

APPENDIX 1

Extract of Executive Board Minutes Relevant to the Environment and Urban Renewal Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 23rd May 2013

EXB8 RELEASE OF RESTRICTIVE COVENANT ON PART OF BRENTFIELD ST MARIE'S - KEY DECISION

The Board considered a report of the Chief Executive, on the release of the restrictive covenant on part of Brentfield St Marie's, Heath Road, Widnes.

The Board was advised that the Council had been approached with a proposition to develop part of the land at St Marie's club for social housing and to secure the future use of playing pitches. Plans attached at Appendix 1 to the report showed the frontage of land which was proposed for sale to HHT for social housing, subject to planning permission, and the two playing pitches which would be transferred to the Wids. It was noted that the removal of the restrictive covenant would apply to the frontage land only. Appendix 2 showed land edged red, where a new restrictive covenant would be applied which would restrict the use of land for playing pitches and leisure uses.

It was further noted that the proposal supported the Borough's Housing and Leisure objectives and was in line with the Unitary Development Plan and upcoming Core Strategy.

Reason(s) for Decision

To ensure a sustainable use of playing pitches and provide new social housing.

Alternative Options Considered and Rejected

The 'do nothing' option had been considered but this would impact on the long-term viability of the rugby pitches.

Implementation Date

Once approval had been agreed, the recommendations would be implemented immediately.

RESOLVED: That the Board approve the variation to

Chief Executive

the restrictive covenant on Brentfield St Marie's, subject to the following conditions:

- 1) the release of the covenant shall apply only to the frontage land formerly used as clubhouse, car park, etc and identified on the plan at Appendix 1. The Operational Director, Legal and Democratic Services to ensure that the release is only implemented when the following conditions have been satisfied;
- 2) the land released from the covenant shall be used for the development of social housing only;
- 3) the restrictive covenant shall continue for the remaining two rugby pitches at Brentfield; and
- 4) a new restrictive covenant in favour of the Council shall be applied to the land shown at Appendix 2 at Prescott Road playing fields for the land to be used for playing pitches and leisure only.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB10 DARESBURY RGF PROJECT - WAIVER OF STANDING ORDERS

The Board considered a report of the Strategic Director, Children and Enterprise, on the waiver of Standing Orders in respect of the Daresbury Regional Growth Fund (RGF) Project.

The Board was advised that there was an urgent need to secure the power element of the RGF programme at Daresbury. This required Halton Borough Council entering into a contract with Scottish Power within the necessary timescales. Details of the process and critical timeframe were given in the report for Members' information.

RESOLVED; That the Board note that a waiver of Standing Orders under SO1.8.1 "Emergency Waiver via the Chief Executive" was obtained to allow the Council to contract for the electricity connection for Daresbury Laboratory with Scottish Power Power Systems Ltd in the sum of £3.93m. This allowed the Council to contract within

the necessary timescales for Regional Growth Funding.

EXB11 STATEMENT OF COMMUNITY INVOLVEMENT LOCAL PLAN DOCUMENT

The Board considered a report of the Strategic Director, Policy and Resources, which sought approval to publish the draft Statement of Community Involvement (SCI) Local Plan Document for public consultation.

The Board was advised that the SCI set out the way the Council would involve the local community, stakeholders and statutory bodies in the preparation and revision of Local Plans. The SCI described the Council's procedures and arrangements for involving the community when considering planning applications and major proposals for development. It was noted that the procedures contained within an adopted SCI must be followed for consultation on all Local Plan documents and all planning applications in Halton.

It was reported that the Council's first SCI was adopted in 2007. An updated version had been prepared to include a number of legislative changes in the way planning documents were prepared. In addition, technological advances had seen the emergence of online and electronic communication as the preferred media for many individuals and organisations. A copy of the draft consultation document was attached at Appendix A. The period of consultation would be four weeks.

RESOLVED: That

- 1) the consultation draft Statement of Community Involvement, attached at Appendix A, be approved for the purposes of public consultation for a four week period; and
- 2) any minor drafting amendments which may be made to the draft Statement of Community Involvement prior to public consultation, be delegated to the Operational Director, Policy, Planning and Transportation, in consultation with the Physical Environment Executive Board Member.

