

TOURISM, COMMUNITIES, CULTURE & LEISURE COMMITTEE

Thursday, 2 February 2023

Present:

Councillor H Cameron (Chair)

Councillors	T Smith	J Johnson
	N Graham	J Grier
	S Percy	A Brame
	I Camphor	J Laing
	M Collins	P Martin (In place of KJ Williams)

51 **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.

52 **APOLOGIES**

Apologies for absence had been received from Councillor Jerry Williams.

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

Members were 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.

Councillor Naomi Graham declared a non pecuniary interest by virtue of her husbands employment.

54 **MINUTES**

Resolved – That the minutes of the meeting held on 1 December 2022 be approved and adopted as a correct record.

55 **PUBLIC QUESTIONS**

The Chair indicated that 11 public questions had been received.

Jon White attended the meeting to ask a question on what the KKP Indoor and Built Facilities Strategy says about the community swimming provision in the Borough. The Chair responded that the Strategy was commissioned by Wirral Council's Planning Department and was a publicly available document and offered a paper copy or the link to be sent.

A supplementary question was asked on where children will learn the important life skill of swimming if 3 more swimming pools were lost, it was agreed that a written response would be provided within 10 working days of the meeting.

Jane Langsdale attended the meeting to ask a question about the Wallasey Central Library site and what specific plans the Council had for the future use of the land and building if it ceased to be used for its original purpose. The Chair responded that The Council had not developed any specific plans for the future use of the land and / or building that currently houses Wallasey Central Library in the event that it was ceased to be used as a Library.

A supplementary question on what enquiries had been previously made about the use of the land at Wallasey Central library and the Chair stated that a written response would be provided within 10 working days of the meeting.

Barbara Hardcastle attended the meeting and asked a question on continuing covid restrictions in libraries which had led to activities and groups being unable to be reinstated and opening times being limited. In response, the Chair outlined that whilst restrictions had been lifted regarding social distancing, and the Government had removed legal restrictions, Councils were directed to follow guidance. The guidance meant the Council must provide additional fresh air to our buildings and as a 'Duty of Care' (as building owners) and therefore is obligated to provide adequate fresh air for members of the public/employees, and to provide adequate ventilated spaces that are supported by statutory 'Approved Documents' and the likes of CIBSE etc. It was also prescribed by law in Regulation 6 of the Workplace (Health and Safety and Welfare) Regulations 1992.

Whilst the guidance meant ventilation numbers cannot be ignored, the Library Service is working with the Facilities Management section to increase these where possible with investment in CO2 monitors to provide data to enable the numbers to be revisited and in some sites installation of mechanical ventilation to improve this. The implementation of the New Library Model would see the reintroduction of evening opening hours in the 4 Central libraries.

A supplementary question was asked around why there were not already CO2 monitors installed in libraries and the Chair stated that a written response would be provided within 10 working days of the meeting.

Jessica Keeler submitted a question around restrictions in Libraries planning and facilitating activities and events since the pandemic. The Chair indicated that a written response would be provided and minuted. The prepared response was the same as the above question submitted by Barbara Hardcastle.

Philippa Jones submitted a question on whether a feasibility study had been done on the accessibility to Birkenhead Library should it be relocated to Hamilton Square. The Chair indicated that a written response would be provided and minuted. The response was that Members had been advised that in the case of options where co-location of assets has been proposed, these proposals couldn't be regarded as robust at this stage. Fully completed business cases, site surveys, planning conditions and delivery plans would need to be satisfied, and any capital submissions and resource capacity requirements identified.

Ann Doughty submitted a question on capital investment that Birkenhead Library received from the Department for Culture, Media and Sport (DCMS) and how the financial risk of proposals to relocate the library were to be mitigated. The Chair indicated that a written response would be provided and minuted. The response was that the Council's Library Senior Management Team is in regular contact with DCMS and has kept the department fully appraised of any changes, and any proposed options for Library services. Any implications of budget proposals where there could be an impact on capital investment programmes would be discussed directly with DCMS.

