

APPENDIX 1

Extract of Executive Board and Executive Board Mersey Gateway relevant to the Environment and Urban Renewal Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 8th November 2012

TRANSPORTATION PORTFOLIO

EXB89 OFF STREET PARKING PLACES ORDER 2012 - RUNCORN TOWN CENTRE

The Board considered a report of the Strategic Director, Policy and Resources, which advised Members of the objections received following public consultation on a proposed traffic regulation order in relation to the central car parks in Runcorn Town Centre.

The Board was advised that following approval under delegated powers, proposals to name and set the operating conditions on the central car parks in Runcorn Town Centre were advertised. Details of the General Provisions of the operating conditions were attached to the report at Appendix A.

Members were advised that redevelopment work in the area had created the need to formalise the naming of the central car park areas as the previous names were no longer applicable. In addition it was proposed to introduce standard operating conditions to provide a turnover in the use of the parking areas and improve the availability of parking for shoppers.

The report also provided details of enforcement options that would be needed to make the proposed restrictions effective. It was noted that, depending on which option would be deployed, there could be a cost to the Council and funding for this would need to be identified.

The matter had been considered by the Environment and Urban Renewal Policy and Performance Board at its meeting on 12 September 2012, which resolved to support the proposals.

RESOLVED: That the following Traffic Regulation Order be made, the main effects of which would be to:-

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- Name the central Runcorn Town Centre car parks adjacent to the Co-op, Lloyds Pharmacy and Iceland (formerly Cooltrader) Stores (the former Princess Street car park) as High Street Car Park;
- Impose standard operating conditions generally as within Appendix A, attached to the report, though with a revised maximum stay period of three hours, and no return within an hour Monday to Saturday 8.00am to 5.00pm on both the High Street car park and the Penketh Court car park;
- Introduce a charge of £50 for drivers exceeding the maximum stay period , but reduced to £25 if paid within 14 days; and

the objectors be notified accordingly.

EXB90 OBJECTIONS TO PROPOSED TRAFFIC REGULATION ORDERS, VARIOUS LOCATIONS, WIDNES AND RUNCORN

The Board considered a report of the Strategic Director, Policy and Resources, on objections received following public consultation on proposed Traffic Regulation Orders to impose 'At Any Time' waiting restrictions in various locations in Widnes and Runcorn.

The Board was advised that a range of Traffic Regulation Order proposals were advertised with a public consultation exercise during May 2012. Detailed drawings showing these proposals were attached at Appendix 2 with associated descriptions and justification for those Orders recommended, attached at Appendix 3.

The Board noted that the majority of the proposals had received no objections and had been implemented. The report provided details of those proposed Orders where objections had been received and those locations were listed as follows:-

- Cowan Way/ Upton Lane Junction Area, Widnes;
- Green Lane, Crawfield Avenue, Primrose Close, Widnes;
- Kenilworth Avenue, Penryhn Crescent, Ludlow Crescent, Runcorn;
- Alder Avenue, Birch Road and Acacia Avenue junctions with Locket Road, Widnes;
- Church Street, Upper Mersey Road, Mersey Road junction, Widnes; and

- Blundell Road, Widnes.

RESOLVED: That the following Traffic Regulation Orders be made:

- 1) the implementation of 'At Any Time' Waiting Restrictions as detailed in Appendix '3', namely on Alder Avenue, Birch Road, Acacia Avenue, Lockett Road and Mersey Road/Upper Mersey Road in Widnes and on Kenilworth Avenue/Penrhyn Crescent/Ludlow Crescent in Runcorn;
- 2) the intention to revoke existing 'At Any Time' Waiting Restrictions as detailed in Appendix '3', namely on Blundell Road, Widnes;
- 3) the proposals to introduce restrictions on Cowan Way, Green Lane, Cawfield Avenue and Primrose Close, Widnes, as detailed in paragraphs 3.2 and 3.3, be discontinued;
- 4) the proposal to implement restrictions at Church Street/Upper Mersey Road, Widnes, be progressed to cover a reduced length as detailed in paragraph 3.6; and
- 5) that the objectors be notified accordingly.

