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COUNCIL

Monday, 21 March 2022

Present: The Civic Mayor (Councillor George Davies) in the Chair
Deputy Civic Mayor (Councillor Jeff Green)

Councillors	T Anderson	H Gorman	S Mountney
	B Berry	EA Grey	Y Nolan
	J Bird	P Hayes	C O'Hagan
	M Booth	S Hayes	C Povall
	A Brame	A Hodson	L Rennie
	D Brennan	K Hodson	J Robinson
	D Burgess-Joyce	J Johnson	L Rowlands
	H Cameron	AER Jones	T Smith
	I Camphor	C Jones	P Stuart
	K Cannon	T Jones	Jason Walsh
	C Carubia	M Jordan	Joe Walsh
	P Cleary	S Kelly	S Whittingham
	M Collins	B Kenny	I Williams
	H Collinson	D Kenny	KJ Williams
	C Cooke	I Lewis	S Williams
	T Cottier	M McLaughlin	J Williamson
	S Foulkes	J McManus	G Wood
	A Gardner	P Martin	A Wright
	P Gilchrist	D Mitchell	

<u>Apologies</u>	Councillors	W Clements	K Greaney
		T Cox	O Osanlou
		S Frost	C Spriggs
		E Gleaves	

94 DECLARATIONS OF INTEREST

The Civic Mayor welcomed everyone to the meeting and those watching the webcast. He then asked Members to consider whether they had any disclosable pecuniary and/or any other relevant interest in connection with any matters to be determined at this meeting and, if so, to declare it and state the nature of such interest.

Councillors Ian Lewis, Lesley Rennie and Paul Hayes declared personal interests in agenda item 5(a) 'Wirral Local Plan 2021-37' by virtue of them being members of the Friends of Harrison Park.

95 **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor announced that apologies had been received from Councillors Wendy Clements, Tony Cox, Sam Frost, Emily Gleaves, Karl Greaney, Orod Osanlou and Chris Spriggs.

The Civic Mayor mentioned that this was the last Council of the municipal year and that up until this week he had undertaken 172 engagements but he would be commenting further upon his year in office at the Annual Meeting in May.

The Civic Mayor announced that the Andy Day Memorial Cup, awarded to the Member of the Council who had shown dedication and selflessness during the Municipal Year in memory of the late Councillor Andy Day, was to be awarded to Councillor Gillian Wood.

The Civic Mayor then announced an award in memory of Councillor Andy Corkhill who sadly passed away in 2021, and who had been passionate about environmental issues. The award would be for an individual, group, school or business who or which had done something demonstrably of benefit to the environment. The award, this year was to Neil Garnett, General Parks Manager, Birkenhead, his team and all the volunteers there for all their work in the park.

The Civic Mayor then announced that a number of Members would not be seeking re-election this year and thanked them for their service to the Council and the Borough, Councillors Bruce Berry, Kate Cannon, Wendy Clements, Tony Cottier, Sam Frost, Adrian Jones, Moira McLaughlin, Les Rowlands, Chris Spriggs, Stuart Whittingham and Irene Williams.

He then invited both Councillors Janette Williamson and Tom Anderson to pay their tributes to those retiring Members and Councillor Phil Gilchrist added his thanks too.

96 **MINUTES**

The minutes of the meetings of Council held on 6 December, 2021, 16 February (Extraordinary Meeting), and of 28 February, 2022 (Budget Meeting) had been circulated to Members.

On a motion by the Civic Mayor seconded by Councillor Janette Williamson it was –

Resolved – That the minutes of the meetings be approved and adopted as correct records.

97 **PUBLIC QUESTIONS**

The Civic Mayor informed the Council that three questions had been received from members of the public, in relation to Hoylake beach. Two members of the public were present and one had asked that their question be read out at the meeting.

The three questions and responses were attached as an appendix to the minutes.

98 **STATEMENTS AND PETITIONS**

The Civic Mayor informed the meeting that no requests to make statements had been made. He then invited Members to present any petitions which they had.

Councillor Jason Walsh presented a petition of some 763 signatures requesting safe crossing points to Storeton Woods at Mount Road, Higher Bebington.

Councillor Paul Hayes presented a petition of some 49 signatures calling for measures to address the problem of speeding vehicles on Coastal Drive, supported by residents of Smugglers Way and Mockbeggar Drive in Wallasey.

Councillor Lesley Rennie presented a petition of some 69 signatures requesting the installation of traffic speed cameras on Bayswater Road, Wallasey, supported by residents of Bayswater Road and adjacent roads.

Councillor Ian Lewis presented a petition of some 1522 signatures calling for Wallasey Village Library to be retained.

