PCT) to purchase the land for development.

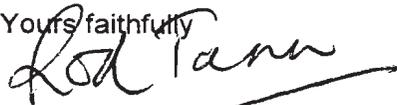
The Society also acknowledges the PCT would still have to obtain Planning Permission from the Council, in order to develop the land, but as custodian of the Wirral Green Belt, we consider that by selling the land, the Council is deliberately encouraging the PCT to try and build on this protected area of land. Should a subsequent Planning Application to build, be approved, the scale of development proposed by the PCT would result in significant urban encroachment.

It is also our understanding that that included in the sale would be the access road into the site, which potentially could result in the loss of access to the footpath leading across the site, to the woodland beyond

I should be grateful then if you would register our formal objection to this sale.

Thank you.

Yours faithfully



Rod Tann
Chairman



THE WARRENS, THINGWALL ROAD EAST: PROPOSED PCT HEALTH CENTRE

The Friends of Ashton Park are a member of the Wirral Parks Friends Forum set up (along with the Wirral Parks Steering Group with senior officers and the relevant councillor constituted in April 2006) to provide a strategic, Wirral-wide dimension to the activities of the Friends Groups drawn from across the Wirral:-

- To serve as a link between the different Friends' Groups on the Wirral.
- To promote the role and development of parks and open spaces on the Wirral.
- To work with staff in Wirral Council's Parks and Countryside Section of the Department of Regeneration to further the above aims.

The agreed objectives of the organisation qualified the Friends of Ashton Park to object to the planning application for "The Warrens" as an encroachment onto land used as a park and open space represented by a fellow Friends' group and we continue to have deep concerns about recent developments relating to the Warrens site as a whole.

The proposals also represent an encroachment that may set a precedent for other parks and open space. The role of parks and open space are diverse as recognised by policies and strategies at both national and Wirral Council levels - recreation, sport, health and well-being, education, entertainment, culture, tourism, biodiversity, sustainability, social and community cohesion, community events, visual amenity, prevention of crime and disorder and promoting urban quality. The aim of the Friends of Ashton Park is to protect and develop this role in West Kirby and support those following similar objectives elsewhere in Wirral.

The Friends of Ashton Park objected to the planning application (and made representations to the now delayed planning enquiry) for a one-stop primary care centre on the Warrens site at Thingwall on various grounds – these were:-

- Encroachment of development onto designated parkland.
- Wirral's failure to comply with PPG 17 guidance for a study of open space, sport and recreation need and provision within the Council's area.
- Development on Green Belt land.
- Visual impact on local and wider landscape.
- Protection of historic areas of distinctive quality and character.
- Need for development of sport and recreational facilities.

- Impact on nature and conservation.

We were most heartened that Wirral Council Planning Committee had recognised some or all of these arguments by making clear to the PCT that the land for the proposed development was not available for their use.

In view of developments surrounding the planned public enquiry and the offer of other land to the PCT for the development within the Warrens site and within the perimeter of Arrowe Park, the Friends of Ashton Park have again mandated me to express concern on these new developments. Therefore, the Cabinet decision on 16th October fills us with dismay and some incredulity bearing in mind the u-turn in the Council's position, the closeness of the two sites and that all the basis for objection raised by the Parks Friends Forum, the Friends of Ashton Park and many other community groups still apply.

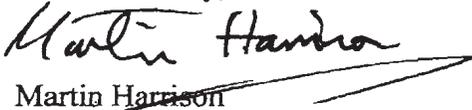
The Friends of Ashton Park would like to restate its opposition to the use of public open space and Green Belt land and its sale. It therefore urges the Council to reconsider the decision and so maintain its position established by the Planning Committee which recognised the unsuitability of the site for such use and that Very Special Circumstances were not shown. (whichever of the three elements of land within the Warrens complex are in question).