Ann Edwards attended the meeting and asked a question around biodiversity net gain plans for the land at Brackenwood. The Chair outlined that the full response would be minuted and is as follows: As its function, Biodiversity Net Gain (BNG - under the Environment Act 2021) was designed to ensure developers delivered a mandatory minimum of 10% net gain on any development site versus its baseline. If developers had demonstrated the mitigation hierarchy and were unable to satisfy the required net gain on the development site, they were required to provide and/or purchase what are known as BNG units off-site on 'offset' or compensation sites. This then had to be managed in perpetuity (or a minimum of 30 years) and would be outlined in a Biodiversity Gain Plan and secured through a Conservation Covenant (or similar mechanism). This 'plan' would be developed and owned by either the developer if on-site or their own land, private landowners (if providing BNG units for sale), or the Council if on Council owned land. The Council was assessing all Council owned land for its potential to satisfy the forthcoming demand for BNG as offset sites and Brackenwood offered a unique opportunity to provide this on a large multi-functional scale – whilst delivering significant ecological and environmental benefits. It was anticipated that the delivery and long-term maintenance of BNG works would be funded up front through the sale of BNG units. Wirral Council was in a similar position

to all authorities across the Country, responding and reacting as new information on BNG delivery emerges, and DEFRA were due to release further instruction and guidance in the coming months. This would inform Wirral Council's BNG Strategy and long-term approach.

Robin Clarke attended the meeting and asked a question on how the Council could accurately determine the financial pressures set out in the report given that it had not recognised the impact of a 10% national increase in golfing participation rates or the disproportionate transfer rates from members at Hoylake compared to Brackenwood. The Chair responded that the Council had provided all the information it has on the attribution issue in the Freedom of Information response. This matter would need to be considered further if Members instructed Officers to negotiate Heads of Terms for a transfer of this asset. This matter would then be referred to a future meeting of this Committee for decision. This approach is recognized in the submission by Brackenwood Golf Community Limited. In terms of the national increase of 10% in participation rates, there were already a significant number of existing golf courses in Wirral, and to the South of the Borough, which were able to cater for any increased demand due to the capacity that is currently available.

Daniel Keane attended the meeting and asked a question on sports pitch provision in Bebington and ensuring that Biodiversity net loss was not created as a result of such developments. The Chair responded that the Council has undertaken a Playing Pitch Strategy, which is publicly available on its website. This identifies that there are significant shortfalls for all sports, for all pitch types, across all areas of the Borough. There are no other available sites in Bebington of this scale and size for new pitch provision. If the golf course is not transferred there is significant space (115 acres in total) which can be used to provide playing pitches and Biodiversity Net Gain. The Local Plan identifies brownfield sites for housing. These sites need to be supported by new playing pitches to meet the increase in demand. There is already a shortfall in pitches in Wirral so new sites need to be found to support the growth identified in the local plan. This is the best use of the site to fully support the Council's "brownfield first" strategy in the Local Plan.

Lief Prior attended the meeting and asked a question on how the Council proposed to manage fly tipping and maintenance of Brackenwood Park, the course or other existing buildings with no budget allocated should a Community Asset Transfer not proceed. The Chair responded that the Council had existing measures in place to deal with fly-tipping so there would be no additional cost should a CAT not proceed for Brackenwood Golf Course. The course closed on 1 April 2022 and therefore the course did not require maintaining as a golf course and all items required had been removed meaning there were no health and safety requirements.

Brackenwood Park is not part of the CAT transfer, and this area would continue to be maintained by the Council. If the officer recommendation was agreed then a further report would be brought back to Committee in June

2023 outlining the opportunities for pitch provision and Biodiversity Net Gain on the site, how this would be funded, and the timescales involved.

Keith Marsh attended the meeting and asked a question on Brackenwoods Biodiversity Net Gain Strategy and how it supported the Council's Local Plan delivery and brownfield first strategy. The Chair responded that to fully support the Local Plan's "brownfield first strategy" two significant things were required – sites for playing pitch provision and sites to achieve Biodiversity Net Gain. Returning the golf course to its former use would not provide a site for playing pitches, indeed it would remove a very significant site of 115 acres and therefore this would not support the Local Plan. The BNG Strategy was welcomed but this was a high-level strategy which would require more detail and specific measures to fully assess the benefit of this strategy towards the BNG targets required. It was the Officers' view that there were a significant number of golf courses available in Wirral and to the South of the Borough and that they have the capacity to cater for those of all levels and abilities to play the game and that there was sufficient capacity at these courses to meet any increase in demand.

