



## Environment Overview and Scrutiny Committee

<b>Date:</b>	<b>Friday, 21 August 2020</b>
<b>Time:</b>	<b>4.00 p.m.</b>
<b>Venue:</b>	<b>via the Microsoft Teams application</b>

This meeting will be webcast at  
<https://wirral.public-i.tv/core/portal/home>

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## AGENDA

**1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST / PARTY WHIP**

Members are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

Members are reminded that they should also declare whether they are subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

### Call-In Procedure

**2. CALL-IN HOYLAKE BEACH MANAGEMENT (Pages 3 - 26)**

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## **CALL IN PROCEDURE**

### **Chair's opening remarks (5 minutes)**

The Chair will open the special Committee meeting convened to consider the Call-In and set out the procedure as follows:

### **Explanation of the call in by the lead signatory (5 minutes)**

The Chair will invite the lead signatory to set out the reasons for the Call-In. Members of the Committee will be invited to ask the lead signatory questions.

### **Overview and explanation of the decision taken by the relevant Cabinet Member (5 minutes)**

The Chair will invite the Cabinet Member to explain the reasons for the decision. Members of the Committee will be invited to ask the Cabinet Member questions.

### **Evidence from call in witnesses**

The Chair will invite the following witnesses to come forward. Witnesses may read out a written statement (not to exceed 5 minutes) if they wish, prior to questions from Members of the Committee.

*(Running order of witnesses)*

### **Evidence from decision-taker's witnesses**

The Chair will invite the following witnesses to come forward. Witnesses may read out a written statement if they wish (not to exceed 5 minutes), prior to questions from Members of the Committee.

### **Summary of the lead signatory (5 minutes)**

The Chair will invite the lead signatory to summarise the key points of evidence given in support of their case.

### **Summary of the decision-taker (5 minutes)**

The Chair will invite the decision-taker to summarise the key points of evidence given in support of the initial decision.

### **Committee Debate**

The Chair will invite comments, observations and discussion from members of the Committee.

### **Committee Decision**

The Committee having considered the evidence and debate may:

- Refer the decision back to the Cabinet Member setting out in writing the nature of its concerns.
- Refer the matter to the Council. Such a referral should only be made where the Overview and Scrutiny believes that the decision is outside the policy framework or contrary to or not wholly in accordance with the budget. The procedures set out in those rules must be followed prior to any such referral.
- Uphold the decision - If the Overview and Scrutiny Committee agrees with the initial decision the relevant Senior Officer may implement it without delay.

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## EXECUTIVE MEMBER DECISION FORM

**DECISION TO BE TAKEN BY:** Councillor Elizabeth Grey

**KEY DECISION:** NO

**PORTFOLIO AREA:** Environment and Climate Change

**PORTFOLIOS AFFECTED:** Environment and Climate Change

**WARDS AFFECTED:** Hoylake and Meols

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**SUBJECT:** Hoylake Beach Management

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### 1.0 RECOMMENDATION:

The Cabinet Member for Environment & Climate Change is requested to:

1. Consider the contents of this report and the accompanying Natural England report.
2. Agree to the pausing of vegetative beach management works, including the spraying of herbicide and mechanical raking on Hoylake Beach whilst full independent environmental and scientific studies and stakeholder engagement by a suitably qualified provider are undertaken. This will determine the long-term strategy for the management of Hoylake Beach and will include local communities and the Royal National Lifeboat Institute (RNLI)
3. Approve ongoing engagement and dialogue and with local stakeholders and other statutory bodies including Natural England, the Environment Agency and the Marine Management Organisation in relation to the provision of overall beach management and the identification and agreement of (if appropriate, in accordance with the findings of any ecological survey, and consented by Natural England) a designated "amenity beach" area.
4. Approve the continuation of the removal of windblown sand from against the sea wall as and when it accumulates. This does not constitute vegetation maintenance.

### 2.0 REASONS FOR THE DECISION

- 2.1 The management of the beach is a complex, sensitive and important issue. In determining a long-term Beach Management Plan, the Council needs to be considerate of both the current and future ecological, environmental and economic factors, together with how coastal evolution and climate changes could affect Wirral's shoreline. The accompanying report is written following the receipt of commissioned advice from Natural England in their capacity as the regulator. A copy of the advice provided by natural England accompanies the report.


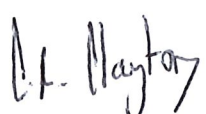
- 2.2 The report from Natural England highlights several key, critically important considerations that the Council needs to evaluate before deciding whether it is appropriate to continue with its historic and existing program of beach management. It recognises the development of the Hoylake coast including its designation as an SSSI, factors influencing the growth of vegetation and the associated control of vegetation, wider values and opportunities, issues for consideration within a wider Beach management Plan and suggestions for the way forward.
- 2.3 There is a real and current risk that existing management practices associated with the coastline are working against, natural evolutionary processes that could eventually create an environment resilient to rises in sea and tidal levels, that conserves coastal systems and associated habitats and biodiversity. Existing practices are no longer consistent with the views and advice from Natural England.
- 2.4 Also, there is increasing public concern surrounding the existing beach management practices. The Council's treatment of Hoylake beach with Glyphosate (a herbicide used to treat vegetation growth that is increasingly being associated with having carcinogenic properties) in August 2019 caused significant local and national complaints and negative media coverage. Such a level of reaction was not seen in previous years. Pausing activity is also consistent with Wirral Council's declaration of a Climate Emergency and also the Council approved motion – 'Glyphosate Free Wirral' to reduce the use of the chemical herbicide Glyphosate throughout the borough.
- 2.5 Consequently, a pause in beach management works is appropriate, whilst the Council considers the way forward by which to address public concern, evaluate Natural England advice and preserve Hoylake's status as a nationally important Site of Special Scientific Interest (SSSIs), International Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Wetland site.


