

# **ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE**

Thursday, 20 January 2022

Present: Councillor EA Grey (Chair)

Councillors	H Collinson	S Mountney
	S Foulkes	L Rowlands
	C O'Hagan	C Cooke
	I Williams	A Brame
	B Berry	I Lewis (In place of M Collins)

## **55 WELCOME AND INTRODUCTION**

The Chair welcomed attendees and viewers to the meeting and reminded everyone that the meeting was webcast and retained on the Council's website for two years.

## **56 APOLOGIES**

An apology for absence was received from Councillor Michael Collins.

## **57 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were asked to declare any disclosable pecuniary interests and any other relevant interest and to state the nature of the interest. There were no declarations of interests.

## **58 MINUTES**

**Resolved:**

**That the minutes of the meeting of the Environment, Climate Emergency and Transport Committee held on 15 November 2021 be approved and adopted as a correct record.**

## **59 PUBLIC QUESTIONS**

Six questions had been received.

**Question from Wendy Bennett**

Thank You Councillors. I am a keen walker and in particular since the beginning of the pandemic have regularly walked along the Dee Estuary boardwalk from Red Rocks Hoylake to West Kirby beach. Since the beginning of 2021, I have become increasingly alarmed about the substantial grass

growth on West Kirby beach, near its junction with Lingdale Road and up to the West Kirby promenade steps, at Riversdale Road. I have asked for a photograph to be distributed so you can have a look and see what it looks like.

Large areas, which in 2020 were sand, are now widely covered by grasses. This part of the beach is now under significant threat. The new southern boundary of the grass has arrived off the promenade and if left unchecked, will probably continue growing this year towards the Council's nice new Sail Loft restaurant. The eastern boundary is encroaching on the amenity beach. What action does the council plan to take, and when, to remove all this grass as if it remains unchecked the consequent loss of the beach will have a significant economic impact on hospitality and other businesses in West Kirby which have already suffered due to the pandemic? As you will also be aware, West Kirby beach is an important visitor destination, particularly for families from the wider Merseyside area during summer.

**Answer:** Thank You for your question. You may be aware that the assent from Natural England for the management of the beach at West Kirby expired at the end of March 2021. Since its expiry Wirral Council has commissioned the development of a Habitat Regulations Assessment (HRA) in support of a new assent application. That HRA considers the use of a Barber Surf Rake to manage the beach area as defined in the previous beach management plan. No additional areas have been included. The HRA process is now concluding and Wirral Council will shortly be making an application to Natural England for assent based on the new HRA. If assent is provided beach management will commence in Spring 2022 and will be subject to any conditions set by Natural England.

I would just like to add, at West Kirby, we have what I consider and what many people consider to be an exemplary beach. It's got something for everybody. It's got a large section of natural beach which is very popular throughout the year, and it's got a section of raked beach, which as you have just heard, we hope to resume raking if we get permission to do so. This is an example of an artificial beach which is very popular with people who want that from their beach as well. They both provide amenity to those who enjoy them, and I hope we can have something similar at Hoylake Beach as well. That's the sort of compromise I have been hoping for and talking about right from the start, and I think that would be the way forward. So I thank you very much for your question.

**Question from Pam Meredith Jones (Read out on her behalf)**

As Cheshire Wildlife are working on the salt marsh between Red Rocks and West Kirby, can the Council confirm that the area which is being fenced off, for the encouragement of the breeding of natterjack toads, is above the high tide line, as the toads live in freshwater and not salt water which washes into this area during high tides?

**Answer:** Thank you for your question. I have contacted the person responsible and have had this reply:

Hi Liz thanks for getting in touch. I hope this information helps. Our work on the Saltmarsh has involved extending the number of pools adjacent to the current natterjacks pools and creating new pools nearby to this, making the most of freshwater outflow. The current natterjack pools created in 2014 were not above the winter high-tide line, and they have proved very successful for breeding natterjack toads. The new pools are not above the high-tide line either.

What is important is that the pools are not inundated by the tide in the breeding season in late spring and summer. The current pools, once every few years have been inundated by very high-tide in late spring. The natterjacks returned to the pools after this and continued breeding. We're at the highest count of spawned of spawned strings at the moment on record, however the population still needs help as it is so small.

More pools mean more natterjack toads, so we aim to create more as soon as the conditions allow. Natterjack toads will breed in brackish water. Having the tide inundate the pools in winter is helpful for refreshing the pools and reducing the number of natterjack tadpole predators in the spring. Pools that either do not dry out or do not get inundated by the high-tide in winter are unsuitable for natterjack toad breeding.