56 STATEMENTS AND PETITIONS

The Chair indicated that there were 3 public statements to be heard.

Keith Marsh read a statement which emphasised that the Community Asset Transfer process had been an anxious and exhaustive period for Brackenwood Golf Club and members of the community. The statement noted how since May 2022, Brackenwood Golf Club volunteers had acted as custodians of the land ensuring it had been well maintained. He detailed how Brackenwood had submitted a Biodiversity Net Gain strategy which was complimentary of the brownfield first policy in the Local Plan and in support of greenbelt protection and how Brackenwood's business plans offered affordable golf closer to home, reducing car journeys and carbon footprints as well as providing free access to a sport often seen as expensive to under 16's and affordable access to adults to promote inclusivity rather than exclusivity.

Robin Clarke read a statement which demonstrated the local communities' sentiments at the officer recommendation not to proceed with the Community Asset Transfer of Brackenwood Golf Course and echoed the community and volunteers commitment to the site and Biodiversity Net Gain. The statement detailed the support the members of Brackenwood Golf Club had given to businesses who expressed an interest in the future of the club throughout the Community Asset Transfer process.

In his capacity as a Wirral resident, Councillor Jason Walsh made a statement, supporting the previous statements that Brackenwood was a much loved community space and was important to residents.

57 **QUESTIONS BY MEMBERS**

There were no questions by Members.

At the request of the Chair, the Committee agreed to alter the order of business to hear item 7 first.

58 **NEW FERRY RANGERS COMMUNITY CLUBHOUSE**

The Assistant Chief Executive introduced the report which outlined the various stages undertaken to secure funding for and subsequently award the tender for New Ferry Rangers Community Clubhouse project. The report related to the refurbishment of Bebington Youth Club in New Ferry for community uses. The main driver for the project was to transfer the under-utilised asset to New Ferry Rangers Football Club (Charitable Incorporated Organisation), allowing them to deliver a fit for purpose, community offer from the site, including a Community Café, Community Gym and 3G Pitch. The Community Clubhouse should be seen as a complimentary element of the wider regeneration of New Ferry.

Members thanked officers for their hard work, noting that residents had previously reported there were not enough facilities for young people and so this project would be appreciated.

Resolved – That

- (1) the award of the tender for refurbishment of the Bebington Youth Club and installation of a short sided 3G pitch to Skyline Property Solutions Ltd be noted.**
- (2) the acceptance of the Sport England grant to help fund this project (comprising of £300,000 total capital and £36,875 revenue in development support) be endorsed.**
- (3) the establishment of a long-term lease for the building, transferring responsibility to New Ferry Rangers Charitable Incorporated Organisation be endorsed, said lease will include continuity of Youth Services provision from the site, minimum nine hours per week.**

59 **COMMUNITY ASSET TRANSFER**

The Assistant Director - Special Projects introduced the report of the Director of Resources which made recommendations in relation to the following Community Asset Transfer (CAT) matters: Former Libraries, Brackenwood Golf Course, Bromborough Civic Centre, and in addition to an Asset Transfer (AT) matter: Former Public Toilets in Moreton

Members thanked officers for their hard work throughout the Community Asset Transfer Process.

Members considered the recommendations individually.

It was moved by the Chair, seconded by Councillor Mike Collins that the Director of Resources be authorised to conclude the transfer of assets of Pensby Library to Pioneer People and Prenton Library to St. Stephens Church on the basis of the terms reported in the exempt appendix 1 to the report. This was agreed by assent.

Members discussed that this was a good use of a community asset being introduced and re-opened to the community.

