

# ECONOMY REGENERATION & HOUSING COMMITTEE

Wednesday, 6 December 2023

Present: Councillor T Jones (Chair)

Councillors GJ Davies J Bird  
M Skillicorn E Lamb  
A Hodson E Tomeny  
A Gardner H Raymond  
B Kenny (for R Pitt) A Davies (for G  
Wood)

## 42 WELCOME AND INTRODUCTION

The Chair opened the meeting and reminded everyone that the meeting was being webcast and a copy is retained on the Council's website for two years.

## 43 APOLOGIES

Councillor Gill Wood sent her apologies. Councillor Angela Davies substituted.

Councillor Ritchie Pitt sent his apologies. Councillor Brian Kenny substituted.

## 44 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any items on this agenda and, if so, to declare them and state the nature of the interest.

No such declarations were made.

## 45 MINUTES

**Resolved – That the minutes of the meeting held on 16 October 2023 be approved as a correct record.**

## 46 PUBLIC QUESTIONS

Mr Alan Featherstone asked for the square metreage rented by all tenants at the present Birkenhead Market, including the outside market.

The Chair responded that currently, a total of 5,500 metres squared was rented by all tenants of Birkenhead Market. This was split into 4,656 metres squared in the indoor market and 644 metres squared in the outside market.

Mr Featherstone asked a supplementary question, about whether a feasibility report that showed a reduction of 50% of the square metreage for traders had been made available to councillors.

The Chair stated that Mr Featherstone would receive a written response to this question within 10 working days.

Mr Featherstone asked whether a current feasibility study document had been shared with Members of the Committee and whether that document would be made available to the market community when consultations begin.

The Director of Regeneration and Place confirmed that the document would be shared with members of the committee.

Mr Featherstone asked a supplementary question asking for clarification that the feasibility study raised in his previous question was the most recent version and not one from 3 years prior.

The Director of Regeneration and Place confirmed that it would be the most recent version of the study.

Mr Terry O'Reilly noted that market traders had been promised a state-of-the-art new market in the heart of Birkenhead town centre and asked for an explanation of how moving to a re-purposed site on the outskirts of the town centre would deliver on the promises made to the community.

The Chair responded that there were examples of other markets that have transitioned into re-purposed sites such as Altrincham and Crewe. He noted that high-level proposals to date had suggested circa £6 million of investment in the former Argos site would be required to deliver a market of similar internal quality to the House of Fraser option. He noted that the Argos option was located within walking distance of the train station, bus station, a multi-storey car park and sites allocated for housing within the local plan.

Mr Greg McTigue asked whether the committee felt it was acceptable that traders should be told about the Council's redevelopment plans 24 hours before the committee were due to make a decision on the future of the market.

The Chair responded that the agenda for the committee, including the report on the options of the market, had been published on 28 November 2023, in line with standard operating procedures. He noted that following the

publication of the report, officers and Members had met with the Birkenhead Market Tenants Association.

Mr Dave Borrill was not in attendance and the Lead Principal Lawyer read his question on his behalf. He asked whether a comprehensive retail assessment had been undertaken to evaluate the effects of moving the market into the Argos site and the impacts it would have on small businesses, businesses surrounding the market and the wider community.

The Chair responded that the work to date on the Argos site proposal was on the basis of a concept design to help understand whether the site could accommodate a similar number of units to the House of Fraser option. He noted that subject to committee approval, additional work would be developed that would reflect the wider town centre regeneration proposition.

Mr Joe Orr asked the Chair to outline how the preferred option to move the Birkenhead Market into the former Argos site would meet the expectations of customers, the community and businesses considering the market's historical significance?

The Chair noted that the Council acquired the Grange and the Pyramids shopping centre in May 2023. He stated that the work developed to date that was outlined in the committee report was a concept and subject to committee approvals. The Council was committed to building relationships with traders and the Birkenhead Market Tenants Association to ensure more enhanced engagement.