Strategic Director
- Policy &
Resources

EXB12 SHARED SERVICES: HISTORIC ENVIRONMENT SERVICE LEVEL AGREEMENT 2013-2018 AND SERVICE LEVEL AGREEMENT FOR MERSEYSIDE ENVIRONMENTAL ADVISORY SERVICE 2013-2018

The Board considered a report of the Strategic Director, Policy and Resources, on shared service agreements.

The Board was advised that the Council's Planning Service utilised shared services for the provision of 'rare expert' advice in relation to ecological and heritage conservation matters. The shared service contracts with Sefton Borough Council and Cheshire West and Chester Councils respectively, were due for renewal. The report provided details of the Service Level Agreements (SLA's) provided for the Historic Environment Service and the Merseyside Environmental Advisory Service.

The Board noted that a renewal of the existing SLA's would ensure that the Council was able to comply with statutory duties and with the National Planning Policy Framework (2012).

RESOLVED: That

- 1) the Service Level Agreement between Halton Borough Council and Cheshire West and Chester Council for the provision of historic environment services through the Archaeology Planning Advisory Service be renewed for a period of five years from 1st April 2013, to 31st March 2018 for an annual sum of £14,693.74. The Operational Director - Policy, Planning and Transportation be delegated the power to agree the sum payable annually under the contract within the limits of the existing budgetary provision;
- 2) the Service Level Agreement between Halton Borough Council and the Merseyside Environmental Advisory Service for the provision of environmental technical advice in connection with planning matters be renewed for a period of five years from 1st April 2013, to 31st March 2018 for an annual sum of £14,660. The Operational Director - Policy, Planning and Transportation be delegated the power to agree the sum payable

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Resources

annually under the contract within the limits of the existing budgetary provision; and

- 3) use of Procurement Standing Orders 1.8.4 (e) and (f) to waive Procurement Standing Order 4.1 for contracts up to but not exceeding £173,934 in value to allow the Archaeology Planning Advisory Service and the Merseyside Environmental Advisory Service to supply services as outlined in paragraph 1.2 be approved.

EXB13 JOINT MERSEYSIDE AND HALTON JOINT WASTE LOCAL PLAN - ADOPTION OF PLAN - KEY DECISION

The Board considered a report of the Strategic Director, Policy and Resources on the adoption of the Joint Merseyside and Halton Joint Waste Local Plan.

The Board was advised that Government planning policy required Local Plans to address sustainable waste management. Local Authorities were required to put in place a Local Plan which provided a policy framework and land allocations for new waste management infrastructure to meet the identified needs of each Council.

Following full Council resolution, Halton entered into a joint arrangement with the five Merseyside District Authorities to prepare the Joint Merseyside and Halton Waste Local Plan (WLP). The Board was advised that the WLP was primarily focused on providing new capacity and new sites for waste management uses and for the delivery of a robust policy framework to control waste development.

It was noted that the WLP principally contained:

- a Vision statement to guide future waste management decisions over the next 15 years;
- strategic objectives and a Spatial Strategy to guide delivery of the Vision;
- controlling and enabling Development Management Policies designed to provide certainty in planning decisions;
- site allocations for both local and sub-regional sites which were broadly distributed across all six Council areas; and
- an Implementation and Monitoring Framework.

Reason(s) for Decision

Government Policy (PPS 10) required that waste must be dealt with in a sustainable way. The Council was producing a Joint Waste Local Plan for the Merseyside sub-region. Drafting of the Plan had reached the stage where the policy framework contained in the Waste Local Plan needed to be subject to public scrutiny.

Alternative Options Considered and Rejected

The Waste Local Plan had been prepared through a multi stage process. Previous public consultation stages had been completed and were detailed in section 5.2 of the report.

These reports documented the evolution of the Plan and the options for policies and sites that had been considered and rejected. The results of the public consultation, engagement with stakeholders, industry and the Local Authorities and detailed technical assessments, had all been used to inform preparation of the Local Plan. The Preferred Options stage reports set out the alternative options considered.

Implementation Date

The Joint Merseyside Waste Local Plan was scheduled to be adopted by all six partner Districts in the Summer of 2013.