It was moved by the Chair, seconded by Councillor Jenny Johnson that the Director of Resources be authorised to enter into negotiations on the basis of the re-submitted business plans contained in the exempt Appendix 2 of this report to agree Heads of Terms for the transfer of the former library assets at Wallasey Village to the Wallasey Village Library and Community Centre, Irby to the Friends of Irby Library, and Higher Bebington library to the Co-op Academy Bebington. Once agreed these Heads of Terms are to be reported back to this Committee for a decision or onward recommendation to Policy and Resources Committee. This was agreed by assent.

The Chair noted that the additional 9 weeks that had been added to the timeline had been beneficial for small businesses as creating a business plan could be a daunting task. Members noted the importance of keeping as many libraries open as possible and welcomed this recommendation.

It was moved by the Chair, seconded by Councillor Mike Collins that the Director of Resources be authorised to market the site of the former Hoylake Library for sale or commercial leasing on the basis that it is surplus to the requirements of the Committee. This was agreed by assent.

It was moved by the Chair, seconded by Councillor Tony Smith that the removal of the former Woodchurch Library asset from the CAT process be approved. This was agreed by assent.

It was moved by the Chair, seconded by Councillor Judith Grier that Policy and Resources be recommended to agree that Higher Bebington Library be appropriated by the Council for educational purposes. This was agreed by assent.

It was moved by the Chair, seconded by Councillor Tony Smith that Policy and Resources be recommended to agree that the former Woodchurch Library asset be appropriated by the Council for educational purposes. This was agreed by assent.

It was moved by the Chair, seconded by Councillor Jenny Johnson that Policy and Resources be recommended to agree that the site of the former Hoylake Library be marketed for sale or commercial leasing. This was agreed by assent.

A discussion ensued around officer recommendation 5, where Members agreed that both interested parties for the Bromborough Civic Centre should be invited to bring a business plan.

It was moved by the Chair, seconded by Councillor Jenny Johnson that both interested parties for the Bromborough Civic Centre, Neo and Bromborough Community Group, be invited to bring business plans on the basis of their submitted expression of interest, incorporating their vision for the library element. This was agreed by assent.

It was moved by the Chair, seconded by Councillor Ivan Camphor that the former public toilets in Moreton which had been declared surplus to requirements be transferred to Moreton in Bloom, based on the information in the exempt appendix 7 of the report. This was agreed by assent.

It was moved by the Chair, seconded by Councillor Paul Martin that £52,000 of the surplus revenue amount allocated to Community Asset Transfer be used to meet the holding costs of the former libraries in 2023/24 prior to transfer. This was agreed by assent.

It was moved by the Chair, seconded by Councillor Sue Percy that the remaining revenue balance of £62,417 be retained to support the library element of Bromborough Civic Centre if members decide to transfer this asset at a future point in the financial year 2023/24. This was agreed by assent.

The Assistant Director – Special Projects outlined that in relation to Brackenwood, two business plans had been submitted and there was one that could potentially be taken forward, the considerations around the Council's local plan and brownfield strategy were set out in the report. It was reported that the work done so far on Brackenwood was preliminary due it being part of the CAT process.

A discussion on officer recommendation 1c around Brackenwood Golf Course ensued with Members querying the suitability of the land for sports pitches and the competing priorities of the brownfield first strategy and Biodiversity Net Gain. The Assistant Director - Special Projects clarified that whilst not all of Brackenwood could be used for playing pitches due to the slopes of the land and existing drainage issues, parts of the site were suitable, and the idea was to provide a hub of playing pitches with one centralised changing and servicing facility. Members made it clear that they were not in support of the officer recommendation.

On a motion by the Chair, seconded by Councillor Tony Smith it was –

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

Following the exempt session, the press and public were invited back into the meeting.

The Chair moved a motion, seconded by Councillor Naomi Graham that the Director of Resources be authorised to start negotiating with Brackenwood Community Golf Club Ltd on the basis of their business plan, to seek to agree Heads of Terms to transfer the course and report back on the outcome of the negotiations and options, which support Local Plan priorities for decision by this committee. This was agreed by assent.