The Cabinet decision refers to the Warrens Nursery being declared surplus to requirements – it is not clear on what this statement is based bearing in mind the need for facilities for people with disabilities, the pressing need and large demand for allotments and the recommendations of the Wirral Play Strategy for more and more adventurous play areas – a need that is likely to grow even larger with the current concerns on health, fitness, producing locally and sustainability.

Additionally the Council have not, setting aside that the land is Green Belt, demonstrated that the land is surplus for park use, play space or allotments especially as the PPG17 study to be undertaken by the consultancy, Strategic Leisure, has yet to be completed based on advice from Parks officers and this and the results of the Cultural Services Study and neither have been given to us, as promised, to comment on and discuss with Cllr Moon and your officers.

I would like to point out that the Friend of Ashton Park are also keen to see further improvements in the quality and range of medical services throughout Wirral. But the proposal to build a One Stop Primary Care Centre on Green Belt and park land cannot be supported.

Yours sincerely,

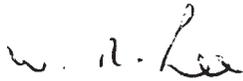

Martin Harrison

To whom it may concern:

Re: DB/LD/18/1313: land at the Warrens

On behalf of the Wirral Parks Partnership and the various Friends groups which make up the Friends Forum, I would like to express my opposition to the proposed sale of greenbelt land at the Warrens. As you are aware, the land in question is part of the designated greenbelt and there are no special circumstances which justify any sale by the Metropolitan Borough of Wirral. An approval of any development at this juncture would be contrary to official planning legislation at both the national and local authority level.

Yours sincerely,



Professor W R Lee

Chairman, Wirral Parks Partnership

Refer	LD/L8/1313
	DB

DB

6th January, 2009

Wirral Borough Council,
Conveyancing Section,
Department of Law, HR and
Asset Management, Legal and
Member Services,
Town Hall,
Brighton Street,
Wallasey.
CH44 8ED

To whom it may concern,

**PROPOSED SALE OF LAND AT THE WARRENS, THINGWALL ROAD EAST,
THINGWALL, WIRRAL.**
Ref: DB/LD/L8/1313

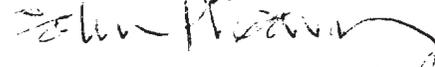
Please accept this letter as our formal notification to you insofar as **we wish to register our objection to the above proposal.**

Our objection is based on the fact that this area of land is within and is therefore part of the designated Green Belt and is part of Arrowe Country Park, being situated within its boundaries. Additionally, we consider that such a "sell off" would result in even further loss of public amenity, green space, footpaths, woodland, wildlife habitat, etc. and would, in itself, be an even further encroachment into that slowly decreasing and therefore ever more valuable area of recreational land namely Arrowe Country Park, which is enjoyed and used by many, many people.

It is our opinion that the proposed "sell off" of this publicly owned Council asset, if proceeded with, would result, no doubt, in some wholly inappropriate development of the Warrens Nursery Area. We cannot help but feel that the interests of those parties already "waiting in the wings" to acquire this land for their own immediate and pecuniary interests would best be served by the "sell off" of some other Council owned "Brown Field" site and not by the continuing pursuit of this particular piece of our green heritage and the ongoing destruction and reduction of what remains of Arrowe Country Park.

We are therefore, yet again, at a loss to understand and still cannot believe that this Council and certain of its publicly elected representatives do not appear to understand the needs and interests of the community which elected them and which they serve both local to this proposal and of the wider areas of this Borough, nor seemingly, do they apparently even care, as they have made so obvious by their intentions in putting forward such a proposal as this.

Yours sincerely,


Colin & Carol Pleavin

6th Jan. 2009.

Dear Mr. Best/Mr. Norman,

Ref. DB/LD/L8/1313 –Proposal to sell greenbelt land at ‘The
Warrens’ – OBJECTION

Please find herein my objection to the proposal to sell greenbelt
Arrowe Park land at ‘The Warrens’, on the following grounds:

- a) The land is greenbelt land and is thus protected from development by both local and National Planning legislation.
- b) The land, subject of this proposal is part of Arrowe Country Park.
- c) No special circumstances exist which would legalise the selling of, or development of this land
- d) As an immediate neighbour of this land, and Thingwall Corner resident of some 30+ years, I stress that this proposal would constitute inappropriate development for our locality.
- e) The land in question has always afforded open access to the Arrowe Park woods, bordering the golf course, and locals have always, during at least my time of residence, walked onto this land and across footpaths thereupon, specifically. The Local ‘Public’, have never been denied access.