Councillor Andrew Hodson presented three petitions:

- (i) a petition of some 36 signatures requesting the referral of planning application APP/22/00215, in respect of Ashlea, 37 Thurstaston Road, Heswall to the Planning Committee.
- (ii) a petition of some 34 signatures objecting to the planning application APP/21/01924, in respect of 9 Pipers End, Heswall.
- (iii) a petition of some 576 signatures requesting traffic calming measures and a 20mph limit through and either side of Lower Heswall Village.

Resolved – That the petitions be noted and referred to the appropriate Chief Officers in accordance with Standing Order 11.2.

99 **MEMBERS' QUESTIONS**

The Civic Mayor reported that no questions from Members had been received.

100 **MATTERS REQUIRING APPROVAL OR CONSIDERATION BY THE COUNCIL**

In accordance with Standing Order 2(x) three matters had been submitted for approval by the Council (see minutes 101 to 103 post).

101 **WIRRAL LOCAL PLAN 2021-37 - PUBLICATION OF SUBMISSION DRAFT PLAN (REGULATION 19) AND SUBMISSION TO SECRETARY OF STATE FOR EXAMINATION (REGULATION 22)**

The first item requiring approval was in relation to the Wirral Local Plan 2021-37 – Publication of Submission Draft Plan (Regulation 19) and Submission to Secretary of State for Examination (Regulation 22).

Councillor Janette Williamson moved and Councillor Yvonne Nolan seconded the recommendations of the Policy and Resources Committee of 16 March, 2022 with regard to the Wirral Local Plan.

Following a full and considered debate and Councillor Williamson having replied, it was –

Resolved (58:0) - That Council:

- (1) Agrees and publishes the Wirral Local Plan-Submission Draft and Policies Map (as set out as Appendices 1 and 2 to the Director's report respectively) ("the Wirral Local Plan") for a period of six weeks as soon as practicable for representations to be invited as to soundness and legal compliance in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the Regulations");**
- (2) Agrees the submission of the Wirral Local Plan, along with representations received, to the Secretary of State for Independent Examination under section 20 of the Planning Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"), together with the submission documents prescribed by Regulation 22 of the Regulations, following the conclusion of the Regulation 19 publication period;**
- (3) Notes the Sustainability Appraisal, Habitats Regulation Assessment, Equality Impact Assessment, the Local Plan Duty to Co-operate**

Statement of Compliance, the Regulation 18 Consultation Statement and Local Plan evidence base published alongside Wirral Local Plan;

- (4) Authorises the Director of Regeneration and Place, in such consultation with the Chair and Spokespersons of Policy and Resources Committee as is practical and appropriate, to:**
- (a) make non-material typographical, formatting, mapping and other minor amendments to the Wirral Local Plan prior to publication and prior to submission of the Local Plan to the Secretary of State;**
 - (b) produce and submit any supplementary information and documentation to the Local Plan Inspector(s) as may be required to complete the examination and address any issues relating to soundness and legal compliance including statements of common ground with various organisations;**
- (5) Authorises the Director of Regeneration and Place, in consultation with Chair and Spokespersons of Policy and Resources Committee to:**
- (a) agree such main and other modifications to the Wirral Local Plan during the examination in public process as may be necessary to make the Wirral Local Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Act; and**
 - (b) write to the Local Plan Inspector(s) appointed to carry out the Independent Examination of the submitted Wirral Local Plan asking them to recommend such main or other modifications to the submitted Wirral Local Plan as may be necessary to make the Wirral Local Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Act;**
- (6) Endorses the Wirral Local Plan-Submission Draft as a material consideration to be used in the determination of planning applications, with appropriate weight given in accordance with paragraph 48 of the National Planning Policy Framework; and**
- (7) Agrees in principle to consider the use of the Council's Compulsory Purchase Order Powers, where required, to assist with the delivery of regeneration projects set out in the Wirral Local Plan.**

102 PAY POLICY 2022/23

The second item requiring approval was in relation to the Pay Policy Statement for 2022/23 as referred to Council by the Policy and Resources Committee at its meeting on 16 March, 2022.

On a motion by Councillor Janette Williamson, seconded by Councillor Yvonne Nolan, it was –

Resolved (57:0) – That the Pay Policy Statement for the financial year 2022/23, be approved.

103 **APPOINTMENT OF INDEPENDENT PERSONS TO CONSTITUTION AND STANDARDS COMMITTEE**

The third item requiring approval was in relation to the appointment of independent persons to the Constitution and Standards Committee as referred to the Council by that Committee's meeting of 17 February, 2022.