### 3.0 STATEMENT OF COMPLIANCE

- 3.1 The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

### 4.0 DECLARATION OF INTEREST

- 4.1 There are no declarations of interest.

<p>Signed: </p> <p>Executive Member: Cllr Elizabeth Grey</p>	<p>Signed: </p>
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<p><b>Date: 13 March 2020</b></p> <p><b>Also present:</b></p>  <p>ANDY McCANN</p>	<p><b>Deputy Chief Officer: Colin Clayton (Assistant Director, Community Services)</b></p> <p><b>Date: 13 March 2020</b></p>
<p><b>Date of Senior Policy Team Meeting(s):</b></p>	

**A list of background papers on this issue is held with:**

1. Report to November Environment O&S Committee November 2019
2. Natural England Advice to Wirral Council Regarding Beach Management – 02 March 2020

Contact Officer: Colin Clayton, Assistant Director Community Services  
Date: 13<sup>th</sup> March 2020

**Date of Publication:**  
**Date of Expiry of Call-In Period:**





**CALL-IN**

**Decision to be called in:**

Date of decision:	13/03/2020
Decision maker:	Cabinet Member - Environment and Climate Change
Decision details:	Hoylake Beach Management

**Reason(s) for call-in:**

We note the decision, taken under delegated powers by the Cabinet Member for Environment and Climate Change, regarding the proposed management of Hoylake Beach.

We are concerned that:

- the decision is ill conceived and ideologically motivated rather than being based on Wirral residents' wishes
- no consultation has taken place with residents
- it breaks a current agreement (The 2010 Hoylake Beach Management Agreement) with a national body who have not consented to such and
- the decision becomes an irreversible, predetermined outcome due to the nature of the beach itself

**Called in by:**

Wendy Clements	
Mike Collins	
Tony Cox	
Andrew Gardner – lead signatory	
Jeff Green	
Paul Hayes	
Andrew Hodson	

Jenny Johnson	
Mary Jordan	
Les Rowlands	
Geoffrey Watt	
Steve Williams	
Alison Wright	

**CABINET MEMBER FOR ENVIRONMENT AND CLIMATE CHANGE****02 MARCH 2020**

<b>REPORT TITLE</b>	Hoylake Beach Management
<b>REPORT OF</b>	Colin Clayton Assistant Director for Community Services

**REPORT SUMMARY**

This report examines both the present and future management options for the Beach at Hoylake. The management of the beach is a complex, sensitive and important issue, and this report is intended to provide an interim solution, for high level consideration and not to provide a full environmental and scientific appraisal of all options.

The recommendations contained within, follow the commissioning of advice from “Natural England (NE)” as the regulator, and are intended to provide a short term solution to the management of Hoylake Beach, whilst comprehensive environmental and scientific studies are undertaken to establish a long term “Beach Management Plan” ensuring the conservation, enhancement and management of the natural environment to enable sustainable development.

It is acknowledged that the challenges relating to the beach are dynamic and fluid. Any long-term management arrangements will be subject to compliance with statutory requirements coupled with extensive and comprehensive stakeholder engagement.

In providing their advice, NE have made a site visit to Hoylake Beach and provided a written summary of findings and recommendations. A copy of these findings accompanies this report. Continued dialogue with NE and other statutory regulators will be ongoing during this process. The existing beach management work had been granted assent by Natural England until 1st April 2021 however the findings presented by NE in the accompanying summary report has prompted the Council to reconsider whether those assented maintenance works are having a detrimental effect on the long term ecological value of the asset.

**RECOMMENDATION/S**

The Cabinet Member for Environment & Climate Change is requested to:

1. Consider the contents of this report and the accompanying Natural England report.
2. Agree to the pausing of vegetative beach management works, including the spraying of herbicide and mechanical raking on Hoylake Beach whilst full independent environmental and scientific studies and stakeholder engagement by a suitably qualified provider are undertaken. This will determine the long-term strategy for the management of Hoylake Beach and will include local communities and the Royal National Lifeboat Institute (RNLI).

3. Approve ongoing engagement and dialogue with local stakeholders and other statutory bodies including Natural England, the Environment Agency and the Marine Management Organisation in relation to the provision of overall beach management and the identification and agreement of (if appropriate, in accordance with the findings of any ecological survey, and consented by Natural England) a designated “amenity beach” area.
4. Approve the continuation of the removal of windblown sand from against the sea wall as and when it accumulates. This does not constitute vegetation maintenance.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 The management of the beach is a complex, sensitive and important issue. In determining a long-term Beach Management Plan, the Council needs to be considerate of both the current and future ecological, environmental and economic factors, together with how coastal evolution and climate change could affect Wirral's shoreline. This report is written following the provision of advice from Natural England in their capacity as the regulator. The advice is consistent with Wirral Council's declaration of a Climate Emergency and also the Council approved motion – 'Glyphosate Free Wirral' to reduce the use of the chemical herbicide Glyphosate throughout the borough.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Do Nothing – Continue with historic programme of beach management works consisting of the spraying of herbicides to control vegetation together with mechanical raking of the whole beach area. The content of this report, together with the accompanying report provided by Natural England presents the case for and conclusions that, the "do nothing" option is not a preferred or sustainable alternative. The "do nothing" option will also be considered as part of the proposed, wider scientific and environmental study forming part of the recommendations within this report.

