

## **Bootle Area Action Plan**

### **Statement of Compliance with the Duty to Cooperate**

#### Purpose of the document

1. This statement outlines how Sefton Borough Council [‘the Council’] has prepared the Draft Bootle Area Action Plan Proposed Submission Document (Regulation 19 Stage) in accordance with Duty to Cooperate legislation. It sets out how and when, in the preparation of the document, the Council has engaged with representatives of identified Duty to Cooperate bodies that are prescribed in the relevant legislation, on relevant strategic matters and the actions and outcomes that have informed the Draft Bootle Area Action Plan. This statement is a living document that will be updated as new issues on strategic matters arise or if additional strategic bodies need to be involved in discussions, prior to the submission of the Plan.

#### Background

2. A decision was made to progress a Bootle AAP in order to address some of the issues that impact upon Bootle. The AAP is intended to sit under the Local Plan and will not replace the strategic policies in the Local Plan but is intended to provide specific Bootle policies to address local issues and to support regeneration. The Bootle AAP does not contain any strategic policies.

#### Legislation and Guidance

3. Planning and Compulsory Purchase Act (P&CPA) 2004. The Localism Act 2011 amended Section 33 of the P&CPA by setting out, in Section 33A, that local authorities must cooperate with prescribed bodies and neighbouring local authorities to maximise the effectiveness of local plans. They must engage constructively, actively and on an ongoing basis on strategic matters relating to sustainable development. A strategic matter is defined as sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.

#### Prescribed Duty to Cooperate bodies.

4. The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the following prescribed bodies relevant to Sefton Borough to which the Duty to Cooperate applies:

- Environment Agency.
- Historic England.
- Natural England.
- Civil Aviation Authority.

- Homes England.
- Clinical Commissioning Group / NHS.
- Office of Rail and Road.
- National Highways / Highways England.
- Marine Management Organisation.
- Liverpool City Region Local Enterprise Partnership / Liverpool City Region Combined Authority (CA); and

- Nature Connected, Liverpool City Region Local Nature Partnership (LNP).

5. In addition to the prescribed Duty to Cooperate bodies listed above, the Council has also engaged with all surrounding local authorities. This includes the following authorities:

- Liverpool City Council
- Wirral Borough Council
- Knowsley Borough Council
- West Lancashire District Council

### **Consultee meetings and consultations**

6. Below is a list of formal consultations and consultation responses through the AAP as well as any bespoke meetings.

7. It should be noted that bespoke meetings for the Bootle AAP have only been sought where they have been considered necessary, particularly as it is considered that the Bootle AAP does not contain any strategic policies. The Council lead or are involved with a wide range of forums with our neighbours and others where, if there is an important issue to be explored, they are discussed, and action is initiated where necessary. These are discussed either in the chapter on meetings with neighbouring LPAs or through the chapter on the main DTC topics below.

<b>Organisation (Duty to Cooperate group in brackets if relevant)</b>	<b>Duty to Cooperate type</b>	<b>Regulation 18 correspondence sent (Y/N)</b>	<b>Regulation 18 responses received (Y/N)</b>	<b>Specific meetings for Regulation 18 to 19 engagement (Y/N)</b>	<b>Statement of common ground in preparation? (Y/N)</b>
Liverpool City Region Combined Authority (incorporating Local Enterprise Partnership)	Sub-regional Government	Y	N	Y	Y
Liverpool City Council	Neighbouring authority	Y	N	Y	Y
Knowsley Council	Neighbouring Authority	Y	N	Y	Y
West Lancashire Council	Neighbouring Authority	Y	N	N	Y
Wirral Council	Neighbouring Authority	Y	N	Y	Y
Environment Agency	Statutory Consultee	Y	Y	N	N
Historic England	Statutory Consultee	Y	Y	N	N
Natural England	Statutory consultee	Y	Y	N	N
United Utilities	Statutory Consultee	Y	Y	N	N
National Grid	Statutory Consultee	Y	Y	N	N
Scottish Power	Statutory Consultee	Y	N	N	N
Civil Aviation Authority	Statutory Consultee	Y	N	N	N
Primary Care Trust	Statutory Consultee	Y	N	N	N
Homes England	Statutory Consultee	Y	Y	N	N
National Health Service Commissioning Board	Statutory Consultee	Y	N	N	N

