Liverpool opposition councillors demand answers

To: Andrew Lewis Chief Executive, Liverpool City Council
From: Liverpool opposition councillors

23 January 2026

“Dear Andrew,

We are aware that Garston Community United, (GCU) has written to you as Chief Executive of Liverpool City Council to express its concerns on behalf of residents about the recent public inquiry into Peloton Real Estate v Liverpool City Council.

We share GCU’s concerns. Our Planning Committee refused the application on grounds of harm to residential amenity, including noise and air quality. In doing so, they considered evidence submitted by the community and 1,800 written objections. As a result, residents will have expected the Council to fiercely and resolutely defend its decision.

A recent story in the online news outlet The Canary and a FOI raise questions about council officers’ conduct however, namely that ten un-minuted meetings took place between them and Peloton. As councillors we must have an officer present if we meet developers. If transparency is essential to our conduct, it seems evident that council officers’ meetings with developers should also be transparent and accountable. This means minuting all such meetings.

The Council did not put forward evidence relating to air quality. It is essential that this decision is open to scrutiny. Without detailed minutes that is not possible.

We believe that the lack of transparency during this appeal opens the Council up to allegations that it did not fight its case with sufficient rigour and openness.

We believe the decision not to minute the meetings should be subject to investigation and scrutiny.”

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On Friday 6 February 2026 Andrew Lewis replied to our complaint and the message above:

“...Thank you for your message of 23 January 2026 (attached). You raise concerns about the way the Council’s Planning Committee decision on the Peloton Real Estate case was defended at the Planning Inspector’s enquiry.

Firstly, I appreciate entirely why you and the wider local community are frustrated by

this process. The Council has recognised the serious concerns about this development expressed by the local community. This was reflected in the refusal decision on the application made by our Planning Committee, which the Council chose to defend at appeal to the Planning Inspector.

As you mention, Council officers made a recommendation to the Planning Committee that, on applying local and national policy, the application should be approved with conditions. The advice also clearly presented the concerns of the local community, and residents were able to present their case directly to the Planning Committee. As a result of the representations they received, the Planning Committee refused the application.

As you'll appreciate, we have to operate within the national legal and regulatory framework which governs our planning role. This provides the right for applicants to appeal to the Planning Inspectorate, as a national body, and for the Planning Inspector to apply their own judgement which takes precedence over the Planning Committee's decision. The Council took the view that we should defend the Committee's decision, notwithstanding the risks that our case could be rejected and costs imposed on the Council.

The appeal was dealt with by the Planning Inspectorate under a fast-track procedure. As such the timescales for the submission of evidence were relatively short. It is not unusual that Councils defend a position determined by a Planning Committee against officer advice, demonstrating the independence of the committee in making planning judgements. As is commonplace in these circumstances, officers sought external advice and support to present evidence as robustly as possible. Due to the time constraints of the fast-track procedure and in order to meet the Inspectorate deadlines as best as possible, the initial Statement of Case was prepared by council officers. This was because it had not yet been possible to secure external consultants to prepare this document. Subsequent submissions were made by the external consultants.

However, in respect of the issue of air quality, despite efforts to engage an independent consultant, none could be secured. The air quality experts initially engaged by the council either considered that there was a potential conflict of interest on them taking on the case, or that they could not disagree with the information submitted by the applicant. This meant that the council could not present expert evidence on this matter. Nevertheless, in order to stand by the position taken by the Planning Committee, the council did not withdraw this reason for refusal. This left the issue open for the Inspector to consider. Whilst the council was not able to appoint an air quality consultant, the other consultants appointed were able to present a professional and independent defence of the council's case.

I appreciate the Planning Inspector's decision will have disappointed you and other members of the community. We regret that we were unable to convince the Planning

Inspector of the arguments which our Planning Committee had supported. However, there are no grounds for stating that the council behaved inappropriately during the appeal process.

You also expressed concern about the meetings which council officers held with the applicant at various stages of the process, which we set out in a response to a Freedom of Information request. It is normal, and indeed good practice, for council officers to have comprehensive engagement with applicants during the application process, particularly where concerns have been raised through consultation. These are iterative, evidence-gathering meetings and provide opportunities to explain the process to the applicant. As informal meetings, they are not minuted, although I agree that it would have been better practice to have notes available which could allay concerns such as those you have expressed. The outcome of such conversations is included in the subsequent information or evidence submitted to the Planning Committee and Planning Inspectorate for consideration as part of the application and appeal. This information is publicly available at the time of the consideration of the application and appeal, in the form of the committee report, appeal statement of case and supporting documents.

The conduct and purpose of those meetings have been reviewed by the Director of Planning, and she is confident that they did not prejudice the Council's case, and reinforced rather than undermined the concerns expressed by the community.

In summary, I do recognise why your concerns have arisen, but want to assure you that the Council took robust steps to defend our position, at significant cost, and with the interests of the local community front and centre. Please let me know if you have any further questions or concerns.

Your letter has been highlighted to me by a number of our senior councillors, so I am copying this reply to the group leaders on the City Council, and to ward members.

Andrew

Andrew Lewis, Chief Executive"