Mr Orr asked a supplementary question, querying whether the council had conducted any surveys to gauge public opinion of the local community regarding the potential move of Birkenhead Market.

The Chair stated that Mr Orr would receive a written response within 10 working days.

Mr Mike Eccles asked whether Birkenhead's key stakeholders and public opinions / concerns had been actively sought and considered before deciding on the change from a bespoke modern new market building to a repurposed, end-of-line centre unit?

The Chair responded that the Council had met with the Birkenhead Market Tenants Association in November 2023 and the traders had made it clear that the House of Fraser option was not their preferred choice. Subject to determination of the Committee, the Council would continue work to engage with traders.

Cat Lavender was not in attendance and the Lead Principal Lawyer read her question on her behalf. She asked if analysis had been undertaken on the

economic impact due to potential job losses and business closures on the Argos market proposal?

The Chair responded that this was a speculative question that he was not in a position to answer, however as part of future engagement the Council would of course work to understand trader requirements.

Mr Tommy Roberts was present, but at his request, the Lead Principal Lawyer read his question for him. He asked how the Council would support displaced traders and businesses impacted by the changes that would come from moving Birkenhead Market into the former Argos site?

Mr Roberts had a supplemental question which asked what would happen to the rest of the funding if the original grant was for £15 million and the refurbishment of the former Argos site would cost £6 million.

The Chair stated that Mr Roberts would receive a written response within 10 working days.

The Chair stated that all proposals put forward by officers for consideration by the Committee would be subject to engagement with traders.

Sarah O'Reilly was not in attendance and the Lead Principal Lawyer read her question on her behalf. She noted that having surveyed 75% of traders, 95% of those respondents stated that they rejected the proposed move to the Argos site. She also noted that the Birkenhead Market Tenants Association had undertaken a petition with over 1400 signatures and asked if the Council would engage with traders and the public in a meaningful way before any decision was made?

The Chair noted that the Council had already met with the Birkenhead Market Tenants Association as an outcome of their recent election and had also met them and other market traders in advance of the meeting of committee. He stated that the Council would continue to undertake meaningful engagement.

Mr Sean Martin asked whether the Chair would agree to postpone the approval process pending the release of the New Brighton Neighbourhood Framework and a full review of the New Brighton Masterplan?

The Chair noted that a consultation on the draft Marine Promenade Masterplan closed on 4 December 2023. Responses were currently being reviewed and would be taken into consideration when finalising the Masterplan. A report of consultation would be presented to Committee alongside the final Masterplan, to ensure that the views of all respondents to the consultation had been taken into account and considered in an open, transparent and timely manner. The publication of a Marine Promenade Masterplan was a requirement of the Local Plan. The aim of the Masterplan

was to ensure that development proposals come forward in a co-ordinated and planned way, while providing flexibility by setting out a number of potential design options for each site.

The New Brighton Neighbourhood Framework was a regeneration led document that was still being finalised. The document would cover the wider regeneration area and would also be subject to consultation. The document had already undergone 2 rounds of informal consultation and this had helped inform the Masterplan process.

Mr Martin asked a supplemental question stating that New Brighton had been let down by the Master Plan and he asked when the council would put it right.

The Chair state that Mr Martin would receive a written response with 10 working days.

#### 47 **STATEMENTS AND PETITIONS**

Mr Alan Featherstone presented a statement in respect of agenda item 6, Birkenhead Market Options Study. The statement noted that he had attended the meeting of Council on Monday 4 December 2023 where there were some promising commitments to local businesses through the Local Plan. He was disappointed by the way that market traders were shown around the proposed Argos site, feeling that there was too much secrecy and felt that the site was too small, with a report delivered in May 2023 that showed this. He noted that Britain had a reputation as a nation of shopkeepers and asked Members of the Committee to consider voting against the recommendations in the report if they had any doubts about whether the proposed site could accommodate enough traders.