RESOLVED: That Council be recommended to

- 1) note the results of public consultation on the proposed modifications to the Merseyside and Halton Joint Waste Local Plan that was undertaken between November 2012 and January 2013 (Appendix 1);
- 2) welcome the report from the Planning Inspector which concluded that, subject to the proposed modifications, the Plan “meets the criteria for soundness in the National Planning Policy Framework” and “provides an appropriate basis for waste planning for Merseyside and Halton over the next 15 years” (Appendix 2);
- 3) agree that the Waste Local Plan (Appendix 3) be adopted as part of the statutory development plan by each of the districts on a single date which

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shall be one working day after the final (sixth) Full Council resolution has been received;

- 4) note that several of the adopted Unitary Development Plan saved policies (listed in paragraph 4.11, Table 2 of the report) will be replaced by Waste Local Plan policies including the site allocations; and
- 5) grant delegated authority to the Operational Director, Policy, Planning and Transportation, in consultation with the Physical Environment Portfolio Holder to make minor typographical changes to the Waste Local Plan, prior to its final publication.

EXB14 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 outweighed 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.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB15 FORMER CROSSVILLE DEPOT, RUNCORN AND LAND AT EARLE ROAD, WIDNES WATERFRONT, REGENERATION

The Board considered a report of the Chief Executive, on the development of the former Crossville depot, Runcorn and land at Earle Road, Widnes Waterfront.

The report advised Members on the progress that had been made to bring about the development of the sites. It also asked the Board to note the commercial changes to the terms of the respective development agreements.

RESOLVED: That Council be recommended to note the changes made under powers of delegation as detailed in the report.

Chief Executive

EXECUTIVE BOARD MEETING HELD ON 27TH JUNE 2013

NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO

EXB30 HALTON HOUSING STRATEGY 2013-18 - KEY DECISION

The Board considered a report of the Strategic Director, Communities, which presented a finalised version of Halton's Housing Strategy 2013/18 for adoption.

The Board was reminded that, at its meeting on 24 January 2013, it had considered a report which set out the principal elements of the draft Housing Strategy 2013/18 and approved the documents for consultation purposes.

Formal consultation, which ended on 22 March 2013, sought the views of partners, stakeholders and residents. It was reported that in the main, the comments received did not raise new issues, but sought to expand and add emphasis to existing information already in the evidence paper, in particular, around Welfare Reforms. Where possible, the text had been amended to accommodate these comments but the Strategy itself remained largely unchanged.

Reason(s) for Decision

Under Part 7 of the Local Government Act 2003, local authorities were expected to produce a Housing Strategy which gave an overview of housing in their district and set out priorities for action.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

2013/14 to 2017/18.

RESOLVED: That Council be recommended to approve the revised Housing Strategy, attached at Appendix A and supporting evidence document attached at Appendix B.

Strategic Director
- Communities

TRANSPORTATION PORTFOLIO

EXB32 HIGHWAY IMPROVEMENTS AT A 558 DARESBU EXPRESSWAY UNDER THE DEPARTMENT FOR TRANSPORT'S LOCAL PINCH POINT PROGRAMME

The Board considered a report of the Strategic Director, Policy and Resources, which advised Members of the award of grant funding through the Department for Transport's (DfT) Local Pinch Point Programme (LPPP).

The Board was advised that the LPPP was aimed at removing bottlenecks on local highway networks and improving access to development sites to support growth and create additional jobs and housing. In February 2013, the Council submitted a bid for funding from the DfT from a total fund of £170m. Halton's bid, which was successfully fast tracked, comprised a package of schemes designed to increase traffic capacity at three existing junctions on the A533 Daresbury Expressway. This would increase traffic capacity at key highway access points to the Daresbury (SciTech) Enterprise Zone and east Runcorn strategic housing development sites.

The report provided information on the funding contribution, subject to the Council agreeing to a number of conditions. The basis of the bid was that all works would be undertaken within the existing Highway boundaries and

delivered by March 2015.

It was noted that the Council's framework consultants, Mott MacDonald Ltd, had worked closely on the preparation of the LPPP bid. However, their Engineering Consultancy Framework Contract expired in April 2013, prior to confirmation of the DfT's scheme approval. Members were advised that it was proposed to waive Procurement Standing Order 4.1 (Competition Requirements) for reasons of urgency and for this scheme only, to enable the preparatory surveys, scheme design and project management services to proceed for this LPPP scheme with Mott MacDonald Ltd.