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NHS Property Services	Statutory Consultee	Y	Y	N	N
Merseytravel	Statutory Consultee	Y	N	N	N
Marine Management Organisation	Statutory Consultee	Y	Y	N	N
Office of Rail and Road	Statutory Consultee	Y	N	N	N
National Highways	Statutory Consultee	Y	Y	N	N
Network Rail	Statutory Consultee	Y	N	N	N
Canal and Rivers Trust	Statutory Consultee	Y	Y	N	N
Sport England	Statutory Consultee	Y	Y	N	N
Mersey Forest	Statutory Consultee	Y	Y	N	N

## **Work with neighbouring Local Authorities**

8. The Liverpool City Region Local Authorities and West Lancashire District Council, (which adjoins much of Sefton Council but not the Bootle AAP area), have a long history of having a close working relationship on strategic planning matters. This has continued through the Bootle Area Action Plan. A plan showing Sefton in the context of neighbouring authorities can be seen below in figure 1.1. A second plan showing the Bootle AAP area with the context of Sefton can be seen in figure 1.2.

9. The Liverpool City Region Combined Authority, (the CA), and the Liverpool City Region Local Planning Authorities, (Sefton Borough Council, Liverpool City Council (LCC), Wirral Borough Council, (WBC), Knowsley Borough Council, (KBC), Halton Borough Council, (HBC) and St Helens Borough Council (SHBC), as well as West Lancashire District Council (WLDC) and the Merseyside Environmental Advisory Service (MEAS), meet regularly to discuss strategic and cross-boundary planning issues in a number of forums.

10. The first of these is the Chief Planning Officers meeting (CPOs). This is led by the CA and includes all of the Chief Planning officers and the head of MEAS. This meets every six weeks. The purpose of the group is to update and identify any issues that are emerging or ongoing and to identify where work may be needed to address those cross-boundary issues. The CPOs meeting will then decide who and how those issues will be addressed.

11. The second tier of meeting is the Planning Policy Managers (PPMs) meeting where often Strategic plan-making issues will be addressed on more detail. This is again led by the CA and will include the team leaders for Plan-making for the city region authorities. As with the CPOs, the PPMs meetings are every six weeks. Updates on existing and future plan-making work will be given and all of the cross-boundary and strategic cross-boundary planning matters will be addressed in more detail. Where relevant, specific issues will be delegated to groups formed to address them. For example, there is a group that meets to address visitor pressure on the coast, another to look at sub-regional waste issues.

12. An update on the Bootle AAP is provided at each PPM meeting and an opportunity for any of our neighbours to address concerns given.

13. These groups have been run for decades and are part of the ongoing cross-boundary close working relationship in the area.