The reed-bed and pools above the high-tide are unsuitable for natterjack toads due to depth, vegetation, competition from frogs and common toads, and invertebrate predators in the pools. We are therefore reliant on saltmarsh accreting and increasing in height to create more suitable pools. Thank You for your question.

#### **Question from Charlotte Smith**

It has been noted that the slipway by the RNLI station was cleared in December to allow access for the Lifeboat to operate without being blocked by the weeds that was blocking that access slipway. This was welcomed by the vast majority of the community in Hoylake. Last summer i highlighted the dangers of the slipways and asked for them to be cleared. The Environmental Chair/Committee subsequently advised that the slipways were a land bridge and took little notice of the responsibilities under the Equality Act that the council continues to be in breach of.

Now that the slip way by the RNLI station has been cleared, this sets a precedent for the remaining slipways to be cleared, beginning with the King's Gap slipway. This is on the grounds of the Equality Act 2010, under which the Council has a duty to provide access to goods and services, i.e. the beach as an amenity area and also, health and safety/public health. When will the Environmental Chair/Committee take responsibility and see that it is cleared with these points in mind.

**Answer:** A build-up of wind-blown sand on the Hoyle Road slipway was causing difficulties for the safe operational activities of Hoylake Lifeboat. The area in question is outside of the North Wirral Site of Special Scientific Interest (SSSI) and as such an exercise to remove a limited amount of sand to allow for improved access by the lifeboat was undertaken on Friday 17th

December. Assent for the works from Natural England was not required as the area is outside the SSSI however Natural England were informed. Unlike Hoyle Road slipway Kings Gap slipway sits within the boundary of North Wirral Foreshore SSSI. Additionally, Kings Gap slipway does not form part of the adopted highway and therefore the Council does not have the same maintenance powers or requirements as it does in respect of highways. The slipway acts as an interface between the natural and man-made environment and users are made aware of the hazards present through the adjacent signage. This is the standard approach taken at all locations on the Wirral coast.

The Council has a duty under the Wildlife and Countryside Act 1981 to further the conservation and enhancement of the flora, fauna or geological or physiographical features of the SSSI, and as such if the Council does anything to cause damage to the flora, fauna, or geological or physiographical features of the SSSI or without the permission of Natural England it will be committing an offence. The build-up of sand will continue to be reviewed during future inspections however we are currently unable to remove or move any sand or vegetation on the foreshore and its interfaces as we do not have permission from Natural England to do this.

The Council also has a Public Sector Equality Duty to have due regard, amongst other things, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. In meeting the needs of disabled persons that are different from the needs of persons who are not disabled steps should be taken, in particular, to take account of disabled persons' disabilities.

In this case therefore the Council must balance the requirements placed upon it by both the Public Sector Equality Duty and the statutory requirement of the Wildlife and Countryside Act.

Enquiries have been made with Natural England to determine whether there is scope to allow the removal of sand from slipways without formal assent under the Wildlife and Countryside Act. However, the advice received concludes that any operation of this nature would need to be subject to a Habitat Regulations Assessment. Any future work to develop a Habitat Regulations Assessment in order to gain assent to undertake sand removal operations will be undertaken with a supporting Equalities Impact Assessment to provide suitable access as far as reasonably possible as permitted by any such permission.

### **Supplementary Question**

Hilbre Island has its own unique ecosystem which sadly the Council/Environmental Committee has previously put at risk. This can be highlighted with a fire that took place on Hilbre Island back in the summer of 2019. A court case was due to take place on August 19<sup>th</sup> 2021 in court at Derby Square Liverpool, in which Wirral Borough Council was to be tried over the fire on Hilbre Island contrary to section 65 and 85 of the Marine and Coastal Act 2009

With this unfortunate track record, for which the Council is on record for having already apologised for this environmental disaster, can the Environmental Chair/Committee please advise what is being done to stop the encroaching spartina grass that is spreading rapidly towards Hilbre Island and threatened its unique ecosystem? Is this situation commented on in the overdue publication of the survey of Hoylake Beach by the consultants the Council paid for out of taxpayers' money?

**Answer:** Dear Ms. Smith thank you for your question relating to West Kirby Beach and *Spartina grass*. You may be aware that the assent from Natural England for the management of the beach at West Kirby expired at the end of March 2021. Since its expiry Wirral Council has commissioned the development of a Habitat Regulations Assessment (HRA) in support of a new assent application. That HRA considers the use of a Barber Surf Rake to manage the beach area as defined in the previous beach management plan. No additional areas have been included. The HRA process is now concluding and Wirral Council will shortly be making an application to Natural England for assent based on the new HRA. If assent is provided beach management will commence in Spring 2022 and will be subject to any conditions set by Natural England.

