

ECONOMY REGENERATION & DEVELOPMENT COMMITTEE

Tuesday, 26 January 2021

Present:

Councillor A Leech (Chair)

Councillors	J Bird	D Mitchell
	D Burgess-Joyce	J Stapleton
	A Gardner	K Greaney
	S Hayes	C Povall (In place of
	T Jones	A Hodson)

10 **WELCOME AND INTRODUCTION**

The Chair welcomed everyone to the meeting.

11 **APOLOGIES**

The Chair noted apologies from Councillor Andrew Hodson, who was deputised by Councillor Cherry Povall.

12 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

There were no declarations of interests.

13 **MINUTES**

RESOLVED – That the minutes of the meeting of the Economy, Regeneration & Development Committee held on 27 October 2020 be approved and adopted as a correct record.

14 **PUBLIC AND MEMBER QUESTIONS**

The following question had been received from David Maguire, CEO of WIRED (Wirral Information Resource for Equality & Diversity).

Question

How have Wirral Council, in relation to the Birkenhead Town Centre development and demolition plan, specifically considered the future of the shop mobility service in the discussions and actions to date that Wirral Council have participated in and can you provide the name of the meeting/s, the date of the meeting/s and copies of any documentation or meeting minutes that relate to these discussions and actions?

Answer

This is in effect a request for information under the Freedom of Information Act and I have therefore asked officers to refer the query to the Information Management Team to respond in accordance with the applicable timescales.

15 **REVISED STATEMENT OF COMMUNITY INVOLVEMENT**

The Chair of the Committee advised Members that it had come to the attention of Council officers that the Government had published new regulations which made changes to consultation arrangements in respect of sustainability appraisals prepared for Local Plans which needed to be reflected in the revised Statement of Community Involvement.

The Director of Regeneration and Place therefore stated that the report was withdrawn and Members were asked to note that a further report will be brought to the next convenient meeting of this Committee with further updates to the draft Statement of Community Involvement to take account of the new regulations.

This was noted.

16 **PLANNING ENFORCEMENT POLICY**

A report by the Director of Regeneration and Place recommended a revised Planning Enforcement Policy which was intended will act as a guide to enable the Council to carry out its planning enforcement activity, in a way that was appropriate to its area.

It built upon the Council's overarching enforcement policy approved in 2020 and set out in further detail how the Council would monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it was appropriate to do so. The policy was set into 5 priorities and set out 6 milestones to be reviewed every three years.

Members questioned the resources involved but were reassured that they were kept under review with targets monitored quarterly.

RESOLVED – That the revised Planning Enforcement Policy as set out in Appendix 1 to the report be adopted.

17 **ECONOMY, REGENERATION AND DEVELOPMENT COMMITTEE BUDGET CONSULTATION**

The report of the Director of Resources formed part of the Council's formal budget setting process, as set out in the Constitution and in accordance with the legal requirements to set a balanced and sustainable budget for 2021/22.

Policy and Resources Committee had to recommend a 2021/22 balanced Budget proposal to the Council for its meeting in March 2021. The Committee was asked to consider and provide feedback on Budget proposals.

The Director of Law and Governance advised this it was helpful for the public to understand that the process this year differed from other years. He stated that this municipal year was truncated, and things had gone through at speed. The normal budget consideration had not happened because of the timescales required. Members of the Committee had received the options by way of workshops and the Committee's suggestion then went to Policy and Resources Committee.

The public consultation was underway, and the final settlement figure central Government had not been received so the figures were estimates based on experience. The Director for Regeneration and Place stated that the budget looked to capitalise on National Non-Domestic Rates and Council Tax projections. Initiatives such as integrating Birkenhead Market would assist with this as would the proposals around the disability access budget. All Council offices are compliant, so any future adaptations could be met by the existing budget. The chair commented that anything we want to draw down on in the capital budget can be bought back to Committee.

RESOLVED – That the budget proposals which fall under the remit of the Economy, Regeneration and Development Committee be presented for consideration to the Policy and Resources Committee in February 2021.

18 **ECONOMY, REGENERATION AND DEVELOPMENT WORK PROGRAMME UPDATE**

The Economy, Regeneration and Development Committee, in co-operation with the other Policy and Service Committees, was responsible for proposing and delivering an annual committee work programme, to align with the corporate priorities of the Council, in particular the delivery of the key decisions which are within the remit of the Committee. The work programme for the Economy, Regeneration and Development Committee was attached as Appendix 1 to this report.