### **3.0 BACKGROUND INFORMATION**

- 3.1 Hoylake Beach which is owned and managed by Wirral Council and covers an area of approximately 50 acres from Red Rocks to the RNL Station at Hoyle Road Slipway - a distance of 2 kilometres.
- 3.2 A Site Management Agreement has been approved by Natural England, who provide consent for operations within the designated protected site. Hoylake Beach is within the Dee Estuary Special Area of Conservation, which includes the Dee Estuary Site of Special Scientific Interest, Ramasr Site and Special Protection Area and the North Wirral Foreshore Site of Special Scientific Interest (SSSI). It is also within the Mersey Narrows and North Wirral Foreshore (proposed) Special Protection Area and the Mersey Narrows and North Wirral Foreshore Ramsar Site
- 3.3 A designated zone has currently been deemed as the safe operational area for the machinery that is used to manage the beach. The area extends 120 metres out from the sea defence wall. The current assented operations by Natural England include provisions for mechanical raking of the beach between April and September to control vegetation. Removal of windblown sand from against the sea wall as and when it accumulates is also allowed.
- 3.4 Permitted operations currently also include for the use of chemical control measures via the spraying of Glyphosate. For many years Hoylake beach has been annually treated once per year with glyphosate to control the growth of Spartina and Pucinelia grasses and maintain its current status as an amenity beach. Follow up "spot

spraying” is also permissible on specific residual areas. The existing beach management work has been granted assent by Natural England until 1st April 2021.

- 3.5 In recent years public perception has changed around the use of Glyphosate for vegetation control because of concerns around its health and environmental impacts, Glyphosate is however still currently licenced for use in the UK until December 2022, however the Environment Agency licence for the current glyphosate product used expires on the 30th June 2020 National and international debate continues on the safety of glyphosate use with conflicting advice from different bodies. In July 2019 Wirral Council passed a motion Glyphosate Free Wirral detailing how the Council intends to minimise glyphosate use except for invasive species management. An update on this motion was provided to Environment Overview and Scrutiny Committee in November 2019.
- 3.6 The Council’s treatment of Hoylake beach with Glyphosate in August 2019 caused significant local and national complaints and negative media coverage. Such a level of reaction was not seen in previous years.
- 3.7 Currently there is no raking or spraying taking place on any beaches due to restrictions linked to the assent from Natural England (no raking after the end of September).
- 3.8 Following the public concern associated with existing beach maintenance practices, officers wrote to Natural England in November 2019 to formally commission advice. A subsequent site visit and associated final report has been received from Natural England in March 2020. A copy of the final Natural England document accompanies this report. In addition to advice from NE as the regulator, consultation with the Environment Agency (EA) and the Marine Management Organisation (MMO) will need to be sought.
- 3.9 The report from Natural England highlights several key factors for consideration in the development of the Hoylake coast including its designation as an SSSI, factors influencing the growth of vegetation and the associated control of vegetation, wider values and opportunities, issues for consideration within a wider Beach management Plan and suggestions for the way forward.
- 3.10 The report points to the inevitable changes in the evolution of the coast and the importance of the physical system’s relationship to the development of individual habitats and species. This is important in recognising how the landscape and ‘local distinctiveness’ will change accordingly and how the establishing pioneer vegetation will eventually develop into sand dunes and saltmarsh. Management of the coastline should therefore work with, not against, these processes to create an environment resilient to rises in sea and tidal levels, that conserves coastal systems and associated habitats and biodiversity. The NE report states that, “*coastal habitats should be allowed to establish in line with ‘natural change’ as a dynamic response to the changing physical environment*”
- 3.11 The report states that ‘natural changes’ to the coast should be permitted and beach management interference measures – such as raking and the spraying of vegetation – can impact on natural coastal processes. The report specifically cites measures to control vegetation as requiring ‘clear justifications’ and acting in a counter ecological capacity – “*beach raking to prevent the establishment of foreshore habitats can*

*impact on the natural coastal processes and so would generally not be welcome from a 'Natural change' perspective".* The report continues that herbicides should only be used as a 'last resort' and subject to compliance with appropriate permissions – and acknowledges the potential impacts on wildlife and the marine environment due to the unknown level of associated risk. On this basis, the report suggests that “*Natural England is currently unlikely to support herbicide use*”