### **Question from Verity Smith (Read on her behalf)**

Now that the Hoylake Golf Resort Project is no longer proceeding, please can you tell us what considerations are being given to the future management of the Greenbank Road Landfill site?

**Answer:** The landfill site is owned by the Council and is currently leased to a local farmer for grazing purposes. It is anticipated that this use will continue.

### **Question from Rosemary Chandler (Read on her behalf)**

I have been made aware that Wirral Council has a new allotment strategy. The strategy contains some misinformation: There are various references to the ARI (Allotments Regeneration Initiative). This organisation does not exist anymore and the documents they produced are no longer available."

I would like to enquire which Wirral allotment holders were involved in the making of this strategy? As a site secretary and secretary of Wirral Allotment Society, I have been unable to identify any such individuals.

**Answer:** Thank you for your question. I know that there was consultation whilst the original Overview and Scrutiny Committee was looking into allotments, and that's not the same as this Committee. This consultation informed the development of the new strategy. However, that was a long time

ago now, and I understand that representatives of allotment holders do feel that more consultation is needed, and I have been assured that this will be the case from now on.

The next meeting of the Allotment Working Group is the 24<sup>th</sup> January and a representative from the Allotment Society has been invited. Officers will continue to work and meet representatives of allotment holders on a regular basis and things will improve. There is an item on the New Allotment Strategy later this evening.

**Question from Phil Simpson (Read on his behalf)**

Whilst I agree that it is deplorable that the government are cutting council budgets, it is also fair to say that our council has wasted lots of tax payers money on consultancy fees involving unwanted projects.

Why is it that every time there are budget cuts, our council always target the most vulnerable in our society, the poor, the deprived and of course our youngsters.

Furthermore, to save £100k our council are prepared to put school children in immediate danger by removing over 50% of School Crossing Patrols. In so doing this equates to £2,000 is what our young children are worth.

Is this expectable to any parent on Wirral, I think not.

I look forward to your replies.

**Answer:** Thank you for your question Mr Simpson. I do agree with you that the government has ultimate responsibility for the budget crises faced by councils across the country. In fact the government has removed well over £222 million from Wirral Council's budget in recent years, and that does include allowing for the money received for Covid expenses. We are still missing well over £222 million from this government. It is certainly not acceptable to target cuts at our most vulnerable, and I agree we should do all we can to ensure they are protected.

In answer to your question to me, I will certainly not be supporting the removal of any school crossing provision. This service is literally life saving and essential if we are to encourage families to walk and cycle to school, rather than drive. I do agree with you very much on that and thank you for your question.

## 60 STATEMENTS AND PETITIONS

Councillor Allan Brame presented a petition as follows:

I have a petition from 341 residents regarding the Arno and Oxton Fields. This is an area which is under possible threat as part of our policy of reducing grass cutting as part of our budget cuts. Councillors contacted officers and we got this response:

"The Arno and Oxton fields are to be included in the proposal to significantly increase cessation of maintenance of amenity green spaces"

That obviously causes considerable concern. While there is no objection to increased wildflower planting in the fields, new tree planting, and it might

indeed be reasonable to increase re-wilding and help diversity by cutting a greater area of Oxton fields just once a year, these areas are still too precious simply to be abandoned if we have complete cessation of maintenance. There are volunteers in the Friends of Arno and Oxton Fields who do an amazing job to enhance the green flag winning rose garden and the beautiful open spaces, but they simply could not cope with the scale of grass cutting that would be required over this area. So the petition is asking the Council to drop the idea of not maintaining Oxton's local fields.

## 61 **QUESTIONS BY MEMBERS**

There were no questions by Members.

## 62 **ROAD SAFETY WORKING GROUP RECOMMENDATIONS UPDATE**

The Assistant Director for Neighbourhood Safety and Transport introduced the report of the Director for Neighbourhood Services which provided an update on progress made in planning, funding and implementing the recommendations of the Road Safety Working Group as requested by the Environment, Climate Emergency and Transport Committee on 7 September 2021. Liverpool City Region had since adopted a road safety policy focussing on 'Vision Zero' to reduce the number and severity of road accidents.

The Chair urged Members to attend training on new transport guidance which prioritised walkers and cyclists. It was emphasised that in all schemes an assessment of safety was the starting point.

Members discussed aspects of the report and welcomed the offer of a further update on which schemes could be achieved within the financial year.

**Resolved: That  
the update on the recommendations of the Road Safety Working Group  
as set out as appendix A to this report be endorsed.**

## 63 **WIRRAL ALLOTMENT PARTNERSHIP STRATEGY 2021-26**

The Assistant Director for Parks and Environment introduced the report of the Director of Neighbourhood Services which provided a review of allotment provision across Wirral, setting out the proposed Wirral Allotment Partnership Strategy (2021-26) which sought to address the recommendations set out within a Scrutiny Review, setting out what the Council intended to do to maintain, improve and increase the provision in the most cost-effective manner.