EXB91 OBJECTION TO PROPOSED 20 MPH SPEED LIMITS, HALE VILLAGE

The Board considered a report of the Strategic Director, Policy and Resources which advised Members of an objection to the proposed 20mph speed limits in Hale Village.

The Board was advised that proposals to implement a 20mph speed limit in most residential areas in Hale Village had been advertised. Details of the proposals were attached at Appendix B. The purpose of the reduced speed limits was to encourage lower driving speeds and create a safer environment for road users in residential areas.

The Board noted that an objection had been received, the details of which were contained in the report, together with the Officer response.

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RESOLVED: That an Order be made to implement 20mph speed restrictions on those roads in Hale Village listed in Appendix B attached to the report, and that the objector be notified accordingly.

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EXB92 OBJECTION TO PROPOSED WAITING RESTRICTIONS - RUSSELL COURT, FARNWORTH

The Board considered a report of the Strategic Director, Policy and Resources, which advised Members of objections received following public consultation to a proposed Traffic Regulation Order in Russell Court, Farnworth, Widnes.

The Board was advised that a petition had been received from residents in Russell Court, Farnworth, Widnes, relating to long standing car parking problems in the area. The matter had been considered by the Environment and Urban Renewal Policy and Performance Board at its meeting on 15 June 2012, which resolved to continue efforts to resolve the parking problems and to consult with the residents of Russell Court on any proposals to resolve the parking problems. Details of the public responses and the Officer actions so far, were given in the report for Members' consideration.

RESOLVED: That a Traffic Regulation Order be made to implement 'At Any Time' waiting restrictions on Russell Court, Farnworth, Widnes, as listed in Appendix 2, attached to the report, and the objectors be informed accordingly.

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PHYSICAL ENVIRONMENT PORTFOLIO

EXB97 ADOPTION OF AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

The Board considered a report of the Strategic Director, Policy and Resources, which sought the formal adoption of the Affordable Housing Supplementary Planning Document (SPD) to support the Halton Core Strategy.

The Board was advised that the purpose of the Affordable Housing SPD was to provide greater clarity and certainty for all parties in the delivery of affordable housing in Halton through the planning system. It expanded upon policy CS13: Affordable Housing in the Halton Core Strategy, which provided guidance to prospective applicants.

The Board noted that production of the SPD began in 2011 in response to the emerging affordable housing policy in the Core Strategy. Executive Board approved a period of public consultation to take place on its content. This was undertaken between July and September 2012, alongside the consultation on the Core Strategy Post Submission Changes. It was further noted that no comments had been received from the public, although Council Officers had taken the opportunity to make a small number of minor amendments to improve its content. The document was attached at Appendix A to the report.

The SPD was intended to supplement policy CS13 and would form part of Halton's folder of planning policy documents; its content would be a material consideration for the determination of all applicable residential development applications delivering ten or more dwellings.

RESOLVED: That

- 1) the Affordable Housing SPD (Appendix A) be adopted as a Local Development Document immediately upon the adoption of the Halton Core Strategy Local Plan (anticipated to be at the meeting of full Council on 12th December 2012) and the procedures for adoption, as set out in the Town and Country Planning (Local Planning) 2012 (England) Regulations be carried out; and
- 2) any further editorial and technical changes that do not materially affect the content or intended purpose of the SPD be agreed by the Operational Director, Policy, Planning and Transportation in consultation with the Portfolio Holder for the Physical Environment if necessary, before the document is published.