In conclusion, I have always enjoyed the openness of this greenbelt parkland, and any attempt to ‘develop’ for building purposes would set a disastrous and anti-community precedent, resulting in further encroachment and thus deplorable destruction of character of a Wirral rural beauty spot. The glasshouses may certainly be, ‘surplus to requirements’, now...the land certainly is not. I object vigorously to this anti community proposal.

Yours sincerely,

M J L. Remy ^{M159}

6th January 2008

Bill Norman
Director of Law, HR and Asset Management
Town Hall
Brighton Street
Wallsend

Ref DB/LD/L8/1313

Dear Mr Norman,

I object to the proposed sale of
1.68 hectares of land and the Warrens
in Thigwell road east.

I require you to prove to me
that no restrictive covenants exist
in respect of this land.

Yours sincerely
P O'Keill

PE Page 28 O'KEILL

2nd. Jan., 2009.

To,

Representatives: Wirral Council Conveyancing Section

Ref: DB/LD/L8/1313

'PROPOSAL TO SELL WARRENS GREENBELT PARKLAND'

OBJECTION

Please find herein my strong objection to the proposed sale of this land as defined in your Public Notice.

I object on these grounds:

1. The land is Greenbelt land, as shown on the UDP, and as such it is against both local and National planning law, to offer for 'development'. There are no circumstances exempting this land from that protection.

2. The land is shown on the borough's own tourist map as Arrowe Country Park land; it is shown clearly within the boundary wall. I produced this map at the scrutiny committee, and copies of that, as you know, exist in the Law Dept. I am making official complaint that this evidence has been dismissed.

3. The process, by which this particular piece of land, that is, Wirral Council Cabinet and subsequently, the 'Overview and Scrutiny Committee', is/was declared 'surplus to requirements', was inauthentic, flawed, undemocratic and invalid, owing to the fact that the Labour Lib. Dem. Cllrs. In power, holding voting rights are not the elected representatives of the people.

I am making official complaint regarding this matter.

4. Given the 'melt down' of Wirral Council, and lack of confidence on local govt. and the impending asset review, and the fact that this proposal to sell greenbelt land is driven by the PCT definitions, thereby ignoring the quasi judicial process of local/National Planning Law requirements, this unusual manoeuvre should be put on hold, till it is clear which assets are remaining, after the decision making is finalised.

I shall be making full complaints to external monitoring agencies, if my citizen's requests are ignored. I have pointed out that, until these major decisions are made, all attempts to push forward any attempt to 'develop' Warrens greenbelt land must be put on hold.

I also take the opportunity to question the waste of our public money, in a time of extreme financial hardship and uncertainty, on the proposed 'Appeal' for Warrens Demonstration Area, given that Cllrs. Have said that WBC will not sell.

I shall complain officially to Central Govt. about this.

5. As the dept. is well aware, our local Community have forwarded evidence of use of footpaths over THIS SPECIFIC PIECE OF LAND, AS WELL AS DEMO. AREA.

I charge that the legal dept. have chosen deliberately and strategically to ignore our depositions and energy and rights.

6. Although PCT material goes to great lengths to try to pass off the land, subject of THIS PROPOSAL....(see their propaganda 'consultation' selling material...), as in some way 'less green', it does of course, include vast swathes of grassland, habitat to much wildlife....examples can be offered as evidence, inc. field vole, prey of certain raptors to be found in this locality.

There is indigenous wildlife here, and only in this past week we have heard entomologists on radio telling us yet again, about the importance of insects in the food chain. There is a substantial knock on effect from the tarmacking of greenbelt. It is not only about 'trees'.