- 3.12 Finally, the Natural England report suggests and even supports the development of a wider long-term beach management plan that considers all associated factors and issues, encourages widespread stakeholder participation that recognises both the amenity requirements and the wider natural environment and habitat benefits. Feedback from the local community suggests that they would like to see the retention of some “amenity beach” provision that will continue to be managed by the Council. The scope, location and maintenance for this amenity beach would form part of the discussions between Council officers and NE representatives. In their report, NE do recognise the opportunity for the role that an amenity beach could provide, subject to certain requirements.
- 3.13 If the recommendations within this report are supported and there is a subsequent pause in beach management works at Hoylake, the Council will follow the suggested way forward within the Natural England report and commission a full study that assesses future options for the management of the beach with input from Natural England, other statutory bodies, local experts, residents, stakeholders and elected members.
- 3.14 The outcome of this work could be a Coastal Management Plan for Hoylake beach - it is right that the parameters and conditions are reviewed with expert advice and stakeholder input. It is also timely because of the upcoming end to Natural England's current assent in 2021.
- 3.15 More recently, and in recognising the sensitivity and SSSI status of the site, Natural England have sought support from the Council in the erection of signage on the promenade that advises of the potential enforcement consequences (enforcement is undertaken by Natural England, not WBC) where anybody causes reckless or intentional damage to the site.
- 3.16 In order to protect against flooding of the promenade, the Council would be seeking to retain existing assents from Natural England to continue a programme of sand clearance from against the sea wall to prevent blockage of road gulley outlets in the sea wall. Future plans will be developed to enable solutions by which the road drainage does not discharge through these outlets onto the beach. These solutions will take time to develop and will require significant capital investment. The NE report also contains recommendations that consider drainage and coastal protection. These would also be captured as part of any wholesale study.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The estimated of cost for both the raking and spraying of Hoylake beach are met from within existing budgets. The cessation of mechanical raking over large areas and not spraying Glyphosate would result in a direct reduction in revenue spend.

- 4.2 The review of options for future management of Hoylake beach will require the commissioning of work by external experts in coastal management and ecology.
- 4.3 Any further financial implications would be detailed in a full options appraisal at a later date.
- 4.4 Statutory bodies have a general duty to take reasonable steps to further the conservation and enhancement of the special feature of SSSIs. Offences carry various penalties, including a fine of up to £20,000 in the Magistrates court or an unlimited fine in the Crown Court for carrying out work without permission, or for causing damage to an SSSI

## **5.0 LEGAL IMPLICATIONS**

- 5.1 Any future changes to the management of Hoylake beach will require the assent of Natural England. If glyphosate is used in this management additional licensing will be required from the Environment Agency.
- 5.2 The Council does not require assent from Natural England to pause the management activities as detailed in their original grant of assent in 2016.
- 5.3 After 2022 overall use of glyphosate may no longer be permitted if its licence is not renewed. This should be considered in any future options appraisal

## **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

- 6.1 Any variations to the existing management arrangements at Hoylake beach are likely to result in a review of workforce requirements however any changes will be redeployed within existing resources.
- 6.2 The review of options for future management of Hoylake beach may result in options with greater financial and resource implications.
- 6.3 Any such resource implications would be detailed in a full options appraisal at a later date.

## **7.0 RELEVANT RISKS**

- 7.1 The future management of Hoylake beach is a contentious issue due to its value as an environmental and community asset and the breadth of opinion regarding its future management. Officers are aware that there are a range of risks connected with the various options for managing the beach and that these risks and any mitigating actions will be considered in the full options appraisal.
- 7.2 Accordingly any future options appraisal will be undertaken in an impartial manner by the Council.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 Engagement will be undertaken with residents, stakeholders, elected members, Natural England, the Environment Agency and other expert individuals and or bodies, some or all of whom may be commissioned by the Council.



## 9.0 EQUALITY IMPLICATIONS

(a) Yes. An Equalities Impact Assessment accompanies this report.

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2017/delivery>

## 10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The recommendations presented within this report will have a positive effect on Climate Change and will support the Council's response to the Climate Emergency as follows

(i) The significant reduction in mechanical maintenance will immediately reduce Greenhouse Gas Emissions (GHG) through transport via a reduction in the burning of fossil fuels.

(ii) The development of saltmarsh and sand dunes will serve to provide for a diverse, ecological vegetative habitat capable of extensive carbon storage that will mitigate climate change and contribute to 2040 Net Zero carbon targets.

(iii) Permitting the development of embryonic saltmarsh and sand dunes will both protect current and enhance future biodiversity.

10.2 The content and/or recommendations contained within this report are expected to reduce emissions of GHG.

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## APPENDICES

There are no appendices accompanying this report. A list of appropriate background papers are provided below.

## BACKGROUND PAPERS

Natural England Advice to Wirral Council Regarding Beach Management – 02 March 2020

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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## Natural England advice to Wirral Council regarding beach management

Natural England's statutory purpose, as set out in the Natural Environment and Rural Communities Act 2006, is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development. Our role includes providing advice to others, being a regulator and working in partnership with others including public bodies.

The following information forms the basis of Natural England's advice related to the challenges Wirral Council are facing in managing the Wirral coastline. In providing this we recognise the environment is dynamic, there are statutory requirements and strong interests and views which are often in conflict. It should also be noted that in the intertidal area there may be other statutory bodies that may need to be consulted, such as the Environment Agency and Marine Management Organisation.

Natural England's advice is provided in the following sections:

- Summary of statutory sites on the Wirral coastline
- Statutory sites at Hoylake
- Coastal dynamics
- Factors driving growth of foreshore vegetation
- Vegetation control
- Drainage
- Wider values and opportunities
- Issues that could be picked up within a wider plan
- Ideas for way forward

Natural England advice is provided from the perspective of its statutory role in giving advice on protected sites.

