



**Mersey Gateway Executive Board**

**Thursday, 20 November 2008 3.00 p.m.  
Marketing Suite, Municipal Building**

A handwritten signature in black ink, appearing to read 'David W R'.

**Chief Executive**

**BOARD MEMBERSHIP**

<b>Councillor Tony McDermott (Chairman)</b>	<b>Labour</b>
<b>Councillor Rob Polhill</b>	<b>Labour</b>
<b>Councillor Mike Wharton</b>	<b>Labour</b>

*Please contact Lynn Derbyshire on 0151 471 7389 or e-mail  
lynn.derbyshire@halton.gov.uk for further information.  
The next meeting of the Board is on Thursday, 29 January 2009*

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	
<b>2. DECLARATION OF INTEREST</b>	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
<b>3. REVISED FUNDING CONDITIONS CONFIRMED BY THE DEPARTMENT FOR TRANSPORT</b>	<b>1 - 6</b>
<b>4. PROGRESS TOWARDS THE PUBLIC INQUIRY</b>	<b>7 - 43</b>

*In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.*

**REPORT TO:** Mersey Gateway Executive Board

**DATE:** 20 November 2008

**REPORTING OFFICER:** Mersey Gateway Project Director

**SUBJECT:** Department for Transport reconfirms Programme Entry approval.

## **1.0 PURPOSE OF THE REPORT**

- 1.1 For Members to note the satisfactory conclusion to the discussions and assessments made with officials at the Department for Transport (DfT) leading to the Programme Entry approval being reconfirmed and the funding conditions revised.

## **2.0 RECOMMENDATION: That**

The Mersey Gateway Executive Board:-

- i) note the progress made and the actions taken; and
- ii) agree that, subject to receiving confirmation of the accounting treatment methodology explained below, the revised funding conditions are acceptable to the Council.

## **3.0 SUPPORTING INFORMATION**

- 3.1 Since Mersey Gateway received Programme Entry approval from Ministers in March 2006, Members have received regular progress reports dealing initially with the development of the new traffic model leading to applying the finished model in a revised appraisal of the proposed scheme. The funding agreement with Ministers required both value for money and deliverability to be reviewed prior to any Public Inquiry based on the results of the new traffic model.
- 3.2 The conclusions drawn by officials at DfT were reported to their Investment Decisions Committee in September, and last month we received confirmation of the outcome. The Chief Executive received a letter on 23 October 2008 from John Dowie, Head of Regional and Local Major Projects at DfT (Appendix 1) advising that the new roads Minister Paul Clark has agreed to reconfirm Programme Entry for the proposed Mersey Gateway scheme following a review of the value for money.
- 3.3 As Members will appreciate this marks a satisfactory conclusion to an extensive scrutiny of the project costs and benefits, applying up-to-date appraisal standards and assessment methodologies. The project has

stood up to this scrutiny and the results will support the project through the planning and procurement process to be undertaken over the following two years. The reconfirmation of Programme Entry approval sets simplified funding conditions compared to the more qualified approval we received in 2006. No new conditions are proposed and those that remain are in line with what would be expected for any major transport project being funded by the Department at this stage in scheme preparation.

### 3.4 The new funding conditions can be summarised as follows alongside the comments from the project team:-

- i) The DfT funding contribution for the Mersey Gateway remains at £86m in conventional finance (grant) and £123m in PFI credits and this represents the maximum contribution we can expect to receive in cash outturn terms after allowing for future inflation in construction costs. This level of funding support is consistent with the assessments undertaken by the Project Team, which has concluded that the scheme remains affordable. The funding position will continue to be monitored routinely by the Project Team but the next formal review by DfT will be a second key stage approval (Conditional Approval) that will take place when the outcome of the Public Inquiry is known, expected in Spring 2010.
- ii) The DfT will need to continue to be satisfied that the scheme remains suitable for procurement as a tolled Privately Financed scheme. This condition relates to the way the project is to be procured and delivered. On this matter it is worth noting the recent reply from Minister Paul Clark to a question raised in Parliament by Norman Baker (Liberal Democrat) about the tolling impacts. The Minister replied by advising that “given the cost of the Mersey Gateway bridge in relation to the North West’s regional funding allocation, it is not realistic to expect that it could be funded without income from tolls”.
- iii) The DfT will continue to monitor, in the light of appropriate accountancy advice, the potential balance sheet treatment of the project and this condition notes that if it appeared at any stage during the scheme’s development, that there was a material risk of the scheme being accounted for ‘on balance sheet’, this would lead to an additional charge which would need to be found from within the North West region’s regional funding allocation. The Project Team has sought clarification from the DfT regarding the methodology used to assess accounting treatment related to satisfying this condition and we have been advised informally that the current UK GAP accounting rules would apply. Subject to receiving formal confirmation on this point the project remains robustly off balance sheet.