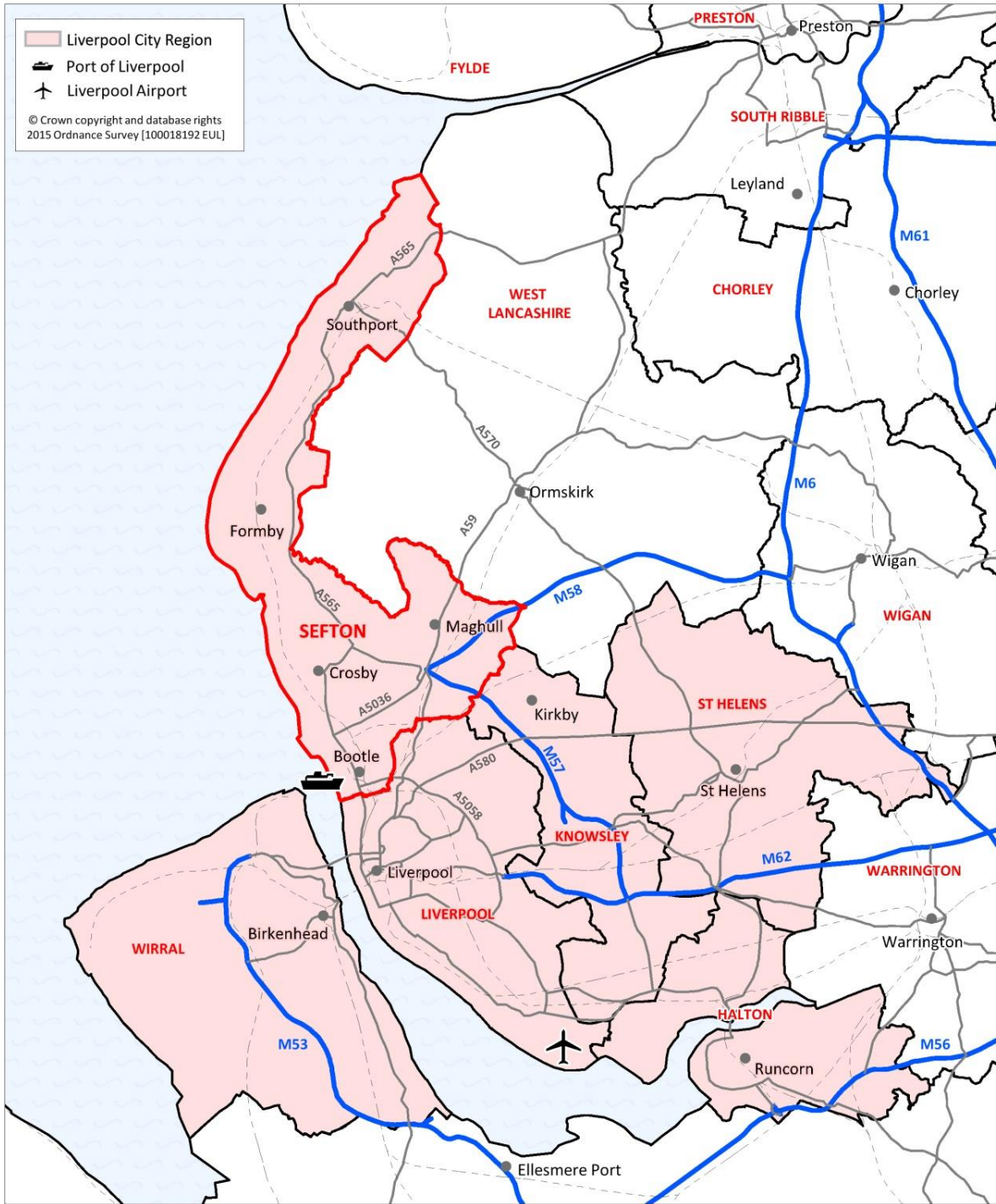
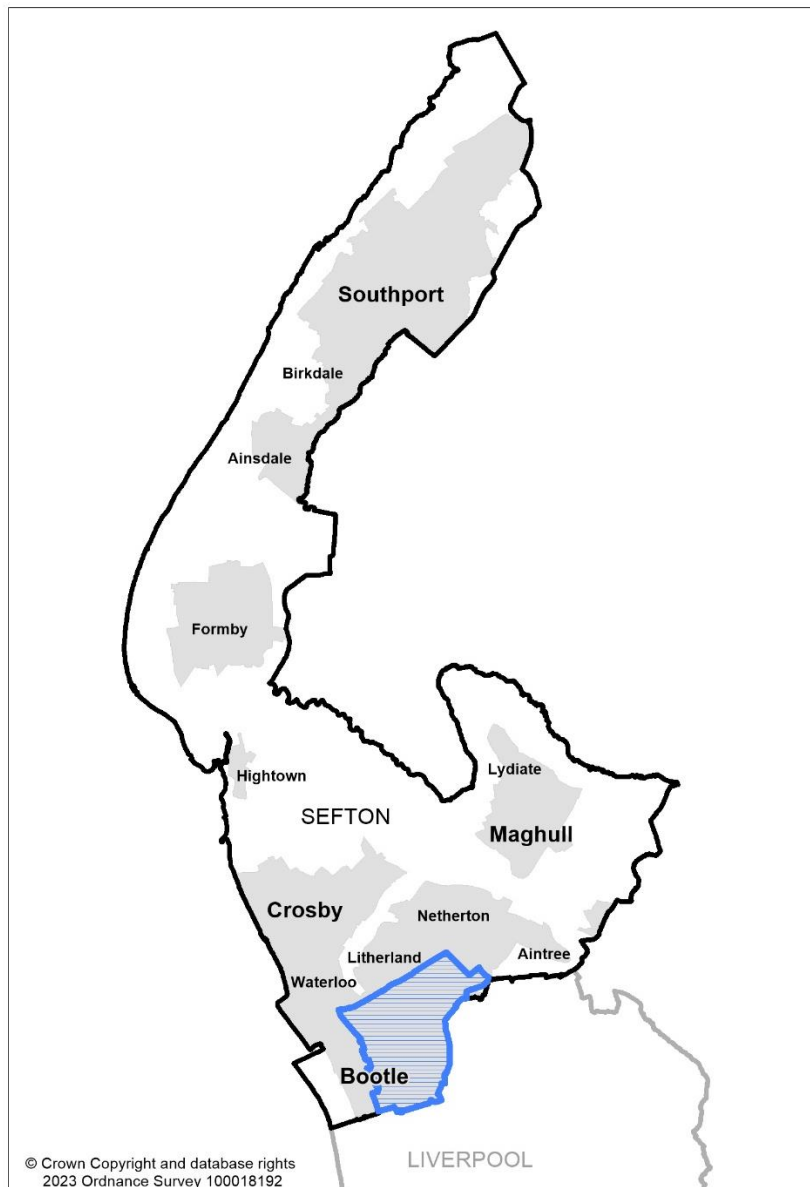