### Summary of statutory sites on the Wirral coastline

- Nearly the whole of the Wirral coastline is covered by a range of overlapping statutory designations including nationally important Sites of Special Scientific Interest (SSSIs) and international Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar Wetland sites.
- The SSSIs of Wirral coastline are: Mersey Estuary, Mersey Narrows, North Wirral Foreshore, Dee Estuary and Red Rocks. These sites are all important for their non-breeding birds with some important for features including saltmarsh, intertidal sediment communities, sand dunes and breeding birds.

- The SPAs and Ramsar sites are: Mersey Estuary, Mersey Narrows and North Wirral Foreshore, Dee Estuary and Liverpool Bay (SPA only). These are all important for non-breeding birds with Dee Estuary also being important for some breeding birds.
- The SAC: Dee Estuary, note this extends on to the North Wirral Foreshore. This is important for a range of features including its intertidal sediments, reefs, saltmarsh and sand dunes.
- Information relating to the designated sites including Conservation Objectives, Supplementary Advice on Conservation Objectives and the Advice on Operations are available on Natural England's [designated sites view](#) system. Geographic information on the designated sites and other information relating the natural environment can be found on the following website: [magic.defra.gov.uk](http://magic.defra.gov.uk)
- Wirral Council, Natural England and other public bodies have several statutory conservation duties:
  - To further the conservation and enhancement of SSSIs – Section 28G of the [Wildlife and Countryside Act 1981 \(as amended\)](#),
  - Statutory duty to conserve biodiversity - Section 40 of the [Natural Environment and Rural Communities Act 2006](#) (NERC Act). Specific habitats and species are identified, through Section 41 (NERC Act 2006) identified as being of principle importance for conserving biodiversity. Lists of [Priority habitats](#)
  - [The Conservations of Habitats and Species Regulations 2017](#) (as amended) (aka the Habitat Regulations) includes a duty of competent authorities (as defined in Regulation 7) to have regard for the requirements of the Habitats and Wild Birds Directive in the exercise of their statutory functions (Regulation 9(3)).
  - Further guidance on public bodies responsibilities for SSSIs can be found from the following webpage: <https://www.gov.uk/guidance/sites-of-special-scientific-interest-public-body-responsibilities>

#### Statutory sites at Hoylake (see Annex 1 for some further detail)

- The foreshore at Hoylake is included in the following statutory sites: North Wirral Foreshore SSSI (unit 1 East Hoyle Bank), Mersey Narrows and North Wirral Foreshore SPA/Ramsar site and Dee Estuary SAC.
- North Wirral Foreshore SSSI is designated for the following features: aggregations of non-breeding water birds and especially bar-tailed godwit, dunlin, knot and turnstone, intertidal sediments and saltmarshes.
- Wetland Bird Survey (WeBS) Alerts (using WeBS data from 2014/15 to 2018/19) indicate bar-tailed godwit, knot and turnstone on North Wirral Foreshore SSSI have significant declines which would lead to these features and so the site to be in unfavourable condition.
- Liverpool Bay SPA, a marine site is located off Hoylake but it is below mean low water.

#### Coastal dynamics

- Sea level rise and coastal change are inevitable. Sustainable coastal management needs to take account of natural coastal change.
- Coastal conservation is often about understanding the way in which the physical system underpins the presence of individual habitats or species. Management for habitat and species features must to take account of coastal dynamics.

- As the coast changes so the mosaic of habitats and species as well as the landscape and its 'local distinctiveness' will change and evolve. Understanding the reasons for change must be factored into management decisions to ensure the best possible outcomes for the natural environment. Reasons for change will include the wider geomorphological processes, sources of sediment supply, constraints on sediment movements, wider scale sediment dredging or disposal and climate change.
- Development of pioneer vegetation that will eventually develop in to sand dunes or saltmarsh is a natural stage in the coastal change process. It is probably not possible to fully predict how the habitats will develop, however the situation at this location is likely to be different to that at Parkgate eg due to levels of exposure to winds, tides and waves and differences in sediment supply. It may be more likely that there is more development of dune habitats than saltmarshes.
- Management of the coastline should focus upon working with coastal processes that enable a dynamic environment resilient sea level rise.
- There is a need to conserve, manage and sustain sediment supplies that feed coastal systems and the landscapes and habitats they support.
- Management interventions such as raking and spraying will impact on the natural development of habitats and so geomorphological processes and sediment movement.
- Sustainable coastal management will need to incorporate adaptation measures in both short and long-term.
- Further information on the geomorphological regime and influences may be obtainable from the NW Coastal Group and the [Shoreline Management Plan 2](#) provides information on the coastal processes. [Appendix C: Baseline Process Understanding](#) indicates a long-term trend of sediment accretion for the period of the SMP, potentially leading to a complex of dunes and intertidal habitats in front of maintained sea defences, although channel movements and offshore sandbank evolution will influence the pattern of habitats.
- The Dee estuary is currently continuing to import sediment with saltmarshes showing vertical accretion. The rate of marsh expansion near the estuary mouth has decreased in recent decades but accumulation of windblown sand continues to occur near the Point of Ayr and at Hoylake (Halcrow, 2013). Such accretion is important in supporting the function of the defences. Moore. *et al* (2009), however, suggests that the Dee could be reaching a morphological equilibrium and the rate of accretion may decrease in the future.
- The Dee estuary is a drowned, glacially over-deepened valley bounded by Triassic sandstone and Carboniferous coal measures, extensively mantled by glacial till and outwash sands and gravels. A glacial till forms an eroding cliff along part of the east shore of the estuary near Thurstaston. The glacial till overlies Triassic red mudstones and sandstones, with sandstone ridges and outcrops. The harder coarse Triassic sandstone reaches the surface to create ridges and outcrops in many part of the Wirral. There are three sandstone islands which comprise the Hilbre Island Complex, the only natural hard rock coast within the estuary (Natural England, 2014).
- The main source of sediment to the estuary is the Irish Sea, although the erosion of the glacial till cliffs and the suspended load of the River Dee provide secondary sources (Appendix 2 and 3) (Halcrow, 2013).