- iv) The DfT is seeking to ensure we continue with the collaborative process we have put in place with the relevant statutory bodies, such as Natural England and the Environment Agency in assessing, and agreeing appropriate mitigation for the potential environmental impacts of the scheme. Significant progress has been made towards this goal and we expect to confirm the agreed mitigation proposals around the turn of the year.
- v) The final funding condition requires the Council to prepare for and undertake an evaluation of the success of the project and to make the results of this evaluation available to the DfT. This is a standard condition for all major schemes and arrangements for such an evaluation strategy form part of the Mersey Gateway project plan.

### **4.0 POLICY IMPLICATIONS**

- 4.1 The project is a key priority for the Council which will deliver benefits locally and across the wider region.

### **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The letter from the DfT (Appendix 1) also advised that the Minister had approved to provide our £6.4m bid towards development costs, which was reported to Members in September. The DfT propose that this grant is paid in three instalments. The first instalment of £3m will be received by the Council in December this year, the second at Conditional Approval and the third and final payment at Full Approval stage.

### **6.0 RISK ANALYSIS**

- 6.1 The revised funding conditions proposed by the DfT reduce the delivery risk faced by the project. The key risk that is retained going forward relates to delivering the project within the maximum funding support offered in the revised terms. The fact that the DfT plans to review this level of support at Conditional Funding stage is welcomed as it provides a formal opportunity to assess the funding requirements in the market conditions that prevail at a time when we expect to invite tenders from the market.

### **7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 Mersey Gateway provides an opportunity to improve accessibility to services, education and employment for all.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

8.1 Files maintained by the Mersey Gateway Project Team and by the Highways and Transportation Department.

Appendix 1

John Dowie  
Regional and Local Major Projects  
Department for Transport  
Room 3/18  
Great Minster House  
76 Marsham Street  
London SW1P 4DR  
Direct Line: 0207 944 XXXX  
Fax: 0207 944 2207

23 OCTOBER 2008

David Parr  
Chief Executive  
Halton Borough Council  
Kingsway  
Widnes  
Cheshire WA8 7QF

Dear David

**MERSEY GATEWAY**

You will be pleased to know that Paul Clark has agreed to reconfirm Programme Entry for the proposed Mersey Gateway Bridge scheme following our review of the value for money. The Minister has also agreed to provide additional funding to enable Halton BC to continue to prepare the scheme. The Minister has written separately to Councillor McDermott.

This letter sets out the terms on which the Department reconfirms Programme Entry and to offer funding for this scheme.

The agreed Departmental funding contribution for the Mersey Gateway remains at £86m in conventional finance and £123m in PFI credits. This offer of funding is subject to the following conditions.

Following the development of the new traffic model, we have re-assessed the value for money of the scheme against the Department's value for money criteria and can confirm that the scheme remains at least "medium" value for money. This meets the relevant condition set at Programme Entry. The Department reserves the right to re-consider its offer of funding for the Mersey Gateway if the scheme is re-assessed as offering worse than 'medium' value for money.

The offer of funding represents the Department's maximum contribution and is in cash outturn terms after allowing for future inflation in construction costs. We note Halton's continued view that, on this basis, the scheme remains affordable. We are aware however that this could change due, for example, to cost overruns or tolling revenue shortfalls. We propose to review this at Conditional Approval.

We will need to continue to be satisfied that the scheme remains suitable for procurement as a tolled Privately Financed scheme.

We will continue to monitor, in the light of appropriate accountancy advice, the potential balance sheet treatment of the proposed crossing. In particular, it is important to note that if it appeared at any stage during the scheme's development, that there was a material risk of the scheme being accounted for 'on balance sheet', this would lead to an additional charge which would need to be found from within the North West region's regional funding allocation.