Figure 1.1 Sefton and showing the strategic context.



**Figure 1.2 The Bootle AAP area within the context of Sefton and its proximity to Liverpool to the south.**

**Relationship of the Bootle Area Action Plan (BAAP) and neighbouring authorities.**

14. This chapter looks at the issue of cross-boundary issues with Neighbouring Authorities. Sefton Council have worked with our neighbouring authorities through the forums discussed above. We have also engaged with them separately where it has been considered to be helpful in preparing the Bootle AAP.

15. It should be noted at this point that the Bootle AAP does not contain any strategic policies and therefore it was unlikely to have any significant impact beyond the Local Authority area. However, this does not mean that there aren't any matters that would have an impact upon our neighbouring authorities. These are considered below.

### Liverpool City region Combined Authority

16. The CA are in the process of producing a SDS for the City region. This includes Sefton MBC and as such is very important in providing the City Regions' strategic focus. Outside of the regular sub-regional discussions, the Council have met with the CA several times to discuss the emerging AAP, most recently on 17<sup>th</sup> June 2024. There were no major issues arising with the Bootle AAP identified from that discussion that needed further work.

17. The combined authority, recognising the importance of the AAP are paying for a proportion of the funding for some of the underlying evidence. The CA have also provided some of the evidence for the Bootle AAP and Sefton contributed towards that evidence.

18. There is also a sub-regional agreement statement of common ground.

### Liverpool City Council

19. Liverpool CC are the only neighbouring LPA that actually border the Bootle AAP area and do so to the south and to the east. As such major projects either in Bootle can have a significant impact upon north Liverpool, and vis versa. It is not considered that any of the policies are strategic in the Bootle AAP, but it is considered that there are likely to be a material, though limited, cross-boundary effects from the Bootle Town Centre policies in the AAP.

20. The proposed town centre diversification, and in particular the desire to bring in more food and drink uses, as well as the new events space (the '[Salt and Tar](#)' project), is likely to attract some people from wider neighbourhoods, including north Liverpool. It is not considered this will cause a significant diversion from centres in north Liverpool (such as Walton Vale or County Road) or impact upon Liverpool City centre, which is the food and drink and entertainment heart of the city region.

21. In terms of housing, employment land and retail, there are few issues to address due to the non-strategic nature of the policies and this was agreed at meetings with Liverpool officers on 7<sup>th</sup> June 2023 and 23<sup>rd</sup> May 2024

22. Liverpool has two major schemes in the north of the city, south of the borough boundary. These are the [Liverpool Waters](#) scheme which will see thousands of new homes delivered; and the new [Everton stadium](#) at Bramley Moore Dock, currently under construction. Neither of these will be impacted significantly by the Bootle AAP. However, the expanded leisure and food and drink offer proposed for Bootle Town Centre may encourage some people to visit Bootle before or after going to visit the new Stadia and this will be a benefit for Bootle. However, it is expected that the facilities at Bootle would be complementary to those in Liverpool rather than detrimental.