- Planning for any coastal development including critical coastal infrastructure and access routes needs to take account of how the coast will respond to the action of coastal processes and sea level rise.
- There is a need to consider the facilitation, migration or adaptation of key natural environment assets as the coast evolves.
- The long term vision in the SMP2 is to maintain protection to assets where necessary but to provide more accommodation space where practical to do so. Along the east bank of the Dee saltmarsh should be allowed to roll back where possible and undefended cliffs should be allowed to erode naturally (Halcrow, 2010b) (Appendix 4).
- You may need or wish to commission a specific review or advice from coastal geomorphologists regarding the geomorphological regimes and influences.

#### Factors driving growth of foreshore vegetation

- Coastal habitats should be allowed to establish in line with ‘natural change’ as a dynamic response to the changing physical environment. Changes can be long term such as sea level rise or short term such as winter storms.
- At the current time, changes to the physical environment (e.g. accretion and drainage inputs) are encouraging vegetation establishment. Physical factors such as sediment type and water quality will be influencing the speed of establishment and the character of the developing habitats.
- ‘Natural changes’ to the balance of intertidal sediments and vegetation communities (pioneer plants, saltmarsh and embryo-dunes) is acceptable, indeed should be actively allowed. Beach raking to prevent the establishment of foreshore habitats can impact on the natural coastal processes and so would generally not be welcome from a ‘Natural change’ perspective.
- As habitats form naturally in new locations within the statutory designated sites they will be considered as conservation features of the statutory designated sites and will therefore be covered by the sites’ conservation objectives. For example developing pioneer saltmarsh and sand dunes on north Wirral foreshore are protected as features of the Dee Estuary SAC.
- In response to dynamic change Natural England can also consider if the features of SSSIs need to be amended to account for developing habitats to ensure their continued protection. Nb - North Wirral Foreshore Site of Special Scientific Interest was last revised in 1986. There are currently no plans to revise this SSSI.

#### Vegetation control

- Some vegetation control may be acceptable to arrest pioneer establishment in some locations subject to adequate assessment and consents and would need to be very targeted, tightly controlled and monitored. This would be restricted by the sites conservation objectives in seeking to maintain coastal processes and habitat development.
- Habitats that regularly establish or are able to succeed to more mature forms will have value so potential control needs careful consideration.
- Vegetation control across the whole coast would not be acceptable as this is likely to be contrary to the site’s conservation objectives, it is also unlikely to be economic or sustainable.
- Smaller areas of vegetation control may have scope to be consented but there should be clear justifications for requests to control vegetation establishment. It is unlikely that such control

could be considered 'directly connected with or necessary for the conservation management of the protected sites' – the first Habitat Regulations Assessment test.

- Raking control should only be focused on patches of single species such as the invasive *Spartina anglica* or possibly some limited areas of *Puccinellia maritima*, rather than raking of large areas of beach
- There needs to be a thorough ecological survey of any areas to be proposed for targeting of vegetation control.
- Mechanical methods of control should be considered as the primary means, herbicide use as a last resort and with clear objectives and practice, and only requested where supported by evidence to demonstrate lack of environmental impact, being used in line with permits from Environment Agency and MMO (where required).
- The application of herbicides on the intertidal is a concern regarding impact on non-target plant species, wider impacts on intertidal invertebrates and so to predator species such as shorebirds and seabirds, shell fisheries and wider environmental risks. The risks may not be fully known and a precautionary approach should be taken and therefore Natural England is currently unlikely to support herbicide use.
- The Council should be clear that only vegetation control that is permitted by itself and other consenting bodies will be allowed and action taken by third parties (eg private companies, stakeholder groups and members of the public) without adequate consent carries the risk of enforcement.

#### Drainage

- Natural England is concerned about the land drainage being discharged to the foreshore along the promenade and that it may not be regulated. This is with regard to the quality of the water and risks of contamination, the ability to maintain the drainage due to natural accretion, the influence this is having on vegetation development and beach amenity.
- Natural England advises that the water quality should be tested to understand the contamination risks, better managed and regulated.
- Natural England advises that it would be better for the local environment for land drainage/ run off to be collected treated and then discharged via a regulated discharge point. There may be opportunities for wetland creation landward of Hoylake or further along the coast and these areas could receive this treated water.