Being a legal dept., you will also know that it is the quality of 'openness' which is the key feature of greenbelt.

I have asserted many times that the history of expansion by NHS into Arrowe Country Park long ago reached unacceptable levels. We look to the hospital to see just what happens once that greenbelt space is broken. Any agreement to sell any part of this land will result in continuing/continual encroachment. The proposal to sell creates the precedent for appalling destruction of character, identity, landscape and habitat.

Given all those points, which I have only briefly alluded to here I reassert a vehement objection.

WBC are making this land available for the PCT. This would suggest a by pass of the expected democratic processes of Planning Law, dictated by Govt.

I have requested that all land/property negotiation and business be stopped, arrested until after the decisions are made re. the proposed 'cuts'. It is well possible that there will be redundant space/properties available, in key parts of this locality, suitable for local expansion of existing services, with no contentious issues of greenbelt. I repeat that assertion and request.

The problem here is the PCT over ambition. They will have even more scope to expand locally, (Irby/Pensby library...could be empty buildings

in a month or two...), and if PCT still determined to 'devour a big space',....then, as I have pointed out, Fisher's Lane Community Centre is now available, and of course, it is a more central site.....and does not involve greenbelt.

Whatever the outcome, WBC Legal Dept's haste in forging ahead in this attempt to sell off and develop greenbelt, at this time, with hindsight would be viewed by independent scrutineers as incredible, inappropriate and suspect, if not illegal?

I shall be attending all enquiries to assert the need for total scrutiny of decisions, timetablings and a review of the full passage of attempts to use part of our greenbelt parkland for profit and not to the benefit of the health and welfare of Wirral citizens.

This attack on our community asset is deplorable and unnecessary. The manner in which Community assertion and effort towards protecting this land, (i.e continual work in proffering evidence/maps, staements etc..with no real consideration/affirmation of authenticity) is an affront to our value and dignity.

Yours

V. Curtis

Valerie Curtis

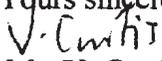
URGENT

7th Jan. 2009-01-07

To, Representatives: Wirral Council Conveyancing Section
Ref: DB/LD/L8/1313
'PROPOSAL TO SELL WARRENS GREENBELT PARKLAND'
OBJECTION...Additional statement

Further to my statements of objection, in my letter to the dept., dated 2nd January 2009, please add the following statement, an omission,..:

7. The local community have never been denied access to the land defined herein as 'surplus to requirements', and subject of this Public Notice of 'Proposal to sell'. The community has submitted a petition regarding future use of this land, for Allotment Gardens, a deficit of which has been agreed by Council officers. That petition is to be debated, with inclusion of input by Community representative at the Cultural Services Committee meeting in the last week of this month. Legal dept. officers must give precedence and deference to that democratic opportunity and procedure.

Yours sincerely,

Ms. V. Curtis

4 January 2009
Wirral Borough Council,
Conveyancing Section
Town Hall
Brighton Street
WALLASEY
CH44 8ED

Ref:DB/LD/L8/1313

Dear Sir,

PROPOSAL TO SELL WARREN'S GREENBELT LAND, ARROWE PARK.

I wish to object strongly to the proposal to sell Greenbelt Land at the Warrens, Arrowse Park as it has been part of the green belt for decades.

It is difficult to understand how Greenbelt Land can be 'surplus to requirements'. It is there for the benefit of the whole community. It is the council's duty to protect Greenbelt Land on behalf of the community.

Even more surprising is the odd shape of this 'surplus' land. It is an odd shaped plot, bordered by greenbelt which is, presumably, not surplus to requirements. I assume the shape is dictated by the requirements of the PTC who wish to build a large clinic on this plot. I thought it was not possible for you to sell land without going out to tender or auction. Therefore, there is no guarantee that the PCT will be able to buy it if someone else bids more.