### Knowsley Borough Council



23. Knowsley BC share a joint boundary with Sefton but not with the Bootle AAP area. Most of the ongoing partnership working with Knowsley has taken place through the formal calendar of meetings that take place through the city region. However, a meeting between Sefton and Knowsley officers took place on 11<sup>th</sup> July 2024 to discuss the impacts on them of the Bootle AAP. It was concluded that the Bootle AAP will not be likely to result in any issues that will materially impact Knowsley.

#### West Lancashire District Council

24. [to be updated when meeting has been held]

#### Wirral Borough Council

25. Wirral Council shares a maritime boundary with Sefton and is across the Mersey estuary from Bootle.

26. Sefton officers met Wirral officers on 10<sup>th</sup> June 2024 to specifically review the Bootle AAP and also the Wirral draft Local Plan, which is currently going through examination in public. The discussion concluded that there are no issues from the Bootle AAP that will materially impact Wirral. The proposed town centre improvements to both Bootle and Birkenhead have a number of similarities but they are so far apart as to have little impact on each other.

#### Other Planning Authorities

27. Sefton have consulted with St Helens Borough Council and Halton Borough Council at each stage of the Bootle AAP process and neither of them have commented. It is not considered that there are any issues within the Bootle AAP that would be likely to materially impact upon either of those two Councils. The same applies to other LPAs further afield including Cheshire West and Chester, Warrington, Wigan, and Lancashire County Council.

#### Parish and Town Councils

28. There are no Parish and Town Councils within or adjoining the Bootle AAP area. There are a number of Town and Parish Councils in Sefton and also near to the Sefton boundary in West Lancashire. None of these are any of the proposals within the BAAP expected to have any significant.

29. The Parish and town Councils were consulted and had no comments to make on the Bootle AAP.

## **Topic Areas**

30. This Chapter consider different topic areas that the BAAP covers and how the Duty to Co-operate has been conducted throughout the process of preparing the Bootle AAP.

### **Town centres**

31. One of the main areas that the Bootle AAP looks to address is the regeneration and repurposing of the centre of Bootle. The Bootle Strand shopping centre was built in the 1960s and has been the focus for shopping and for financial services for the town and a wider area of south Sefton. However, in common with town centres across the country, the Strand has suffered from decline of the retail and banking sectors.

32. The Council recognised that the centre of Bootle needs regeneration to meet the changing needs of the local community. To assist this the Council have published a business plan for renewing the Strand and Canalside by making it multi-functional and delivering a wide range of services including leisure, education, an events space, food and drink and healthcare. The Treasury awarded the Council £20m and the Combined Authority also has provided money to commence stage 1 of the project, and this has commenced. The canals and rivers trust have been involved with the preparation of the town centre bid and issues have been discussed and addressed with them.

33. The Bootle AAP is setting out the planning framework for the long-term regeneration and repurposing of the Strand. The project whilst ambitious and likely to have a positive impact upon Bootle and its residents, is not likely to have significant strategic implications.

34. The main implications are that the town centre, (particularly the food and drink and events space) may draw a limited number of people from a wider area than use the Strand now (although this will be minimal compared to Liverpool City centre for both Bootle and north Liverpool residents). It's important to note that we expect the amount of retail floorspace in Bootle town centre to reduce.

35. Discussions with Liverpool city Council at preferred options and stage and prior to the Publication draft confirm that these conclusions are shared with Liverpool City Council.

36. Liverpool Waters and the Everton stadium are major developments in north Liverpool and they and the Bootle AAP are unlikely to cause significant issues for each other. Indeed, the Strand may benefit from the stadium with some fans from Bootle and further north in Sefton using the leisure facilities in Bootle centre before or after matches. Again, these were considered reasonable conclusions for talks with the City Council.

37. Other matters in the BAAP in relation to the town centre relate to the Office quarter and the civic and education quarter. Discussion have been had with Hugh Baird and the Council's education team. In terms of statutory consultees, it is not considered that the proposal will result in any significant issues with the exception to the civic quarter where there may be some impact upon heritage assets. Historic England have been consulted and not responded.