We expect Halton to continue to work with the relevant statutory bodies in assessing, and agreeing appropriate mitigation for the potential environmental impacts of the scheme.

You will be required to carry out an evaluation of the success of the project and to make the results of this evaluation available to the Department. It will be Halton's responsibility to collect the necessary pre and post implementation information to carry out a robust evaluation. The scope of the evaluation will be subject to the Department's agreement prior to full scheme approval.

The offer of funding is subject to the proposed crossing subsequently complying with all necessary statutory procedures relating to the implementation of the scheme and the introduction of tolls.

The decision to reconfirm Programme Entry and the offer of funding is entirely without prejudice to any view that the Secretary of State or other Ministers make take on any future application for statutory powers or in accordance with any other functions.

If any of the conditions outlined above are breached, the Department reserves the right to withdraw approval of the scheme.

The Department would wish to be kept regularly updated on progress with the delivery of this scheme.

The Minister has also considered your request for additional funds to cover the costs of preparing the scheme. On an exceptional basis she has agreed to provide the £6.4m requested. We propose that this be paid in three instalments, the first as a result of this decision, the second at Conditional Approval and the third and final payment at Full Approval stage. The first instalment would be for up to £3m of eligible costs.

I should be grateful for written confirmation that your Authority accepts these conditions.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J J Dowie', with a horizontal line underneath.

J J DOWIE



**REPORT TO:** Mersey Gateway Executive Board

**DATE:** 20 November 2008

**REPORTING OFFICER:** Mersey Gateway Project Director

**SUBJECT:** Preparations for the Mersey Gateway Public Inquiry

### **1.0 PURPOSE OF THE REPORT**

1.1 To advise Members of the progress made in preparing for the Public Inquiry which has now been announced.

### **2.0 RECOMMENDATION: That**

The Mersey Gateway Executive Board:-

- i) note the progress made in general and that the Council Statement of Case for the Inquiry has now been published.

### **3.0 SUPPORTING INFORMATION**

3.1 The formal objection period for the Orders and Applications submitted for Mersey Gateway ended in July and on 30 September the Secretary of State announced that a conjoined Public Inquiry would be held to consider these statutory applications. The announcement of the Public Inquiry established the procedural timetable and the first key event took place on 11 November when the Council submitted its Statement of Case (Appendix 1). All parties wishing to present evidence at the Inquiry are required to submit a Statement of Case.

3.2 The date for the Inquiry has not yet been confirmed but March 2008 is still a possibility. Any developments in confirming the Inquiry date will be reported orally at the meeting.

### **4.0 POLICY IMPLICATIONS**

4.1 The project is a key priority for the Council which will deliver benefits locally and across the wider region.

### **5.0 FINANCIAL IMPLICATIONS**

5.1 The cost of preparing for the Public Inquiry is covered by the approved Mersey Gateway development budget.

**6.0 RISK ANALYSIS**

- 6.1 The timing of the Public Inquiry is a critical event in the project programme and the Council is pressing for an early commencement so that the delivery objectives can be achieved.

**7.0 EQUALITY AND DIVERSITY ISSUES**

- 7.1 Mersey Gateway provides an opportunity to improve accessibility to services, education and employment for all.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

- 8.1 Files maintained by the Mersey Gateway Project Team and by the Highways and Transportation Department.

**THE TRANSPORT AND WORKS ACT 1992**

**THE HIGHWAYS ACT 1980**

**THE ACQUISITION OF LAND ACT 1981**

**THE TOWN AND COUNTRY PLANNING ACT 1990**

**THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

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**STATEMENT OF CASE**

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The River Mersey (Mersey Gateway Bridge) Order

The Halton Borough Council (The Mersey Gateway - Queensway) Compulsory Purchase Order 2008

The Halton Borough Council (The Mersey Gateway - Central Expressway) Compulsory Purchase  
Order 2008