RESOLVED: That

- 1) the award of £1.675m grant funding for the Daresbury Enterprise Zone/East Runcorn Housing Access Improvement Scheme under the DfT's Local Pinch Point Programme be noted;
- 2) Council be recommended to approve the inclusion of the LPPP scheme into the Council's Capital Programme at a total estimated cost of £2.394m to be phased over 2013/14 and 2014/15; and
- 3) in accordance with Procurement Standing Order 1.8.4, Procurement Standing Order 4.1 (Competition Requirements) be waived, and design and scheme preparation services be procured from Mott MacDonald Ltd for reasons of urgency as set out in the report.

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EXECUTIVE BOARD MEETING HELD ON 11TH JULY 2013

LEADER'S PORTFOLIO

EXB36 LIVERPOOL CITY REGION - COMBINED AUTHORITY IN PRINCIPLE AGREEMENT TO EXPLORE

The Board considered a report of the Chief Executive which outlined proposals to create a Combined Authority for the Liverpool City Region (LCR).

The Board was advised that in the recent Spending

Review, the Government announced the creation of a £2 billion Single Local Growth Fund to be operational from April 2015. This was a response to the recommendations outlined within the Heseltine Review. It was reported that access to this funding would be devolved to Local Enterprise Partnerships through a 'single pot', which would require strong governance arrangements at a sub-regional level to manage it and to access national funding.

It was reported that the LCR was in a position to take advantage of the Government's policy reform agenda, but that it would require a new model of governance to demonstrate strong financial and democratic accountability, to create a robust legal entity for the LCR and to allow long term decision making at city region level.

The Board was advised that the recommended model which Council Leaders and the Mayor of Liverpool proposed was that of a Combined Authority. This would be a sub-regional governance structure which enabled relevant local authorities to work jointly to deliver improvements in economic development, regeneration and transport across a sub-region. It was further reported that a Combined Authority would deliver greater transparency in the decision making process in the LCR, as meetings and minutes would be available to the public. In addition, it would strengthen collaboration and joint working between local authorities and allow Halton to better establish its position and interests within the LCR.

RESOLVED: That

- 1) Executive Board support in principle the agreement, by Liverpool City Region Council Leaders and the Mayor of Liverpool, to conduct a review and explore proposals to establish a Combined Authority across the Liverpool City sub-region; and
- 2) a further report be provided to the next meeting of Executive Board on the detailed proposals and the advantages and disadvantages of a Combined Authority on governance in Halton.

Chief Executive

PHYSICAL ENVIRONMENT PORTFOLIO

EXB41 LOCAL INVESTMENT FUND

The Board considered a report of the Strategic

Director, Policy and Resources, which updated Members on the Council's expression of interest (EOI) for the Local Investment Fund (LIF).

The report provided information on the limited timeframe for the Council's EOI submission to the Homes and Communities Agency (HCA), earlier in 2013. The Board was advised that the LIF was a Government vehicle for investing in land and property schemes on a recoverable basis to deliver economic growth, an economic boost and mobilising long term private finance. The LIF was designed to unlock housing and commercial development opportunities with real growth potential in Enterprise Zones.

Halton had been informed that its expression of interest submission had been shortlisted to go forward to the 'due diligence' stage. It was noted that only after this stage would any contractual obligations be entered into.

The main elements which had been identified for funding through the LIF were noted as being a new vehicle bridge over the Bridgewater Canal on Keckwick Lane, a Spine Road providing access to the expansion land identified in the Core Strategy and a new vehicle bridge at Delph Lane crossing the Bridgewater Canal.

RESOLVED: That

- 1) Council enter into negotiations with the Homes and Communities Agency and Joint Venture Partners at Daresbury, together with interested parties in the Daresbury and Sandymoor area, to examine the suitability of terms for any infrastructure loan via the Local Investment Fund; and
- 2) in the circumstances that commercially advantageous loan terms can be negotiated, the Board agree to receive a future report on LIF seeking approval to enter into contractual undertakings.

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ENVIRONMENTAL SUSTAINABILITY PORTFOLIO

EXB42 STRAY DOG KENNELING

The Board considered a report of the Strategic Director, Policy and Resources which sought approval for

the waiver of Procurement Standing Orders in relation to the provision of a Stray Dogs Kennelling service.