## **Housing**

38. The Bootle AAP does not set a housing requirement. This is done in the current Local Plan and will be included in the next Local Plan. What the Bootle AAP does is consider specific housing needs in the Bootle area and identifies a number of sites suitable for new housing. None of the housing allocations of a strategic nature.

39. None of Sefton's neighbouring authorities have identified a shortfall in housing need that they think can be addressed in the Bootle AAP and this has been confirmed in discussions with those authorities.

40. The Council has worked closely with Homes England and the Combined Authority in discussions on a number of the housing sites. One of the main issues in Bootle with delivering housing sites is viability and therefore some sites will be likely to need to some additional support to come forward. Ongoing discussions have taken place on a number of sites.

41. The Canals and Rovers Trust were consulted over both the Issues and Options and the Preferred options and provided comment. The Canals and Rivers Trust were also engaged during the production of the design code for canalside sites which included a number of the housing sites.

42. The Bootle AAP attempts to address a number of specific housing issues that occur in Bootle. These include:

- Providing different tenures of housing including different types of affordable housing.
- A mix of sizes of homes.
- Ensuring homes meet different needs such as for those using wheelchairs or otherwise of limited mobility, homes for the elderly and care facilities for young and old.
- Providing appropriate standards for HMOs and flats

43. None of these are strategic issues that materially impact beyond the immediate area but are designed to meet existing issues relating to a lack of a variety of housing choice in the Bootle area.

## **Employment land**

44. As with housing, the Bootle AAP looks at how best to use existing employment sites rather than allocating new employment land. All the employment sites in the AAP are previously allocated in the Local Plan. The next Local Plan will take a strategic approach to the borough's strategic employment need and supply.

45. Discussions with neighbouring authorities have confirmed that the employment land proposed will not have a strategic impact on neighbouring LPAs.

46. Some of the employment sites on Dunnings Bridge Road could have an impact upon an already busy main road. Whilst this is unlikely to materially differ from the existing Local Plan allocations, it is still important, and Highways England have been consulted directly through both reg 18 consultations and have raised no significant objections.

### **Infrastructure**

47. The quantum of proposed development will result in significant changes to infrastructure expected through the Local Plan. Mostly the Bootle AAP has a different emphasis on what is expected from some sites and requires a few extra sites. Therefore, there are not significant changes to the infrastructure required and notably greater requirements for infrastructure providers.

### Utilities

48. United Utilities have been consulted at each stage and were sent the GIS information in May 2023 of the AAP sites. They provided formal comments at the preferred option stage.

49. Cadent have been consulted at each stage too but have made no comments to date.

### Green Infrastructure

50. The main green infrastructure in the Bootle area are the parks, specifically some large Council owned parks. The process has involved Green Sefton who manage the parks throughout the process. This drew the conclusion that what was needed were improvements to parks and not new parks.

51. The other significant green infrastructure asset is the canal. The Canals and Rivers Trust were consulted through the regulation 18 stage of the Bootle AAP consultation and provided formal comments at the preferred option stage. They were also engaged on the preparation on draft Design Code for the Bootle area, for which the Council were a pilot authority.

52. The Canals and Rivers Trust were also involved more significantly with the preparation of the Bootle Town centre regeneration funding bid and subsequent project and there has been an ongoing engagement with them from the bid team.

### Education and Health

53. The Council have consulted the Sefton Council education team and public health team and have also consulted the local NHS trust. The amount of new housing is not strategic and there is therefore likely to be limited impact upon schools or services.

## **Visitor pressure management on the coast**

54. The Liverpool City Region are working on a joint approach to recreational pressure on the coast. This is being led by MEAS. The group meets every couple of months and discuss the issues and share evidence.

55. The main risk for any development in Sefton is recreational pressure on Sefton's own coast and Sefton has an interim position that applies to all housing developments over a certain size. This will continue to apply to relevant housing developments in the AAP until such time a sub-regional approach is agreed.

56. Discussions with Wirral and the supporting evidence point to little interaction between development in Bootle and recreational pressure on the Wirral coast. There is no other coast in Merseyside with the same sort of visitor pressure as Sefton and Wirral.

57. Sefton Landscape management partnership also incorporates multiple groups and organisations that help manage the landscape and the coast and meet frequently.