Mr Greg McTigue presented a statement on behalf of the Birkenhead Market Tenants Association. He stated that he was witnessing the demise of the traditional market in Birkenhead through under- investment, mis-management and complacency. He noted that the number of market traders had reduced significantly in recent years. He noted his disappointment in the proposed former Argos site compared to the bespoke, flagship design the market traders had been promised and stated that its location was also poor in comparison.

#### 48 **QUESTIONS BY MEMBERS**

The Chair noted that no such questions had been submitted.

#### 49 **BIRKENHEAD MARKET OPTIONS STUDY**

The Chair noted that an addition to the recommendations in the report had been circulated to Members of the Committee from the Director of Regeneration and Place. The additional recommendation read as follows:

*“The Director of Regeneration and Place wishes to make a further recommendation as follows to the above report as a new paragraph 7. Paragraph 7 of the recommendations within the report will be numbered as Recommendation 8:*

*Other Options*

*7. Agree that in recognition of recent engagement with Birkenhead Market Traders Association the Director of Regeneration and Place be requested to undertake further feasibility work on both:*

*a) St John's Pavement to determine whether this is a viable option for market traders; and*

*b) the refurbishment of part of the existing Birkenhead Market.”*

The Assistant Director for Asset Management and Investment presented the report of the Director of Regeneration and Place. The report noted that the current Birkenhead Market Hall was an aging building, operating inefficiently and the Council had been considering options to re-locate the market to an alternative market site for several years. A number of options had been considered and rejected for a variety of reasons detailed in the report, leaving the proposal to relocate the existing market to a new purpose-built market hall on the site of the former House of Fraser Store, as the current option subject to the scheme being delivered to an acceptable design and cost.

The capital cost of delivery for the House of Fraser proposal was at £31.6 million and the emerging funding gap could have had a significant impact on the Councils financial position.

The report noted that the Council acquired the Grange and the Pyramids in May 2023 and as part of the acquisition a strategic review of the vacant sites and sites that could accommodate a market offer to a similar size of the House of Fraser proposal had been undertaken. The report proposed to examine in detail an alternative permanent option in the former Argos Store located in the Grange shopping centre. However, the Council was at an early stage of engagement with new representatives for the market traders and consideration of alternative options was appropriate.

A discussion was had on the rise in costs of the House of Fraser site and the perceived slippage of the offer to traders, the need for further information on the costs involved and the housing requirements involved from grant funding received from the Liverpool City Region Combined Authority. Members requested more communication from officers on plans and noted that the original plans for the House of Fraser site were meant to be a lynchpin for the regeneration of the area. Concerns were raised as to whether the proposed move to the former Argos site would have the same impact. Members were informed that the number of stalls available at the Argos site was comparable to the House of Fraser site.

Members were informed that Councillor Helen Raymond wished to move an amendment which had been circulated to Members of the Committee.

The meeting adjourned at **19:05**

The meeting reconvened at **19:15**

A discussion was had on the need for a high-quality market, Members requested information on the number of stalls available for each option, with artist impressions of the sites. They felt that traders should be consulted more. The need for good communication was raised.

A motion was then formally put by Councillor Helen Raymond, Seconded by Councillor Ewan Tomeny:

‘At recommendation 2, Add “current” before “market proposals on the House of Fraser site be paused”.

Add 2b:

Furthermore, the Director of Regeneration and Place is requested to prepare a sufficiently detailed report for members to consider for a new new-build proposal on the House of Fraser site, which takes into account of the original aims outlined in the St Werburgh’s Quarter master plan – including a grant funded residential scheme – within the available Council-controlled budget plus any accessible commercial/third party funding.’