On a motion by Councillor Phil Gilchrist, seconded by Councillor Paul Stuart, it was –

Resolved (57:0) – That the following independent persons be appointed as members of the Constitution and Standards Committee for a period of four years:

**Mr G Kerr
Mr J McCosh
Mrs A Lloyd-Prince
Mr A Wilson**

104 **DECISIONS TAKEN SINCE THE LAST COUNCIL MEETING**

The Civic Mayor introduced the minutes of the various Committees which had met from 12 November, 2021 up until 24 February, 2022. He drew Members' attention to an urgent officer decision which had been taken and which was reported to the Council in accordance with Part 4, Section 4, paragraph 9 of the Constitution.

The decision was published on 10 March, 2022, having been taken by the Director of Resources in respect of Casualty (Liability) and Professional Indemnity Insurances Contract Award and was urgent due to new contract arrangements being required for 1st April, 2022 implementation.

The Civic Mayor then asked for questions to Committee Chairs on any of the minutes being received.

Councillor Jo Bird asked a question of Councillor Pat Cleary in respect of minute 47 of the Pensions Committee of 23 February, 2022 regarding responsible investment and human rights. Councillor Pat Cleary responded that Merseyside Pension Fund (MPF) was actively working to address its exposure to investment linked to Russia and to fully comply with UK

sanctions. However with the Russian stock market closed and additionally foreign investors had been banned from selling by the Russian authorities, one of just several complicating factors. The implications of sanctions which the MPF needed to understand as they precluded most financial transactions with Russian entities. A further strategic consideration was who would be the buyers of the Fund's divestments with asset values severely depressed the Fund could be gifting assets to unfriendly counterparts and indirectly enriching them. Morally the view of the Fund, which he supported, was that divestment was the right thing to do but the timing of any action needed due consideration. The Fund was liaising closely with the National Local Government Pension Scheme Advisory Board, the Pension and Lifetime Savings Association along with other Local Government Pension Funds to coordinate responses as effectively as possible. The MPF had less than 0.25% of its value in Russian assets so the direct impact of selling holdings would not be material. He also commented that the situation in Ukraine was still evolving but doubtless the MPF's Responsible Investment Policy would apply to the situation in Ukraine as it did in other occupied territories and conflict zones. The actual response to Russia's invasion of Ukraine did practically reinforce the need to take ethical considerations into account in the Fund's investments decisions as detailed in the Investment Strategy Statement which detailed the MPF's approach to responsible investment.

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PUBLIC QUESTIONS AND RESPONSES COUNCIL - 21 MARCH 2022

Question 1

From Caroline Wright to the Leader of the Council:

The abrupt decision to cease beach management in Hoylake without any risk assessment, has caused continued strife and grief in a once unified community. Hoylake has become a political pawn! A Conservative ward within a Labour constituency, yet residents (voters) have been treated with contempt by all Labour councillors.

The motion (by Alison Wright) to review the Hoylake shore using a 40/60 split and test site was denied. The motion (by Andrew Gardner) to review the conflicting information on Spartina (world renowned non-native invasive species), also denied by this council!

The 13,000 strong petition to Save Hoylake Beach (without chemicals) completely ignored.

However, a huge thank you goes out to the diligence of Councillor Phil Gilchrist who took the time to review the compromise suggestion raised by Hoylake Beach Community, and approached North Lincolnshire Council who had experienced a similar predicament. The reply from NE Lincs council was prompt and detailed, they obviously understood this difficult situation. Councillor Gilchrist shared all this information with the full council members by email on 10 November 2021. It's beyond disappointing to hear that Councillor Gilchrist received no feedback at all.

The £30K beach report landed belatedly a few weeks ago, and shows that costs will be incurred in both 'Do Nothing' or 'Do Everything' scenarios. Marshland is noted as the most likely development, which comes with the associated risks of rising beach levels, fresh water stagnant pools and mosquito infestation from the old drainage system. Hoylake is one of the three Wirral amenity beaches left, and the town was built on the back of its seaside tourism trade.

Given the budget deficit position, can this council afford to reject the compromise request from the Hoylake Beach Community volunteer group, and incur additional costs and risks (including potential flooding) with the 'Do Nothing' scenario, or, will you RESPECTFULLY start to work together, and following the public consultation act promptly to reach a compromise which allows an amenity area?

Response from Councillor Janette Williamson:

The Report is not advocating one option or the other. The way the Council has approached this difficult issue is to provide the evidence and then use this as a basis

for working with the community and developing the most appropriate solution for Hoylake, within the constraints that apply. The Council recognises that a compromise solution is likely to be required and is committed to working towards such an end, however because of the statutory requirements the Council cannot say, at this stage, that it will definitely allow an amenity area as that decision would require assent from Natural England.