## **Flood risk.**

58. Sefton is a low-lying borough with consequential impacts of surface water flooding and coastal and tidal flood risk as well as flood risk from a number of watercourses. The Council work closely with the Environment Agency (EA) and with neighbouring authorities in addressing flood risk.

59. The flood risk issues in the BAAP are primarily from Sefton sources and are not a strategic cross-boundary issue. The Council have produced Strategic Flood Risk Assessment, and this has been discussed with the EA. The EA have also been consulted at each stage of the BAAP and the Council have also written to the EA formally and informally to ask for views on the SA/SEA. No comments were received.

60. During the production of the Strategic Flood risk assessment, the Council consulted EA and UU informally and received no comments.

61. Making Space for Water meetings Flood and Coastal erosion risk management group operational and strategic groups both meet quarterly includes EA UU and Canals and Rivers Trust – quarterly.

## **Ecology**

62. The Bootle AAP area includes no significant ecological designations. However, MEAS have been engaged throughout for any issues that may be identified. MEAS are part of the Bootle AAP Officer working group. MEAS have also been engaged as part of the ongoing LCR groups.

## **Transport**

### Road

63. The BAAP area has a number of strategic routes running through the BAAP area. These include:

- The A5036 Dunning's Bridge Road and Princes Way which marks the northern boundary of the BAAP area. This links the Port of Liverpool to the national motorway network.
- The A565 Derby Road that roads on the western edge of the BAAP area between the Port and the rest of the town. The A565 links Liverpool to Bootle through to Waterloo and northwards to Crosby, Formby, and Southport. The A565 also links into the docks in Bootle and Seaforth.
- The A5038 that runs northeasterly from Liverpool through to Netherton. This route manages a lot of commuting traffic.

64. None of the proposals in the Bootle AAP are likely to have a significant impact beyond anything already considered through the Local Plan. The Council liaises frequently with Merseytravel and neighbouring authorities through the Sefton Highways team. To significant issues have been raised that the BAAP will create.

65. The Council has regular meetings with Highways England involving both the Sefton highways team and Sefton Planning. No strategic issues have been identified as a result of the BAAP and its proposals. Highways England continue to look for solutions to address access issues along the A5036 to the Port. This is not in the BAAP area. However, access from some of the strategic employment sites will use the A4036. However, the traffic generated by these is not considered to be strategic.

#### Rail and Buses

66. The BAAP area includes part of the Liverpool-Southport railway line running through Bootle including three stations, a small part of the Liverpool-Ormskirk and Liverpool-Kirkby lines run through the southeastern part of the BAAP area but does not include any stations within the area. However, some stations outside the BAAP area are within walking distance of some Bootle residents, business, and services.

67. Bootle includes a busy bus station at the Bootle Strand and a high number of bus routes running through the area.

68. The Council continue to liaise with Merseytravel and through the Sefton Highways team. There is no significant new development set to be adjacent to railway lines and therefore unlikely to be any strategic issues or safety issue impacting the railways, (including no level crossings in the area), or buses from development. However, the Council have consulted Merseyrail and the Office for Rail Regulation through each stage of the consultation process.

#### Walking cycling

69. There are no strategic issues connected with walking and cycling that have impacted the development of the BAAP. However, connectivity to other modes of transport is an important issue addressed through working with the Council's highways team.

#### Port of Liverpool

70. The BAAP area is adjacent to the Port and Peel Ports have been consulted throughout the Area Action plan development and they have engaged through the Regulation 18 stage.

#### Airports and airfields

71. The BAAP is not within the consultation zone for MOD Woodvale or Liverpool John Lennon Airport and the scale and nature of proposed development is unlikely to impact upon either materially.

#### **Freeports**

72. Merseyside has a series of Freeports. There are tax sites in St Helens, Wirral, and Halton. The BAAP policies do not have a material impact upon them.

#### **Waste**

73. Waste is covered by the Liverpool City Region Waste Local Plan. This is a developed for the whole of Merseyside led by MEAS with all of the Merseyside LPAs working together. The joint Waste Local Plan is currently being reviewed to establish if it is up to date.

#### **Minerals**

74. Minerals are addressed through the Local Plan. This will be reviewed when the Sefton Local Plan is reviewed.