#### Wider values and opportunities

- The development of pioneer vegetation starts a natural succession that further accretes and stabilises sediment, this then develops a vegetation community that becomes more diverse.
- Pioneer vegetation is likely to lead to development of saltmarsh and/or dunes; this is of conservation interest and value. Given the more exposed location *Puccinellia* patches are more likely to lead embryo dunes, these will then develop into dune and slack habitats. This has been seen and well recorded between Birkdale and Ainsdale on the Sefton Coast.
- Natural England recognises that vegetation may be seasonal however where they are allowed to persist, sand dune and saltmarsh habitats provide important 'natural capital assets' that provide valuable ecosystem services. These habitats can develop in front of existing defences. Examples of the services include provision of :

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- Protection of the current defences and communities behind from coastal erosion and flooding by providing a barrier and habitat to absorb wave and tidal energy.
- Carbon storage into vegetation and sediments thus contributing to mitigation for climate change and the aspirations of Wirral Council the Liverpool City Region to achieve Net Zero Carbon by 2040.
- Developing habitats to support important biodiversity.
- Health and wellbeing benefits – there is significant evidence available to show the health and wellbeing benefits from people’s interaction with a biodiverse natural environment.
- Alternative visitor attraction. Development of important natural habitats provide an opportunity to develop a sustainably managed visitor economy focussed on the natural environment.
- There is an opportunity to assess the natural capital value of the coastal environment and how this might be influenced by coastal change in a range of scenarios. Liverpool John Moores University (LJMU) with Nature Connected (the Local Nature Partnership for the Liverpool City Region) have completed a Natural Capital Baseline for the Liverpool City Region. LJMU would be willing to model a change to this baseline under different management scenarios. This would help inform an appropriate and sustainable management solution for the long term. Contact details for the lead at LJMU can be supplied.

Issues that could be picked up within a wider plan

- Natural England recommends and supports the development of a more holistic beach management plan.
- This plan could be developed through an inclusive engagement process with a wide range of stakeholders that presents and accounts for a variety of constraints such as conservation, economic, legal and sustainability.
- A more holistic plan would ideally be inclusive of the range of activities and users on the intertidal and coastal zone eg local communities, range of recreational users, shell fisheries, life boat operations and land yachting etc. It should also account for improvement in the land drainage on to the foreshore and future coastal defence planning.
- Recreational disturbance is a recognised issue impacting non-breeding birds, especially during autumn, winter and early spring. It is known that recreational activities can disturb important non-breeding birds that are feeding or roosting on the North Wirral Foreshore (and elsewhere). Wirral Council with others currently undertake some work that seeks to manage this disturbance eg interpretation events, signage and wardening but more action may be required. A holistic beach management plan should incorporate measures to limit and manage recreational disturbance.
- A beach management plan will need to be subject to relevant consents and relevant assessments eg a Habitat Regulations Assessment.
- A range of activities and operations have the opportunity to have an environmental effect in combination with each other or cumulatively. This should be considered and this is a good reason for having a more holistic inclusive plan. A beach management plan that has been agreed with Natural England can be considered for an overarching consent/ assent (to cover all the activities within the plan), rather than consent/ assent for individual activities.



- A wider consideration of the benefits and value that changes to the natural environment can have on the area's socio-economic prosperity eg green tourism, well-being, ecosystem services such as coastal protection.

#### Ideas for way forward

- Development of an engagement process/consultation to enable a wider evidenced based debate to formulate a holistic beach management plan.
- It is for Wirral Council to determine the extent of stakeholder engagement or consultation on determining proposals or plans for coastal management. However, Natural England would recommend that local communities are engaged to understand the options and constraints and their views considered in determining sustainable approaches to the management of the coast. Although Natural England has an advisory and regulatory role it would also be a stakeholder in an engagement/consultation process.
- There needs to be more understanding of the coastal change, habitat development and the value that this brings.
- If amenity beach provision is required then this needs to be considered in the context of the changing coastal environment and how this could be done in a complimentary way. What area of amenity beach is required and what locations, how will this be sustainably managed. Are there options to where and how the amenity beaches are accessed? For example does an amenity beach need to be against the sea defence or could it be further out in front of developed habitats?

## Annex 1 Further details regarding designated sites on North Wirral Foreshore

### What are the interest features of the sites?

**SSSI:** Saltmarsh development on North Wirral Foreshore has been recognised for some time with the 1986 North Wirral Foreshore SSSI citation stating:

“North Wirral Foreshore is located between the outer Dee and Mersey Estuaries. This site is an area of intertidal sand and mudflats and embryonic saltmarsh which is of considerable importance as a feeding and roosting site for passage and wintering flocks of waders, wildfowl, terns and gulls.

The embryonic mixed saltmarsh is formed principally from common saltmarsh-grass *Puccinellia maritima* and glasswort *Salicornia europaea*, together with some common cord-grass *Spartina anglica*.”

The [Favourable Condition Table](#) (FCT) also lists saltmarsh as a notified feature and includes a 2014 estimate of 12.8 ha. The FCT also notes the SAC dune features but these haven't been identified for the SSSI, although are present close by at Red Rocks SSSI.

Natural England's [Views About Management](#) document also covers saltmarsh as a notified feature.

