

12 December 2016

Our ref: RFI 3691



By email only

email: request-3705090-1e54d90b@whatdotheyknow.com

Legal Services
Access to Information
Level 10
Renslade House
Bonhay Road
Exeter
Devon EX4 3AW

Dear Mr Hutchinson

Access to Information request – Response – Request No RFI 3691

Thank you for your request for information about the pond known as “The Scrape” close by Gilroy Nature Park, West Kirby, which we received on 13 November 2016. Your request has been carefully considered under the Environmental Information Regulations 2004 (“EIR’s”).

I have provided the information you have requested under each of your questions set out below for clarity.

1) On behalf of the many hundreds of people on and off the Wirral Peninsula with concerns for the proposed Hoylake Golf Resort minded of Wirral Metropolitan Borough Council's readiness to keep matters secret, aware of its readiness to delay matters, with concerns for Council's lack of openness and transparency, knowing that the promised statement is delayed and cognisant of the twenty days for response to this request that the FoI Act permits will give time for a full and proper survey and analysis, I am requesting, please, that the results of any survey and analysis carried out by Natural England of damage done and ways and means of mitigation of that damage done to the wildlife especially waders such as the Icelandic Black-tailed Godwit by the draining of the pond known locally as "The Scrape", be published.

Natural England attended a meeting with the landowner and Wirral Metropolitan Borough Council (WMBC) on 31 October 2016 and then visited the site to consider the ditching works. Although the land was observed we have not undertaken any specific survey or analysis and have no reports to publish. Our observations were that management of the existing ditch network has been undertaken; our view was that this did not require any form of permissions from Natural England or as far as we were concerned other relevant authorities. We also considered that there were some other ditching works in the locality of the pool that may need further investigation with reference to land drainage consent; we made WMBC aware of this as the relevant authority.

2) Was Natural England made aware by Wirral MBC of the Merseyside Environmental Advisory Service recommendation the area of land encompassing “The Scrape” known as the “Langfields” be made a Site of Biological Importance (SBI)?

3) Was Natural England made aware by Wirral MBC of the significance of “The Scrape” to the “Langfields” SBI?

4) Was Natural England made aware by Wirral MBC of the delay in making “Langfields” a SBI?

5) Was Natural England made aware by Wirral MBC of the area that would be occupied by a Langfields SBI in relation to that of the proposed Hoylake Gold Resort?

Regarding the above four questions Natural England does not consider or have record that WMBC or Merseyside Environmental Advisory Group (MEAS) have explicitly made us aware of these matters.

However, Natural England was broadly aware of these matters through general conversations with a range of stakeholders, highlighting the importance of the area for birds that are likely to be connected with the statutory designations on the Dee Estuary and North Wirral Foreshore and the location's consideration as a SBI. WMBC administer the Wirral Local Sites Partnership which considers SBIs. Although Natural England do receive information relating to the Wirral Local Sites Partnership we do not currently engage in this Partnership and so had not considered any details that may have been sent to us as part of emails to the whole Partnership. Following this FOI we have checked recent Partnership emails and understand that the Langfields area was considered in their January 2016 meeting, Natural England did not input to or attend this meeting.

If you have any queries about this letter, please contact us. As you may be aware, under the legislation should you have any concerns with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, please email foi@naturalengland.org.uk Under Regulation 11(2) this needs to be done no later than 40 working days after the date of this letter.

If you are not content with the outcome of that complaint, or the review of our decision, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Natural England. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 01625 545 700, www.ico.gov.uk.

Yours sincerely

Kate Donovan
Adviser – Access to Information
Legal Services