The Halton Borough Council (A533 Queensway) Side Roads Order 2008

The Halton Borough Council (A533 Central Expressway) Side Roads Order 2008

The A533 (Silver Jubilee Bridge) Road User Charging Scheme Order

And

Associated Applications

**THE TRANSPORT AND WORKS ACT 1992**

**THE HIGHWAYS ACT 1980**

**THE ACQUISITION OF LAND ACT 1981**

**THE TOWN AND COUNTRY PLANNING ACT 1990**

**THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

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**STATEMENT OF CASE**

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**1. PURPOSE OF THIS DOCUMENT**

- 1.1 This sets out the case for the Mersey Gateway Project, which is a proposal for (*inter alia*) a new road crossing of the River Mersey, together with wider improvements to the highway network in Runcorn and Widnes ("**Project**").
- 1.2 This document is served pursuant to (*inter alia*)
- 1.2.1 Rules 7(1) and 7(2) Transport and Works (Inquiries Procedure) Rules 2004;
- 1.2.2 Rules 6(1),(2) and (3) Town and Country Planning (Determination by Inspector) (Inquiries Procedure) (England) Rules 2000;
- 1.2.3 Rules 7(1) and 7(2) Compulsory Purchase (Inquiries Procedure) Rules 2007; and
- 1.2.4 Rules 16(1), (2) and (5) Highways (Inquiries Procedure) Rules 1994.
- 1.3 This Statement of Case has been prepared in support of the application ("**TWA Application**") made by Halton Borough Council ("**Council**") for an Order under Section 3 of the Transport and Works Act 1992, called the River Mersey (Mersey Gateway Bridge) Order ("**proposed Order**"). The Council has also requested that the Secretary of State for Transport directs that deemed planning permission be granted for the works to be authorised by the proposed Order pursuant to Section 90(2A) Town and Country Planning Act 1990 ("**Planning Direction**").

- 1.4 In addition to the proposed Order this document also constitutes the Council's Statement of Case in support of the following orders and applications made by the Council:
- 1.4.1 The Halton Borough Council (The Mersey Gateway - Queensway) Compulsory Purchase Order 2008 - this order will be used to assemble land needed for highway improvements and reconfigurations required to enable the Silver Jubilee Bridge to be re-defined as a local crossing of the River Mersey;
  - 1.4.2 The Halton Borough Council (The Mersey Gateway - Central Expressway) Compulsory Purchase Order 2008 - this order will assemble land required for highway improvements on the Central Expressway in Runcorn. These improvements are needed to accommodate changes in traffic flows on that route as a result of the Project;
  - 1.4.3 The Halton Borough Council (A533 Queensway) Side Roads Order 2008 - this order will address changes to the highway network in Widnes that are not addressed by the proposed Order;
  - 1.4.4 The Halton Borough Council (A533 Central Expressway) Side Roads Order 2008 - this order will address changes to the highway network in Runcorn that are not addressed by the proposed Order;
  - 1.4.5 The application for planning permission dated 31 March 2008, bearing statutory reference 08/00200/FULEIA and having planning inspectorate reference APP/D0650/V/08/1203384 - this covers works in Runcorn for which planning permission would not be deemed to be granted pursuant to the Planning Direction;
  - 1.4.6 The application for planning permission dated 31 March 2008, bearing statutory reference 08/00201/FULEIA and having planning inspectorate reference APP/D0650/V/08/1203385 - this covers works in Runcorn and Widnes for which planning permission would not be deemed to be granted pursuant to the Planning Direction; and
  - 1.4.7 The application for Listed Building Consent dated 31 March 2008, bearing statutory reference 08/00211/HBCLBC and having planning

inspectorate reference APP/D0650/V/08/1203386 - this will authorise changes to be made to the existing Silver Jubilee Bridge, which is a Grade 2 listed building. These changes will enable that bridge to be reconfigured as a local crossing of the River Mersey.

- 1.5 The Council is also proposing to make a road user charging order pursuant to the Transport Act 2000. This will impose charges for the use of certain highways, including the A533 Silver Jubilee Bridge and certain roads leading to that bridge. This Statement sets out the Council's current case in respect of the proposed A533 (Silver Jubilee Bridge) Road User Charging Scheme Order ("**proposed Charging Order**"). It is expected that, when made and submitted to the Secretary of State for Transport for confirmation, the proposed Charging Order will be subject to a public inquiry conjoined with those inquiries relating to the proposed Order and the other orders and applications being promoted by the Council.
- 1.6 This document explains the Council's case for the grant, making or confirmation (as the case may be) of these applications and orders for the purposes of the Project. The Council considers there to be a compelling case in the public interest for this important scheme and this Statement of Case sets out the case that the Council intends to make at conjoined public inquiries into these matters.
- 1.7 This Statement of Case is issued on behalf of the Council as promoter of the Project and as highway authority and local planning authority for the Borough of Halton. In the latter capacity, the Council supports the Project and the content of this Statement of Case.