It is also against Government policy. As recently as June 2008, Baroness Andrews, Parliamentary under secretary at the Department of Communities and Local Government said in the House of Lords (Lords Hansard 25th June 2008: Column WA256) "In response to the noble Lord's questions on green belt policy, I can tell him that the Government are committed to the principles of the green belt and will make no fundamental change to policy in this area: a point the prime minister reiterated last July."

On a previous occasion she said that the "fundamental principle of our green belt policy is rightly cherished and will not be changed. It is right to protect the land that matters most, such as, our National Parks, areas of outstanding natural beauty or parks and green spaces in our towns and cities."

If it is required for the PCT there are other options much more central to the area and of easier access for patients, such as Fishers Lane Community Centre which I believe is surplus and not part of the green belt.

When the previous occupants of the Warrens Nursery moved out about 12 months ago, all was in perfect condition. Wirral Borough Council did not provide adequate security and the vandals took over. If it is beyond repair it is the council's duty to return the land to a condition that matches up with the rest of the green belt. The area is used constantly by the public. Looking at the plan it appears that public access will be denied, after many decades of use. This will cause much distress to the local community and other members of the public.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Angus Tilston', with a stylized flourish at the end.

Angus Tilston

Wirral Borough Council,
Conveyancing Section,
Town Hall,
Brighton Street,
Wallasey,
CH44 8ED.

DB

5th January 2009

Reference:DB/LD/L8/1313-Proposed sale of land at The Warrens.

Dear Sir or Madam,

I write to object to the proposal to sell this land because doing so will encroach upon Arrowe Country Park.

I also object to the disposal of greenbelt land, and the potential loss of wildlife habitat. For many years this area has seen little, if any, disturbance and will thus have become a good refuge for wildlife.

Yours faithfully,



Brian J. Grey

3 January 2009

Conveyancing Section
Wirral Borough Council
Town Hall
Brighton Street
Wallasey
Wirral
CH44 8ED

DB

Dear Sir/Madam

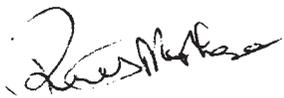
Reference: **DB/LD/L8/1313**

The proposed sale of 1.68 ha of Land at the Warrens, Thingwall Road East, Thingwall, Wirral

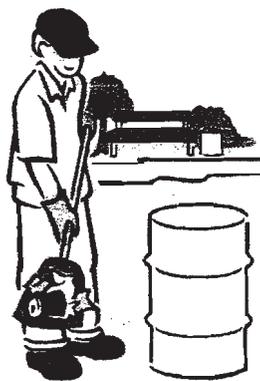
We would like to object to the proposed sale of 1.68 ha of land at the Warrens, Thingwall Road East, Thingwall, Wirral.

It is part of Arrowe Country Park and is green belt land. No more of this park should be built on.

Yours faithfully



Ruth and Donald McPherson



DB

**Conveyancing Section
Support Service Dept of Law
HR and Asset Management Legal and Member Services
Town Hall Brighton Street
Wallasey CH44 8ED**

2nd January 2009

Dear Sirs

**Proposed sale of Land at The Warrens, Thingwall Road East,
Wirral**

I am definitely against the sale of the above land. This is green belt land owned by the public and their wishes should be adhered to.

I will be as brief as possible.

This has all come about by the pigheaded resistance of the PCT to accept alternative sites within the vicinity. Twice they have been unanimously beaten at two previous planning sessions but this was for green belt land to the side of The Warrens (also green belt) . They led the public to believe that they were applying for the above site now under review. They are very devious. As I say, they failed twice and appealed to the Bristol Inspectorate and a 4 day hearing was to take place last October. This was postponed. The next thing a sudden meeting at the Town Hall re sale of the above land.