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EXB98 ADOPTION OF THE HALTON CORE STRATEGY LOCAL PLAN, INCLUDING CONSEQUENTIAL DELETION OF SPECIFIC SAVED UNITARY DEVELOPMENT PLAN POLICIES AND ASSESSMENT OF CONSISTENCY OF THE UNITARY DEVELOPMENT PLAN WITH NATIONAL PLANNING POLICY FRAMEWORK - KEY DECISION

The Board considered a report of the Strategic Director, Policy and Resources, on the formal adoption of the Halton Core Strategy.

The Board was advised that the Halton Core Strategy was the key planning policy document for Halton, which set out the development framework for the 2010-2028 period. Production of the document commenced in 2006, and had undergone five periods of public consultation during its evolution. In July 2012, Council had considered the main modifications and other minor changes, which were subject to an eight week public consultation period.

The report provided details of the main modifications to the submitted core strategy. It was reported that a total of thirteen representations were received, mainly on behalf of landowners in the Borough. The most significant issue raised was the proposed split in the housing requirement between Runcorn and Widnes/Hale, with objectors requesting that the distribution be amended to give a higher requirement to Widnes/Hale. On this, the Inspector had now required a further 'minor' change to the distribution (split) of housing, which differed to that approved by Council on 18 July 2012.

It was noted that following adoption of the Core Strategy, Halton's development plan would consist of three documents:

- The North West of England Plan – Regional Spatial Strategy for the North West (2008);
- The Halton Core Strategy Local Plan (2012); and
- Saved Policies from the Halton Unitary Development Plan (2005).

In addition, when the Joint Merseyside and Halton Waste Local Plan was finalised, it would also form part of the development plan for Halton.

RESOLVED: That Council be recommended to

- 1) accept the findings of the Planning Inspector's report into the soundness of the submitted Halton Core Strategy including the Main Modifications that are necessary for the document to be sound (Appendix A);
- 2) authorise the Operational Director for Policy, Planning and Transportation in consultation with the Portfolio Holder for the Physical Environment, to make editorial amendments to the Halton Core

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Strategy prior to final publication. These amendments will be restricted to correcting minor errors and formatting text and shall not alter the meaning of the Core Strategy;

- 3) adopt the Halton Core Strategy, including the Inspector's Main Modifications and Council's Minor Changes as part of the Development Plan for Halton, to be used for development management purposes;
- 4) note that a number of saved policies in the Halton Unitary Development Plan (as listed in Appendix 4 of the Core Strategy), will be deleted and replaced by policies in the Core Strategy; and
- 5) note the consistency with the NPPF of the remaining saved policies from the Halton Unitary Development Plan (Appendix B) and confirm that consistent policies will continue to be afforded full weight in determining development applications.

EXECUTIVE BOARD MEETING HELD ON 29th November 2012

ECONOMIC DEVELOPMENT PORTFOLIO

EXB111 ERDF MERSEYSIDE BUSINESS SUPPORT PROGRAMME

The Board considered a report of the Strategic Director, Children and Enterprise, on the Merseyside European Development Fund (ERDF) Business Support Programme.

The Board was advised that Government policy to migrate business support from the public to the private sector, had resulted in a number of business support agencies either ceasing to exist or having curtailed their activities. As a result, the provision of business support to certain company types in the Liverpool City Region had declined. However, it was reported that the Liverpool City Region Local Authorities and partners had jointly brought forward a funding bid under ERDF Priority 4.2 to address a number of gaps in current and future business support provision for the City Region.

The ERDF Merseyside Business Support Programme, recently approved by Government, would lever £381.852.41 into support for growing businesses in Halton.

The Programme was based on four key principles:-

- Providing infrastructure for growth and investment;
- Stimulating enterprise and innovation;
- Capturing the economic potential of all communities;
- Transforming perceptions of deprived communities.

Liverpool City Council was the Accountable Body for the programme, with delivery across the City Region through 13 partner agencies, including the local authorities (excluding St Helens) and voluntary sector organisations. It was noted that the Halton element would deliver initial evaluation of business needs followed by the provision of a more specific intervention which met the particular needs of individual businesses.

