

**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 RNLI 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 Puccinellia 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