I attended this meeting which lasted almost five hours. The members of the public were ushered into a room and were seated to the left of the panel not being able to see them and finding it hard to hear at times. Many members of the public spoke rejecting to this land being sold off for building. Only

two persons spoke in favour of selling the land. One didn't even know what it was all about and made a complete ass of himself and the other, I think a member of Wirral B.C paths or something (we couldn't hear) seemed to have been coerced into this and to me seemed a bit hesitant to commit. Imagine my surprise when the vote took place and favoured to sell the land. I really got the impression that a decision had been reached before the meeting took place. Whilst I was waiting in reception one of the committee walked past and said to a colleague by me, "Can't talk to you I'm with the opposition tonight." I don't know whether he was for or against but I thought it was an unusual thing to say.

Why 2 days after this meeting did PCT send coloured glossy folder with letter/questionnaire to all patients (33,000 I believe) within which was an architect drawing of the proposed clinic/car park for 99 cars in situ on the above Warrens site. Next day I received (delivered by hand) an identical folder (measuring about 15" x 9") with a letter addressed to residents telling us not to complete the original letter - I wonder why!! This I completed with some harsh facts. They must have known the outcome of the meeting to have this brochure all prepared and sent out in a day.

I have lived here 9 years. I bought my little bungalow and have spent a lot of my savings bringing it up to date. I obtained a house owner's Survey carried out by Eric Murch and the usual Land Registry Survey and wonder why this never was revealed as PCT say they have been looking for 10 years. I bought this ensuring that there was no room for more build as Arrowe Park is green belt.

With Wirral B.C. proposed closures of so many libraries, leisure centres and I understand Fishers Lane Community Centre, which I am told by word of mouth one of the doctor's sons wants to turn it into some kind of church. Surely if the PCT are so desperate this Centre could be the answer to their prayers. Alternatively if the council are hell bent on shutting the Irby Library Irby Surgery could use this. As I've said repeatedly there is a new build 4 bed detached property practically adjoining Thingwall Surgery which would only need a wall taking down and Bob's your uncle the Thingwall Surgery is twice its size.

I haven't mentioned trees, birds or the like as you are no doubt sick of these but I would mention traffic and how stupid it would be to even contemplate bringing another road either into Thingwall Road East, where there have been 7 fatal motor accidents, or onto the Arrowe Park Road between Barnston roundabout and the Cemetery which is the main road serving M53, Birkenhead Town Centre and Upton.

I would think, in view of the present financial crisis the PCT

would be well advised to cut their losses and accept alternative premises which would require no new build or green belt invasion and thus save everybody the expense of numerous meetings and time wasting of all concerned.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Muriel Reeve".

M. A. REEVELL (Mrs)

Yur/Ref DB/LD/28/1313 ^{DB}
Objection to Sale of Land
at the Warrens, Thurgwall Rd
East.

4th January 2009

To whom it may concern.

I would like to notify you of my objection to the proposed sale of land at the Warrens, Thurgwall Road East, Thurgwall, Wairarapa.

I believe this area of land, on which the glasshouses stand, is part of Araroa Country Park & that if this area is sold there is a big risk of it becoming land which will be built on.

This proposed area of land is greenbelt land and parkland & any buildings or change of use will destroy this part of the parkland and could well set

precedence for further land sale
a encroachment of buildings of
other use. I am of the understanding
that the PCT are now interested
in this section of land for their
proposed 'super surgery', having
been unable to obtain the land
to the left of the glass houses.
Any erection of such buildings
would need access roads &
car parks which would destroy
footpaths & wooded areas & also
add to traffic congestion on an
already busy road hence making
the roads & pavements more dangerous.

On these grounds I strongly object
to the sale of land at the Warrens
& sincerely hope that the park will
stay intact

Yours faithfully,
Carole Wilshaw

Conveyancing Section
Town Hall,
Brighton Street,
Wallasey
CH44 8ED

2nd January 2009

DB

Dear Sir

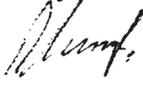
Ref: DB/LD/L8/1313

With reference to the Council's application to sell the glasshouse area at The Warrens, we strongly object to the sale of this land mainly on the grounds of encroachment. We feel that once the Council have succeeded in selling this plot it paves the way for more of Arrowe Park to be sold off in the same way.