RESOLVED: That

1) The project delivery arrangements for the Halton element of the ERDF Merseyside Business Support Programme be agreed; and

2) Members welcome the additional investment being allocated to deliver Business Support activities in Halton.

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RESOURCES PORTFOLIO AND NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO

EXB112 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the

public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

EXB113 DISPOSAL OF LAND AT PINGOT, DUNDALK ROAD, WIDNES

The Board considered a report of the Strategic Director, Communities, on the disposal of land at Pingot, Dundalk Road, Widnes.

The Board was advised that the proposal to dispose of land at Pingot had arisen as a consequence of the inability to proceed with proposed extra care housing scheme at West Bank, known as the Boardwalk. However, an alternative development proposal had been presented to Council, which comprised two extra care schemes, comprising 50 units, one on Pingot, Widnes and one at Halton Brook, Runcorn.

The requirements to access the Homes and Communities Agency Affordable Housing Programme funding, were that any scheme had to be deliverable (to start on site in 2013), to be value for money and to fit with the authority's housing strategy. The report provided details of the District Valuer's report and valuation of the site.

RESOLVED: That the Board

- 1) Approves the disposal of the land shown in Appendix 1 to Halton Housing Trust, subject to planning permission, HCA funding and contract;
- 2) authorises the Strategic Director Policy and Resources, in consultation with the Portfolio

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Holders for Neighbourhood, Leisure and Sport and Resources to finalise the disposal on the basis of the District Valuer's valuation of £540,000 subject to making any reasonable adjustment arising from detailed site inspection and planning application; and

- 3) approves the sale documentation to restrict the form of development allowed on the site ensuring that affordable homes are provided and/or that any future change in circumstances would provide appropriate financial return to the Council and take all necessary steps incidental or ancillary to these actions; all required documentation is to be to the satisfaction of the Operational Director, Legal and Democratic Services.

MERSEY GATEWAY EXECUTIVE BOARD – 29TH November 2012

MGEB10 MERSEY GATEWAY BRIDGE - PROCUREMENT PROGRESS

The Board considered a report of the Chief Executive which advised the Members of the progress of the Mersey Gateway procurement process.

The Board was advised that the Mersey Gateway Project Team had approved a change to one of the bidding partners in the MGL consortium following a formal reassessment process. BAM Nuttall had joined the MGL consortium to replace Galliford Try Investments Limited. This showed that there was a high level of interest in delivering the project. It was reported that the procurement timetable would continue as planned.

The Board was further advised that since the last procurement report to the Project Board, a number of Dialogue Meetings had taken place (supported by Bidder Submissions which had been made in advance); matters covered included the technical stream and the commercial stream.

It was reported that the preparations for the evaluation of the Draft Final Tender were on-going. The purpose of the evaluation of Draft Final Tenders was to allow the Council to close the Dialogue and was not required to support an award decision. In addition, it was reported that the close of dialogue was a significant milestone. The Council would also

provide feedback to Bidders to allow them to refine their proposals for Final Tender. The Project Team were also preparing to receive and evaluate a significant number of bidder submissions on 16 November 2012. An oral update regarding the status of the submissions received on the 16 November 2012 was provided at the meeting and it was noted that three draft bids had been received.

Furthermore, it was reported that the first Bidder feedback and clarification meetings were scheduled for the week commencing 17 December 2012. Further meetings were also scheduled in the New Year.

It was reported that the Project Team expected to announce a preferred bidder in the Spring of 2013 and remained on target to deliver Financial Close in the Autumn of 2013.

In line with the recommendations raised at the last meeting, the Project Team had progressed with the procurement of the Owner Controlled Insurance Programme (OCIP) insurance. A total of 31 tenderers had passed the pre-qualification stage. The Council had invited the 31 tenderers to negotiate in a two-stage process. The first stage involved the invitation to negotiate for “lead” underwriting terms under the OCIP. The second stage would involve the invitation to negotiate for “follow” underwriting terms and Excess Layer Third Party Liability terms. The process so far had demonstrated that the Board’s Retained Risks could be included under the OCIP at a relatively small incremental cost.