## 2. INTRODUCTION

- 2.1 The proposed Order is being promoted by the Council pursuant to Section 3 of the TWA to authorise the construction of a new bridge over the River Mersey (being a new road bridge) and associated works which interfere with public rights of navigation on the River Mersey, in the St Helen's Canal, the Manchester Ship Canal and the Bridgewater Canal, permanent and temporary changes to the highway network in the Borough of Halton, the imposition of tolls for the use of the new bridge and compulsory acquisition of land and rights for the purposes of the Scheme. The land and interests to be compulsorily acquired pursuant to the Order ("**Order Land**") are more fully described in part 3A of the Statement of Aims and Reasons

that accompanied the application and are identified in the Book of Reference and shown on the Land Plans that accompany the TWA Application.

- 2.2 The Council considers that the construction of the Project, the grant of the powers sought in the proposed Order, the confirmation of the associated orders and the grant of the associated applications will deliver improved transport links and greater accessibility, secure economic benefits, offer enhanced connectivity in respect of civil contingencies, improved road safety, social and economic regeneration, environmental improvements and an improvement to the Merseyside sub-Regional transport network, thereby enhancing the general well-being of the community of Halton and its surrounding areas.
- 2.3 The Council believes that there is a compelling case in the public interest for the grant of the powers necessary for the purpose of implementing the Project, which will help deliver the new crossing over the River Mersey and associated infrastructure.
- 2.4 The proposed Charging Order will assist the delivery of the Scheme by providing for the imposition of charges for the use of the A533 Silver Jubilee Bridge by vehicles. These charges will be analogous to tolls - i.e. the terms have similar meanings in relation to this Project. This will enable and assist the delivery of the objectives of the Project within funding limits agreed with central government.
- 2.5 There is a significant and pressing need for a new crossing of the River Mersey in Halton. The existing Silver Jubilee Bridge ("**SJB**") is at the heart of Halton's transport network connecting its communities either side of the River Mersey. It is part of the wider Liverpool City Region and Cheshire strategic network linking the inter-urban M56 and the M62 and recognised by the DfT as one of today's congestion pinch-points (Towards a Sustainable Transport System' – the Government's response to Eddington and Stern October DfT 2007). It is significant in providing a level of network resilience as the only major crossing of the Mersey between the M6 Thelwall and the Mersey Tunnels. It provides access to the ports of the Liverpool City Region and Manchester and access to freight terminals and both Liverpool John Lennon Airport and Manchester Airport.
- 2.6 The SJB was originally opened in 1961. The bridge has poor facilities for pedestrians, which are poorly used, and no discrete provision for cyclists. Prolonged periods of congestion regularly occur, which affect national, regional and local traffic crossing the Mersey Estuary as well as causing knock-on network effects for local

traffic in both Widnes and Runcorn and further afield. Incidents on the SJB also affect large parts of the sub-regional strategic highway network.

- 2.7 These failings have an adverse effect on the Borough of Halton, undermine the Liverpool City Region's connectivity with the rest of the United Kingdom's road transport links, and mean that the local community suffers a degraded environment and quality of life. The breakdown in transport connectivity and access is considered to be a threat to the economic prosperity of the sub-region.