The motion was then put and lost (4:7)

On a motion by the Chair, seconded by Councillor Andrew Hodson to include the additional recommendation from the Director of Regeneration and Place, it was,

**Resolved – That**

### **House of Fraser Site**

1.
  - a. **The work to date to progress the House of Fraser site as the currently agreed location to accommodate the Birkenhead Market (as set out in paragraph 3.7 of the report) be noted.**
  - b. **The inability for the House of Fraser site to provide the previously identified brownfield housing requirement of 89 units as referred to in paragraph 3.11 of this report be noted;**
  - c. **The increased financial envelope required to construct the Birkenhead market on the House of Fraser Site as currently designed, set out in paragraph 3.10 of this report be noted.**
2. **Further work on the developing the market proposals on the House of Fraser site be paused at this time whilst the Argos option is considered, noting the 6-month time constraint for a decision on proceeding beyond**

RIBA Stage 3 for the House of Fraser site as set out in paragraph 5.3 of this report at this time be agreed.

3. The further work that will be undertaken on the potential future use of the House of Fraser Site, for consideration by this Committee in due course in the event that a future decision not to proceed with the development of a market on the House of Fraser site is made be noted.

#### **Argos Site**

4. The limited work undertaken to date on development of the Argos site option to house a permanent market for Birkenhead as set out in Appendix 1 be noted.
5. The Director of Regeneration and Place be authorised to proceed with procurement of the RIBA stage 3 design development and appointment of a market consultant to further develop the market option.
6. The Director of Regeneration and Place will bring forward the outcome of the market feasibility and output of the market consultancy work on the Argos option to a meeting of this Committee in Spring 2024 which will include a full options appraisal on the Argos site and associated financial implications be noted.

#### **Other Options**

7. In recognition of recent engagement with Birkenhead Market Traders Association it be agreed that the Director of Regeneration and Place be requested to undertake further feasibility work on both:
  - a. St John's Pavement to determine whether this is a viable option for market traders; and
  - b. the refurbishment of part of the existing Birkenhead Market

#### **Wirral Growth Company LLP**

8. Subject to future member decisions on the developer for the market and the advanced state of work on Pasture Road as set out in paragraph 3.24 of the report, it be noted that consideration will need to be given to the future of Wirral Growth Company LLP and a report shall be brought to a future meeting of this Committee accordingly

## **50 CONSIDERATION OF PROPOSAL TO IMPLEMENT SELECTIVE LICENSING FOLLOWING CONSULTATION**

The Principal Strategic Housing and Investment Officer presented the report of the Director of Regeneration and Place. The report set out the reasons for implementing a Selective Licencing scheme (scheme 4) in four designated areas



in the borough. There was a robust evidence base to justify the targeting of proposed areas and support for the scheme had been evidenced through feedback from a wide-ranging consultation exercise. The consultation survey showed that 84.9% of respondents either strongly agreed or agreed with selective licensing proposals compared to 10.3% who either strongly disagreed or disagreed.

The report noted that while there had been substantial improvements in property conditions, previous and current Selective Licensing schemes demonstrated that without pro-active Council intervention in these areas, vulnerable tenants would continue to live in poor quality, often hazardous housing.

Members discussed the benefits of the selective licensing scheme, the impact that some rogue landlords can have on the lives of their tenants and the costs of the scheme. Members also asked whether the service had the resources to deliver the scheme, which officers confirmed that they were confident that they did. Officers were congratulated for the level of consultation for the scheme and were thanked officers for the report.

**Resolved – That it be agreed that:**

- 1. Selective Licensing shall apply in Birkenhead West (LSOA E01007127 / Wirral 016B), Seacombe St Pauls (LSOA E01007273 / Wirral 008B), Bidston & St James West (LSOA E01007123 / Wirral 011D) and Egremont North (LSOA E01007218 / Wirral 002A);**
- 2. The Selective Licensing designation for the above four areas shall commence on 1<sup>st</sup> April 2024 and last until 31<sup>st</sup> March 2029;**
- 3. The selective licence fee shall be at the rate of £585; and**
- 4. Any future eligible recharges be reserved for consideration as part of the review of the next Selective Licensing Scheme which will be brought to this Committee in 2024.**

51 **2023/24 BUDGET MONITORING FOR QUARTER TWO**

The Director of Regeneration and Place presented his report which set out the financial monitoring information for the Economy Regeneration and Housing Committee as at Quarter 2 (30 September) of 2023/24. The report provided Members with an overview of budget performance, including progress on the delivery of the 2023/24 saving programme and a summary of reserves and balances, to enable the Committee to take ownership of the budgets and provide robust challenge and scrutiny to Officers on the performance of those budgets.