Question 2

From Kelvin Wright to the Leader of the Green Group

Councillor Pat Cleary stated publicly on his blog dated the 19 Oct 2021 the following: *“Dunes will defend us from sand storms and sea storm surges without the need for expensive, artificial defences such as currently being implemented for West Kirby at a cost of millions of pounds.”*

Now that the Hoylake Beach Report is out and it states in section 9.1 - *‘however, there is also a risk that a developing dune system could form a barrier against any overtopped water flowing back to the sea and could thus enhance flooding in some locations.’*

Does Councillor Pat Cleary feel the report is scientifically inaccurate and that he is correct?

Response from Councillor Pat Cleary:

The Royal Haskoning report contains two scenarios with respect to flooding and the size of dunes and whether they are a broken band or continuous:

1. A broken bank of dunes will not provide any advantage over still water flooding, but also will not prevent floodwater from returning to the sea [page 49 of the report]
2. A continuous band of high dunes, which would give protection in terms of still water level flooding, but also prevent any water which did overtop retreating to the sea as quickly. [page 47 of the RH report]

This is an either/or situation and would apply equally to a hard flood protection. In both a continuous or broken dune, as explained in the RH report, there is a considerable advantage to having a green beach, be that dunes or saltmarsh, in terms of wave energy reduction. This is the cause of most damage in storm surges. [Page 64 of the report, (4,5)]

I welcome the publication of the Royal Haskoning and report and see no reason to disagree with its findings. It is important to ensure that our approach to the management of the beach at Hoylake is underpinned by a scientific understanding of the processes that are underway and how we can best work with them to protect biodiversity, defend ourselves against climate breakdown and minimise its impact.

REFERENCES

1. From page 49 In the Do Nothing scenario the developing dune system could start to have a flood defence function, should the dunes potentially grow higher than the sea wall, reducing the impact of waves. This would however not affect the scale of the flood zone because that would require a continuous, uninterrupted row of dunes.
2. From page 47 The Do Nothing scenario would reduce the direct hazard and nuisance of wave run-up on the road, its users and the lower-lying parts of properties; however, there is also a risk that a developing dune system could form a barrier against any overtopped water flowing back to the sea, and could thus enhance flooding in some locations.
3. From page 64 which states 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.
4. Sigren, Jacob, Jens Figlus, and Anna Armitage. "Shore & Beach." Coastal Sand Dunes and Dune Vegetation: Restoration, Erosion, and Storm Protection 82.4 (2014): 5,7.
https://www.academia.edu/15698164/Coastal_sand_dunes_and_dune_vegetation_Restoration_erosion_and_storm_protection
5. Rajan (2018) Storm Surge and its Effect- A Review on Disaster Management in Coastal Areas Civil Engineering Research Journal Volume 4 Issue 5 - May 2018 <https://juniperpublishers.com/cerj/pdf/CERJ.MS.ID.555649.pdf>

Question 3:

From Mr K Randles (read out on his behalf) to the Leader of the Council

[Pictures included on Page 5]

The north Wirral foreshore is attracting an increasing number of overwintering waders and summer gulls and terns. This may be due to regular disturbance of roost sites in the adjacent Dee and Mersey Estuaries but may also be due to the areas of open intertidal mud and sand, free from vegetation and rich in invertebrates, attracting certain species such as the Bar-tailed Godwit that prefer unvegetated intertidal sand and mud as feeding grounds. Allowing the natural succession of all areas of foreshore into saltmarsh could therefore result in a loss of important feeding and roost sites and a reduction in the internationally important numbers of wading birds for which the site is a proposed Ramsar Site.

'Common Cord Grass often produces extensive monoculture swards of much less intrinsic value to wildlife, and in many areas is considered to be a threat to bird feeding grounds on mudflats'.

UK Biodiversity Action Plan – Habitat Action Plan for Coastal Saltmarsh

'Wirral Coastal Rangers promote Hoylake beach as one of the best coastal birdwatching sites in the north west'

The above statements should sound familiar as these facts come from WBC very own 2010 Hoylake beach management plan and highlights the importance of keeping the birds roosting and feeding sites as clear of vegetation.

Now that the Royal Haskoning survey has confirmed that Hoylake's unique roosting site will be lost due to dense vegetation.

I just want to reaffirm the importance of Hoylake's roosting area.

This is the only exposed beach area above the hightide mark on the entire northern Wirral coastline, that's how vital this area is to these birds.

My question:

I would like to ask the labour party leader is a "Do nothing approach" a realistic option for Hoylake's current wildlife who rely on unheeded access to all of these areas and what would be the consequences for these birds if WBC adopt that policy?

[Response from Councillor Janette Williamson:](#)

[The impact of any beach management scheme will be subject to assessment under the Habitats Regulations when the impact of any proposals on all environmental features, including birds, will be assessed.](#)

PICTURES ON NEXT PAGE SUBMITTED WITH MR RANGLES' QUESTION



Hoylake Beach Site Management Agreement

WIRRAL

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September 2010



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