The problems at the Demonstration Site also apply here including loss of footpaths and woodland.

Please do not let this sale go ahead.

Yours truly,

Pat and Robert Jump

DB

4th January 2009

Wirral Borough Council
Conveyancing Section
Town Hall
Wallasey
CH44 8ED

Your ref: DB/LD/L8/1313

Dear Sirs,

This is to register my objection to the intended sale of green belt land, in this case, the area at present occupied by greenhouses at The Warrens.

1. It is possible that, in the not too distant future, a different Council may wish to use the site for its original purpose and bring back a much appreciated cultural asset to beautify our surroundings.
2. If the land is sold for what purpose will it be used? This is an extract from paragraph two, page four, in a recent consultation document produced by West Wirral Group Practice & NHS. "Wirral Council has recently indicated that the former glasshouses site could be available for the new proposed surgery." The document shows a site plan and an artists impression of the proposed surgery. This is sufficient indication as to what the Council may consider and I would be very much against any such proposal destroying our green space.
3. Although the complete Warrens site is still owned by the Council, I am disgusted with the fact that the above mentioned document can describe the greenhouse area as derelict. The impression I have is that the Council has simply abandoned the lot, rather than maintain the site in good order.

Yours faithfully,



Mr. A. Owings

CONVEYANCING DEPARTMENT

Wirral Borough Council

Wallasey Town Hall

6th January 2009

Dear Sir,

REF. DB/LD/L8/1313 Greenbelt land at Warrens

Please register my objection to the above proposal on the following grounds;

1. The land, subject of the proposed sale is greenbelt land, and there are no ***special circumstances*** justifying its development.
2. Development of this land does not conform to local and national govt. planning legislation.

Yours faithfully

Carolyn McKillop (Mrs)

CONVEYANCING DEPARTMENT

Wirral Borough Council

Wallasey Town Hall

Dear Sir,

REF. DB/LD/L8/1313 Greenbelt land at Warrens

Please register my objection to the above proposal on the following grounds;

1. The land, subject of the proposed sale is greenbelt land, and there are no ***special circumstances*** justifying its development.
2. Development of this land does not conform to local and national govt. planning legislation.

Yours faithfully

Mal McKillop
G.I.F.E., Dip.O.S.H.

The Conveyancing Section.
Wirral Metropolitan Borough Council.
Town Hall.
Brighton Street.
Wallasey.
CH44 8ED

Your Ref: DB/LD/L8/1313
Location: The Warrens, Thingwall Road East, Thingwall, Wirral
Subject: Proposed sale of 1.68 hectares of land

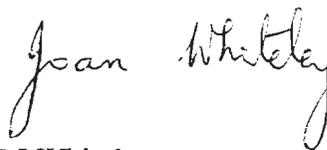
Dear Sir,

Formed in 1957 Wirral Green Belt Council is a non political voluntary group which aims to set up in Wirral a Green Belt of the greatest possible natural and rural amenity and to protect and preserve that Green Belt. Membership consists of affiliated voluntary groups whose delegates meet together to discuss all current Green Belt issues. Thus Wirral Green Belt Council has a sound and wide ranging information base amongst the residents of Wirral .We monitor the whole of Wirral and are a formal consultation body for both Wirral planning authorities and on a wider basis as appropriate.

I write in my role of Green Belt Planning Coordinator for Wirral Metropolitan area of Green Belt.

1. The land at The Warrens is designated Green Belt. It has been in Municipal ownership for some 70 years and included as part of Arrowe Park. Wirral Green Belt Council strongly objects to the proposed sale of 1.68 hectares.
2. We also object to the proposed change of use of the land. The change of use is the reason for the proposed sale.
3. The change of use introduces issues which are contrary to Green Belt planning criteria on both local and national scales.
4. We say that this land be retained in public ownership and that it has potential to generate income by continued horticultural uses.

Yours faithfully,



Mrs M.J.Whiteley
Honorary Planning Co-ordinator