The Board was advised that the Environmental Protection Act (EPA) 1990, placed a duty on each local authority to appoint an Officer to deal with the issue of stray dogs. Since 2009, Halton, Knowsley Liverpool and St Helens Councils worked jointly as a Consortium to procure arrangements for dealing with stray dogs. A full procurement process resulted in the award of a contract for the kennelling of dogs to the RSPCA in Halewood and the collection of stray dogs out of hours to Animal Wardens Ltd. Both contracts were awarded for a three year period, which ended in April 2013.

It was reported that Liverpool City Council had agreed to run a pilot service from May 2013, with a contract subject to annual renewal. Animal Wardens Ltd had been chosen on the basis that they delivered similar schemes across the country and had worked successfully with other local authorities in the consortium previously.

It was intended that a tendering process would be conducted during 2013/14 financial year.

The report provided details of the business case for the cost of the service which included a collection service of stray dogs out of hours, kennelling and kennel rental for one year.

RESOLVED: That

- 1) in these exceptional circumstances, Procurement Standing Order 4.1 be waived in respect of Animal Wardens Ltd. This had been in consultation with the Head of Procurement; and
- 2) the Strategic Director, Policy and Resources, be authorised to enter into a contract with Animal Wardens Ltd, for the provision of a stray dog out of hours and kennelling service referred to in resolution 1). The annual charge be based on annual rental charges for kennels and charges for dogs kennelled and collected out of hours. Total charges are dependent on the number of dogs collected, but based on an average of the last three years stray dog

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figures, the total charge for Halton will be approximately £30, 830. The current budget is £33, 810.

EXB43 INCOME GENERATION - RENEWABLE HEAT INCENTIVE

The Board considered a report of the Chief Executive, which considered options on the replacement of boilers at Brookvale Leisure Centre.

The Board was advised that the three oil fired boilers at the Leisure Centre provided heating for the premises and swimming pool and the hot water system. The boilers would need replacing, potentially before the next winter period, and were operating at 65% efficiency.

A number of options had been considered, which were detailed in the report. It was noted that the Government would reward users of certain types of renewable energy by way of a renewable heat incentive, which took the form of a payment for every kilowatt of energy produced by non-fossil fuels. Option 3, the Biomass Energy Centre, which used wood pellets, would be eligible. Certain requirements to ensure accreditation would be built into the tender specification.

RESOLVED: That

- 1) Option 3 – Installation of a Biomass Boiler at Brookvale Leisure Centre, be endorsed as the most economically advantageous option for the Council;
- 2) authority be given to tender for the works; and
- 3) funding for the works be met from the Invest to Save budget.

Chief Executive

ECONOMIC DEVELOPMENT PORTFOLIO

EXB45 REGIONAL GROWTH FUND ROUND 3: THE LIVERPOOL CITY REGION BUSINESS GROWTH GRANT

The Board considered a report of the Strategic Director, Children and Enterprise, on the development of the pan-Merseyside Regional Growth Fund (RGF) Round 3.

The RGF was established by the Coalition Government to invest in business projects that created

growth and lead to rebalancing the economy. The RGF Round 3 allocation invited bids for a share of £1bn in funding. It was reported that the Liverpool City Region Local Enterprise Partnership had successfully bid for £10m, to be invested in businesses over a three year period.

The report detailed how the scheme would operate and the role of the local authority in application appraisal. For Halton, the intention would be to market the scheme to the business community as soon as possible.

RESOLVED: That the delivery of the Halton element of the Regional Growth Fund Round 3 bid, as outlined in section 3 of the report, be approved.

RESOURCES PORTFOLIO, PHYSICAL ENVIRONMENT PORTFOLIO AND ECONOMIC DEVELOPMENT PORTFOLIO

EXB48 BUSINESS RATES PROPOSAL EASTER PARK

The Board considered a report of the Strategic Director, Children and Enterprise, on the request for Business Rates Relief at Easter Park.

In April 2013, the Government introduced a business rates retention scheme, where Councils would be able to retain a proportion of their business rates revenue as well as growth on the revenue generated in their area.

The Board was advised that a request for Business Rates Relief had been received from a company at the Easter Park development, as detailed in the report. In the short term, the Council would lose revenue arising from the offer of Business Rates Relief. However, in the longer term, the Council would recoup this lost income through the potential to create a significant number of jobs and capital investment in the Borough.

The report provided details of a number of rates relief scenarios for Members' consideration.