The last recorded condition assessment (23 October 2012) assessed this part of the SSSI as Unfavourable Declining due to declines in non-breeding birds – currently considered due to recreational disturbance. The condition assessment did not appear to consider the condition of the habitat features ie saltmarsh and intertidal sediments.

Wetland Bird Survey (WeBS) Alerts (using WeBS data from 2014/15 to 2018/19) indicate bar-tailed godwit, knot and turnstone on North Wirral Foreshore SSSI have significant declines which would lead to these features and so the site to be in unfavourable condition. The site requires formal re-assessment.

Un-consented damage to the habitats features is likely to lead to an unfavourable condition assessment eg through loss of indicator species, habitat structure or habitat area.

Changes in proportions of habitat types due to 'natural change' will be acceptable with regards to condition.

Natural England is required to keep its understanding of interest features under review and this could lead to changes to the designation.

Natural England will consider any proposals with regard to risks to the conservation and enhancement of the SSSI features.

Natural England will consider a review of condition and pressures that may be influencing condition, such as bird disturbance, inappropriate vegetation control and inappropriate drainage/water quality or wider external effects that may be accelerating change.

**Ramsar:** The Ramsar Information Sheet also refers to embryonic saltmarsh:

“The site comprises intertidal habitats at Egremont foreshore on the south bank of the Mersey, man-made saline and freshwater lagoons at Seaforth on the north bank and the extensive intertidal flats at North Wirral Foreshore. .... North Wirral Foreshore supports large numbers of feeding waders at low tide and also includes important high tide roost sites, it is an area of intertidal sands and mudflats with embryonic saltmarsh.”

**Natura 2000:** For the SAC, the ‘supporting processes’ will include those that sustain and allow development of the Annex I features for which the site is designated. The SPA and the SAC conservation objectives both have the caveat ‘subject to natural change’, suggesting that where coastal processes are driving the shift in habitats, we would not conclude such changes to result in an unfavourable condition assessment. There is no information in the SIP for the relevant N2k sites suggesting any major problem from saltmarsh or dune evolution for any of the designated features.

Map indicating the overlapping designations of the North Wirral Foreshore

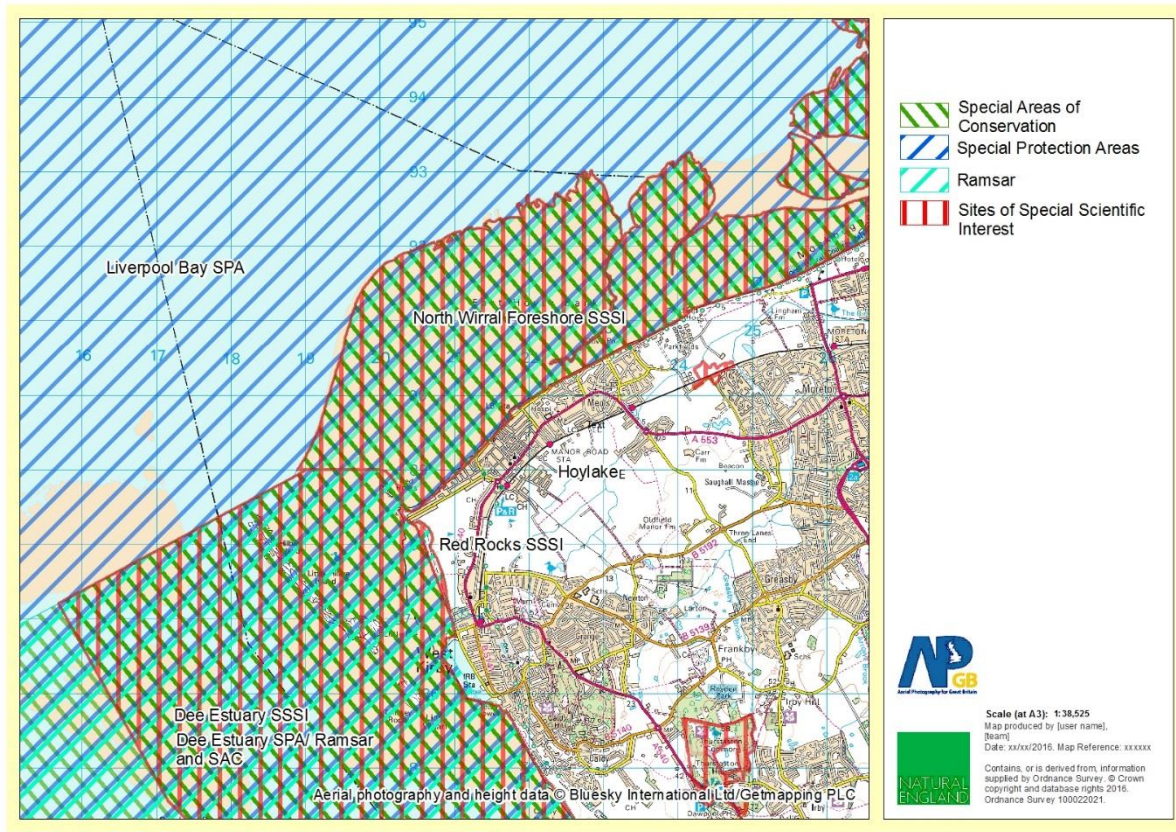


Diagram showing sediment movements for Shoreline Management Plan sub-cell 11a