Members raised a question about the proposed application to Government by the Liverpool City Region Combined Authority for Freeport status. The Director of Regeneration and Place suggested that a workshop be held to brief members on the Freeport proposal.

RESOLVED: That the work programme for the remainder of the 2020/21 municipal year be agreed subject to the addition of the Freeport issue.

19 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraphs 3 and 5 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

20 **BIRKENHEAD TOWN DEAL - FUNDING REQUEST**

In September 2019 the Government announced a new 'Town Deal', an opportunity that invited 101 places to develop proposals as part of a £3.6bn Towns Fund. The Government invited the Council to enter into a 'Town Deal' agreement for Birkenhead, which would see investment of up to £25m, or for proposals with regional significance up to £50m, to boost productivity, skills and living standards.

A Town Deal for Birkenhead would complement other activities being undertaken as part of the wider growth and regeneration programme for Birkenhead. If successful, a Town Deal for Birkenhead would see capital investment in the town. However, the services provided within the new infrastructure delivered could be accessed by people across the borough.

Officers were preparing the bid submission, comprising a Town Investment Plan and supporting documentation, ready for the submission deadline on 31 January 2021.

The report provided Members with an update regarding the development to date of the funding bid and sought approval to allow the final sign-off of the Town Investment Plan and any necessary supporting documentation.

Members discussed topics around the Deal including the green corridor, priorities, metrics and the Town Deal Board.

RESOLVED: That

- (1) the themes of the emerging Town Investment Plan be endorsed**
- (2) authority be delegated to the Director of Regeneration and Place, in consultation with the Chair and Spokespersons of the Economic Regeneration and Development Committee and the Chair of the Town Deal Board, to agree the content and submit the Town Investment Plan.**
- (3) authority be delegated to the Director of Regeneration and Place, in consultation with the Chair and Spokespersons of the Economic Regeneration and Development Committee, and the Chair of the Town Deal Board, to agree the Town Deal Heads of Terms with Government.**

(4) It be agreed that this decision is urgent and therefore not subject to review.

21 **CELTIC MANOR RESORT, HOYLAKE**

At its meeting of 27th June 2019 the Business Overview and Scrutiny Committee resolved that it be recommended to Cabinet (13:0) (no abstentions) that

- 1) The financial and investment landscape has changed significantly since the Council sought the option to further invest in this project in 2016 to sit alongside its commitments under the development agreement.
- 2) In that time, the Council has expanded its acquisition and investment portfolio considerably, seeking to create income to invest in services, to make wider economic and social returns, to regenerate areas and to continue to attract high quality investment by businesses in the Borough.
- 3) This has led to increased borrowing by the Council to invest elsewhere than that envisaged by Cabinet when it last looked at the development agreement and outline proposals, a revised risk profile for those wider investments and further thought to the priorities that the Council should employ in making investment decisions.
- 4) In the light of that, this Committee considers that the Council's investment profile and limited resources would be better served if this business venture was funded on the open market, rather than through Council borrowing, and it is therefore recommended that Cabinet do not enter into a separate agreement to fund the Celtic Manor project at this time. In doing so, the Committee and Cabinet received due diligence and funding and phasing reporting in respect of the funding application that included commercially sensitive information that was not published for reason that it involves the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A (as amended) to that Act and that the public interest test had been applied and considered to favour exclusion.

That recommendation was endorsed by Cabinet at its meeting of 8th July 2019. The Cabinet decision was to not invest in the Hoylake development (known as the Celtic Manor Resort) in response to the funding application submitted under the Development Agreement entered into between the Council and Nicklaus Joint Venture Group. That Development Agreement would subsist until December 2022.

A legal challenge had been received in respect of the contractual provisions of the Development Agreement by way of a Dispute Notice and also in respect of the exempting of information from publication in that regard by way of a decision of the Information Commissioner delivered in December 2020.

The Director of Law and Governance explained the legal background to the situation and the issues being considered, and he answered Members' questions.

RESOLVED: That the actions taken thus far in responding to the legal challenges received be ratified and the continuation of such actions as the Director of Law and Governance considers is necessary and in the public interest to implement the outcomes of the meetings of the Business Overview and Scrutiny Committee of 27th June 2019 and the Cabinet of 8th July 2019 be endorsed.