RESOLVED: That

- 1) the proposals, outlined in the report, be approved in principle;
- 2) given the benefits to the Borough available from the economic development opportunity outlined in

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the report, and subject to the required outcomes being delivered regarding capital investment and job creation, approval be given on an exceptional basis to the award of Business Rates Relief on Unit 4 for the period of two years; and

- 3) subject to the necessary planning and legal consents being in place, the Strategic Director, Policy and Resources and the Operational Director, Finance, individually, each in consultation with the Resources Portfolio holder, be authorised to determine the level of Business Rates Relief to be awarded to the company.

TRANSPORTATION PORTFOLIO

EXB49 TENDERS FOR SUPPORTED LOCAL BUS SERVICE CONTRACTS

The Board considered a report of the Strategic Director, Policy and Resources, on the tenders for Supported Local Bus Service Contracts.

The Board was reminded that at its meeting on 20 September 2012, it had deferred a number of transport tenders, pending further consideration on a proposed contribution from the schools involved.

It was reported that a detailed examination and review took place subsequently and which was detailed in the report. This review concluded that, because of the Council's statutory duties in this area, those costs could not be passed on to the schools.

The Board was asked to agree the award of tenders and contracts which had been previously outlined to them.

RESOLVED: That the Tender and Award of Contracts for services 207,223,242,244 and 284 be approved.

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Resources

EXB50 STREET LIGHTING ENERGY PROCUREMENT

The Board considered a report of the Strategic Director, Policy and Resources, on the second extension to the Council's un-metered electricity supply contract for street lighting.

The Board was advised that since October 2001, the Council's un-metered electricity had been procured through an energy procurement specialist to the public sector, Utilities Procurement Group (UPG). It was noted that UPG used their knowledge of the market to determine the best time to seek tenders as the energy market was very volatile and often affected by worldwide events.

The current supplier had been Haven Power, whose contract included an Option to Extend (OTE) for up to two years which had been taken up. Details of the new rate from 1 April 2014, were contained in the report.

Members were advised that often, energy contracts needed to be accepted within a very short timescale, due to rapid changes in the prices on offer and the possibility of offers being withdrawn at short notice. For this reason, it was necessary on this occasion to waive Standing Orders to enable the offer to be accepted. It was noted that this action had been taken in consultation with the Council's Finance and Internal Audit Sections, who had supported the Operational Director's acceptance of it.

RESOLVED: That

- 1) **the second option to extend the supply contract for un-metered electricity for a further year with Haven Power be endorsed;**
- 2) **the Board endorse the waiving of Procurement Standing Orders 2.2 to 2.11 for the purchase of un-metered electricity;**
- 3) **it be recorded that the expenditure was anticipated to be in excess of £1.0M per annum;**
- 4) **Utilities Procurement Group (UPG) continue to be used to manage Halton's street lighting energy provision; and**
- 5) **future decisions of this nature be delegated to the Operational Director, Policy, Planning and Transportation, in consultation with the Portfolio holders for Transportation and Resources, and the Operational Director, Finance, including the waiver of**

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Procurement Standing Orders as outlined in the report, to ensure that the Council got the best available deal at the time.

EXB51 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 outweighed 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.

**RESOURCES PORTFOLIO AND PHYSICAL
ENVIRONMENT PORTFOLIO**

EXB52 LAND DISPOSAL FOR EMPLOYMENT LAND AT
JOHNSON'S LANE

The Board considered a report of the Strategic

Director, Children and Enterprise, on the development of the Johnson's Lane site at Widnes Waterfront.

The Board was advised that the Council owned approximately twenty acres of land at Johnson's Lane which had not been developed and did not have the benefit of access or service infrastructure. The Council had been approached with a proposal to develop the site, as detailed in the report.

RESOLVED: That the Board

- 1) approves the sale of approximately 6.7 acres of land to Ballast Phoenix Ltd (BPL) for circa £1M gross, subject to Planning Permission, and subject to contract;
- 2) authorises the Operational Director for Economy, Enterprise and Property, in consultation with the Leader and Portfolio Holders for Resources and Physical Environment, to agree the final net price, making reasonable deductions for site establishment costs; and
- 3) authorises the Operational Director for Economy, Enterprise and Property to arrange for all required documentation to be completed to the satisfaction of the Operational Director, Legal and Democratic Services.

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