Members debated many aspects of allotment provision and clarified:

- That the waiting list had grown to about 1,500 with applications currently with Planning for additional allotment sites.

- That an advisory board would be set up similar to the Tree Strategy Advisory Board.
- Consideration was being given for repurposing land owned by the Council to provide additional allotment site and bringing overgrown plots back into use, as well as increasing the number of half plots.
- Accessibility issues were being addressed for disabled residents.

The Chair proposed an amendment to request regular updates on the developing allotment strategy including the level of the waiting list, repurposing of land and disabled provision. This was seconded by Councillor Steve Foulkes.

**Resolved: That**

- (1) **the Wirral Allotment Partnership Strategy 2021-26 be approved; and**
- (2) **regular updates on this strategy and the partnership working be provided to the Committee.**

#### 64 OPERATION EVALUATION – POLLINATOR PILOT

The Assistant Director for Parks and Environment introduced the report of the Director of Neighbourhood Services which provided an operational evaluation of the Pollinator Plan pilot projects undertaken in summer 2021, including the plan for roadside verges and green spaces and the new approach to grounds maintenance.

Members expressed their thanks to officers who had fundamentally changed their thinking on grounds maintenance during the pandemic to embrace the change in focus.

Members were informed that

- A number of sites had been swapped for other areas following residents' complaints and a very small number of sites had been put forward in error.
- A workshop for Members was to be arranged to plan for the following municipal year and to discuss suitable locations.
- There were different understandings and impressions of the term 'cessation'. There had been a one-off cut of all locations in the autumn of 2021 but this could not be guaranteed in future years.

The Chair proposed an amendment to delete 'cessation' and insert 'strategy'. This was seconded by Councillor Chris Cook.

**Resolved: That**

- (1) **the contents of the report be noted which will and be used to develop the Council's Pollinator Plan to which will be presented to Committee for approval at a future meeting.**

- (2) a workshop for Members be arranged, as a part of the development of the Council's Pollinator Plan, to agree future pollinator strategy.

## 65 TREE MANAGEMENT AND INSPECTION UPDATE

The Assistant Director for Parks and Environment introduced the report of the Director of Neighbourhood Services which provided Committee with an update they had requested following the April 2021 arboriculture maintenance contract, including the impact of Storm Arwen which had a significant impact of about 800 trees.

Members discussed the report with officers and talked about their own experiences. They were impressed with the speed of response to issues and asked questions which confirmed

- Making fallen trees in verges safe was the priority with stumps to be tackled afterward in conjunction with work to reinstate the affected verges
- Options to sell timber from fallen trees was being investigated, as it was often more valuable than simply selling for biomass or chip board.
- Some fallen timber was left to encourage biodiversity

The Chair proposed an addition to the resolution to recognise the work of the teams. This was seconded by Councillor Foulkes.

**Resolved – That:**

**the contents of the report on the progress being made against the Council's biodiversity commitments be noted and the Committee's thanks be conveyed to the team for the additional work following Storm Arwen.**

## 66 2022/23 BUDGET UPDATE

The Head of Legal Services introduced the report of the Director of Law and Governance which provided for consideration the recommendations of the Policy and Resources Committee in respect of the 2022/23 Budget Update.

It was emphasised that the Council had a significant financial challenge and had to demonstrate financial viability, under the scrutiny of an independent Assurance Panel. The proposals outlined were part of a draft budget and were therefore not without prejudice, and it was for the Committee to focus on these specific proposals, any comments on which would be fed back to the Policy and Resources Committee.

Members discussed the background to the financial situation and recognised that all services affected some people. They noted:

- the possibility of charging more for professional services

- that some issues, notably the climate emergency, would continue even whilst mitigation measures were paused
- concern over the option to reduce school crossing patrols
- that there would be a risk assessment and consultation before any final decisions were made

**Resolved – that:**

- (1) the 2022/23 draft budget proposals be noted.
- (2) the relevant director with portfolio be authorised to take the necessary action to consult on any proposals that require additional consultation and take necessary action to deliver the resulting service changes in consultation with the Chair and Group Spokesperson or reporting to the Environment, Climate Emergency and Transport Committee as the Director considers appropriate.

## 67 WORK PROGRAMME UPDATE

Members considered the proposed work programme for the remainder of the municipal year.

The Chair requested that the Parking Strategy be included in the work programme since parking was in the remit of this Committee.

**Resolved – that:**

**the proposed Environment, Climate Emergency and Transport Committee work programme for the remainder of the 2021/22 municipal year be noted.**