**Resolved – That Committee noted:**

- 1. The adverse revenue forecast of £1.3m as at Quarter 2;**

2. **The progress on delivery of the 2023-24 savings programme at Quarter 2;**
3. **The level of reserves at Quarter 2; and**
4. **The capital programme of £52.238m for 2023-24**

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## **NEIGHBOURHOOD FRAMEWORK & MASTERPLANS APPROVAL PROCESS**

The Head of Regeneration Delivery presented the report of the Director of Regeneration and Place. He noted that the date given in paragraph 3.9 was an error and that the follow-up reports were due to be presented to the Economy, Regeneration and Housing Committee on 4 March 2024. The report sought to set out the status of existing Neighbourhood Frameworks and Masterplans and the process and timescale for adopting those that had been recently published and subject to consultation.

The report noted that the Council had been developing its regeneration strategy for Wirral Left Bank for a number of years. The Birkenhead 2040 Framework has been endorsed by the Committee as the interim regeneration strategy for Wirral in March 2022. This document was supported by a series of more detailed Neighbourhood Frameworks setting out the regeneration objectives and strategies for specific areas. Some of these regeneration documents were completed and published in 2021. Other Neighbourhood Frameworks remained in draft as further work was carried out on delivery strategies.

Members discussed the value of being able to see all the masterplans in the borough. A member queried whether specific areas such as West Kirby needed a masterplan when they are not as in need of regeneration in the way that other areas are. Members also queried the need for employing consultants to devise questions for residents.

The Director for Regeneration and Place noted that he agreed with the Members' comments and that the scope of consultation for areas such as West Kirby should be done in consultation with local ward councillors. He felt that local officers could come up with plans for the area rather than use outside consultants.

The Head of Regeneration and Delivery stated that the work outlined in the report had helped support and inform the evidence base for the emerging Local Plan. The documents specifically helped support the housing numbers that had been attributed to the "other developable areas" or non-allocated sites in regeneration areas in the Local Plan.

The Local Plan identified 11 Regeneration Areas, and these were the focus of the Council's brownfield first housing delivery. Neighbourhood Frameworks aligned with the boundaries of the regeneration areas and set out the regeneration objectives and potential housing delivery within each area.

Many of the Regeneration areas also contained Masterplan areas. These were defined in the Local Plan in policy WS6.3. Masterplan areas were areas where significant change was expected and a co-ordinated and comprehensive approach to development was required. Masterplans were planning documents and should be in place before development in the area could be approved. Masterplans could be progressed by a developer via a Planning application, or could be developed and endorsed by the Council.

**Resolved – That**

- 1. The process for adopting the Neighbourhood Frameworks and Masterplans as referred to in paragraph 3.1 of the report and the engagement process as described in 3.2 to 3.7 of the report be noted; and**
- 2. The process for endorsement of the Neighbourhood Frameworks and Masterplans as referred to in paragraph 3.8 and 3.9 of the report be agreed.**

53 **WORK PROGRAMME**

The Lead Principal Lawyer presented the report of the Director of Law and Governance. Members were informed that the work programme should align with the corporate priorities of the Council, in particular the delivery of the key decisions which are within the remit of the Committee

Members queried the timescale for feasibility work on Birkenhead Market and were informed that it would not come to Committee until March 2024 at the earliest.

Members requested an update report on Mass Transit and a delivery workshop on Council House Building Options be added to the Work Programme.

**Resolved – That the Economy Regeneration and Housing Committee work programme for the remainder of the 2023/24 municipal year be agreed with the inclusion of the above items.**