In conclusion, it was reported that the land acquisition programme continued in parallel with the dialogue meetings to ensure that the required land was delivered on time, or necessary rights that the Project Company required in order to construct the Mersey Gateway had been obtained. The programme was also on schedule, and continued to acquire land both through agreement and by the exercising of its Compulsory Purchase powers through the serving of General Vesting Declarations. Negotiations continued with a number of affected parties, with the ability to use Compulsory Purchase powers should it be necessary. A significant number of affected businesses had now identified relocation premises and the team were working with them to ensure they had relocated and vacated their existing premises by April 2013.

RESOLVED: That the Board note that the Competitive Dialogue process is progressing to programme and that all Bidders are fully engaged with the process and continue to develop their draft Final Submissions.

MGEB11 GOVERNANCE ARRANGEMENTS FOR MERSEY GATEWAY - KEY DECISION

The Board considered a report of the Chief Executive which outlined proposals for the operational governance arrangements relating to the Mersey Gateway Project.

The Board was advised that the approaching appointment of a preferred bidder for the Mersey Gateway Bridge Project (the Project) required the creation of a body to operationally manage the Project over its lifetime (upwards of 60 years). The Mersey Gateway Crossings Board (MGCB) would be a special purpose vehicle created for this and would act as agent for Halton Borough Council (HBC). Together with HBC, it would be a counterparty to both the Project Agreement (the contract for the construction and operation of the crossing) and the Demand Management Participation Agreement (the "DMPA") (the contract relating to the tolling).

In respect of the MGCB the Board noted the:-

- aims and objectives of the MGCB;
- reasons for its creation;
- set up and the powers and delegations,
- tolling and payment streams;
- shadow running and TUPE arrangements;
- oversight arrangements;
- composition of the Board of Directors; and
- the stakeholders involved.

The Board also noted the Draft Governance Agreement set out in Appendix 1 to the report.

It was noted that agreement on this matter would give effect to the acceptance of the Conditional Funding Offer, as approved by full Council on 19 October 2011. The offer letter accepted by Council had set out the basis of the agency arrangement.

Members discussed the arrangements for the tolling

and payment streams and the arrangements for the setting of local discounts within agreed parameters by the MGCB, acting as HBC's agent. The Board agreed that this provision, detailed in paragraph 3.6 of the report, should be deleted and that any decisions on a local discount scheme should be referred to Council to determine. This matter would therefore be included in Schedule 1: Restricted Matters as a 'Red' Matter Categorisation (a copy of Schedule 1 was attached to the report).

It was further noted that Councillor Ratcliffe indicated that she was satisfied with the content of the report.

Reasons for the Decision

The reasons were set out in paragraphs 3.1 and 3.2 of the report.

Alternative Options Considered and Rejected

Direct management by the Council was precluded by the Government's consent letter which was the basis for the financial approval. The proposed format of the Crossings Board was as a company limited by shares. This was judged to be the most favourable arrangement from the Council's perspective. Alternatives examined and not put forward included a company limited by guarantee and a limited liability partnership.

Implementation Date

The Company is planned to be incorporated mid-2013. Of necessity it would operate in an accountable shadow form before that.

RESOLVED: That

- (1) the governance arrangements as described in the report and more particularly detailed in the draft Governance Agreement at Appendix 1 be approved in principle;
- (2) provision for the determination of a local discount scheme should be referred to full Council and the Schedule 1: Restricted Matters document be amended accordingly; and

Chief Executive

- (3) the finalisation of this Governance Agreement be delegated to the Chief Executive, in consultation with the Leader of the Council, the Operational Director, Legal and Democratic Services and the Operational Director, Finance.