Resolved - That

- (1) the Director of Resources be authorised to conclude the transfer of assets of Pensby Library to Pioneer People and Prenton Library to St. Stephens Church on the basis of the terms reported in the exempt appendix 1 to this report.**
- (2) the Director of Resources be authorised to enter into negotiations on the basis of the re-submitted business plans contained in the exempt Appendix 2 of this report to agree Heads of Terms for the transfer of the former library assets at Wallasey Village to the Wallasey Village Library and Community Centre, Irby to the Friends of Irby Library, and Higher Bebington library to the Co-op Academy Bebington. Once agreed these Heads of Terms are to be reported back to this Committee for a decision or onward recommendation to Policy and Resources Committee.**
- (3) the Director of Resources be authorised to market the site of the former Hoylake Library for sale or commercial leasing on the basis that it is surplus to the requirements of the Committee.**
- (4) the removal of the former Woodchurch Library asset from the CAT process be approved.**
- (5) Policy and Resources be recommended to agree that Higher Bebington Library be appropriated by the Council for educational purposes.**

- (6) Policy and Resources be recommended to agree that the former Woodchurch Library asset be appropriated by the Council for educational purposes.**
- (7) Policy and Resources be recommended to agree that the site of the former Hoylake Library be marketed for sale or commercial leasing.**
- (8) both interested parties for the Bromborough Civic Centre, Neo and Bromborough Community Group, be invited to bring business plans on the basis of their submitted expression of interest incorporating their vision for the library element.**
- (9) the former public toilets in Moreton which had been declared surplus to requirements be transferred to Moreton in Bloom, based on the information in the exempt appendix 7 of this report.**
- (10) £52,000 of the surplus revenue amount allocated to Community Asset Transfer be used to meet the holding costs of the former libraries in 2023/24 prior to transfer.**
- (11) the remaining revenue balance of £62,417 be retained to support the library element of Bromborough Civic Centre if members decide to transfer this asset at a future point in the financial year 2023/24.**
- (12) the Director of Resources be authorised to start negotiating with Brackenwood Community Golf Club Ltd on the basis of their business plan, to seek to agree Heads of Terms to transfer the course and report back on the outcome of the negotiations and options, which support Local Plan priorities for decision by this committee.**

60 BUDGET SETTING 2023/24

The Director of Neighbourhood Services introduced the report which enabled the Committee to consider feedback and outcomes from the Budget Workshops which had been held in recent months. The workshops enabled officer and member liaison on proposed budget options, to facilitate discussion and allow direction to be obtained on further analysis required. The Budget Workshops also provided an opportunity for alternative proposals to be considered.

Engagement with local residents and businesses had been undertaken as part of the budget setting process. The outcome of this consultation for Leisure and Library Services was included at Appendices 4 and 5 and would

be presented to Policy and Resources Committee on 15 February 2023, alongside the outcomes of the other service-specific consultations.

The Chair thanked officers for their hard work in delivering the workshops and budget options and expressed that some options had been difficult to consider but acknowledged that officers had to bring a range of proposals to Members.

Resolved – That

(1) the Budget Workshop feedback and outcomes, as detailed in Appendices 2 & 3, be reported to Policy and Resources Committee for consideration.

(2) the latest budget information provided to Policy and Resources Committee in January be noted.

(3) the outcome of the public consultation for Leisure and Library Services as detailed in Appendices 4 & 5 to the report be noted.

61 **WORK PROGRAMME**

The Consultant Lawyer introduced the report of the Director of Law and Governance which provided the Committee with an opportunity to plan and review its work across the municipal year.

It was requested that reports on trading standards and air pollution be added to the work programme.

In response to a Member query, the Assistant Director Neighbourhoods, Safety & Transport agreed to provide a briefing note and to hold a workshop for the Committee on the Open Golf.

Resolved – That the Tourism, Communities, Culture and Leisure Committee work programme for the remainder of the 2022/23 municipal year be noted.

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

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

63 **BUDGET SETTING 2023/24 EXEMPT APPENDICES**

Resolved – That the content of the appendices be noted.

64 **COMMUNITY ASSET TRANSFER EXEMPT APPENDICES**

Resolved – That the content of the appendices be noted.