### **3. EXISTING CONDITIONS AND DO-MINIMUM ALTERNATIVE**

- 3.1 Halton is a largely urban area, home to 119,500 people. Its two biggest settlements are Widnes and Runcorn that face each other across the River Mersey, 10 miles upstream from Liverpool. Runcorn and Widnes have a common heritage in the chemical industry. Rapid, and often environmentally damaging, industrial development took place up to the mid 20<sup>th</sup> century. The Council is now required to grapple with the legacy of such development.
- 3.2 The latest Index of Multiple of Deprivation (IMD) for 2007 shows that overall, Halton is ranked 30<sup>th</sup> nationally (a ranking of 1 indicates that an area is the most deprived), which is 3<sup>rd</sup> highest on Merseyside, behind Knowsley and Liverpool.
- 3.3 Halton performs particularly poorly in terms of a number of social and environmental indicators. Health inequality is of great concern. Halton's performance on adult education and skills, high levels of worklessness, and low levels of enterprise and home ownership point to problems of inclusiveness, with some groups of residents not sharing in the current levels of economic prosperity elsewhere.
- 3.4 Without intervention, although some change in the level of deprivation in the Borough is possible, substantial improvements are much less likely to be achieved. On this basis the Council considers that it must lead regeneration of the Borough of Halton and that the Project comprises the principal, catalytic driver to achieving marked enhancements.
- 3.5 As set out below, a number of alternatives to the Project have been considered and studied over many years. Among those reported in the Environmental Statement that relates to the proposed Order and other applications are instruments which might be deployed instead of carrying out the Project.



- 3.6 The Council and its consultants have considered the use of travel plans, road pricing (without new road construction), dynamic lane management on the SJB, selective access schemes, vehicle tagging, road-space reallocation, park and ride facilities and funding of rail service improvements. Not only would these initiatives fail on their own to produce the transport solutions required to address problems on the existing network, but they would also fail to address the socio-economic concerns outlined above, to provide the opportunities for regeneration or allow the physical regeneration of the Borough of Halton.
- 3.7 In light of these considerations, it is necessary to seek material change within the Borough of Halton, and benefiting the wider sub-region, by a major intervention. It is not appropriate to maintain the current situation and interventions stopping short of a new crossing of the River Mersey will not deliver equivalent or sufficient benefits.

#### **4. AIMS OF THE PROJECT**

- 4.1 Presently, demand for access across the Mersey within and through Halton results in traffic flows on the SJB regularly exceeding the capacity of the crossing. This leads to routine congestion, delays, safety hazards, poor regional road resilience to accidents and other incidents, difficulties in maintenance and unreliable journey times. These service failings, directly associated with the SJB having reached its maximum peak hour operating capacity, are considered to have an adverse effect on the Borough of Halton and the wider city region; undermine connectivity with the national road transport network; and mean that the local community suffers a degraded environment and quality of life. Allied to the socio-economic concerns explained above, these problems indicate a need for improvements to the Borough's road network.
- 4.2 The narrow lane widths on the SJB mean that there is no opportunity to provide safe, segregated passage for cyclists. The design and connections of approach roads do not encourage cycling and walking. Because of the lack of capacity on the SJB, it is not possible materially to enhance public transport between Runcorn and Widnes or on longer-distance routes.

- 4.3 The Council will describe the key benefits that the Project will deliver in respect of the seven strategic aims identified for the Project. These are:
- 4.3.1 to relieve the congested SJB, thereby removing the constraint on local and regional development and better provide for local transport needs;
  - 4.3.2 to apply minimum toll and road user charges to both the Mersey Gateway Bridge and the SJB consistent with the level required to satisfy the affordability constraints;
  - 4.3.3 to improve accessibility in order to maximise local development and regional economic growth opportunities;
  - 4.3.4 to improve local air quality and enhance the general urban environment;
  - 4.3.5 to improve public transport links across the River Mersey;
  - 4.3.6 to encourage the increased use of cycling and walking; and
  - 4.3.7 to restore effective network resilience for road transport across the River Mersey.
- 4.4 The Project will provide substantial transportation, social, economic, environmental and regeneration benefits, thereby enhancing the general well-being of the community of Halton and its surrounding areas. The Council considers that a compelling case exists, in the public interest, for the promotion and delivery of the project, including the acquisition of necessary land. The land required for the Project comprises a large, urban and semi-urban site in multiple ownership which is suitable for, and required, in order to secure the carrying out of the Project.

## **5. DEVELOPMENT OF THE PROJECT**

- 5.1 Proposals for a second Runcorn-Widnes road bridge were first advanced by Cheshire County Council, before the Department of Transport ("**DoT**") carried out the Mersey Crossing Study in 1991. This considered 12 options for a new crossing, recommending the selection of routes to the west of the SJB. However, these proposals, affecting designated ecological sites, were ruled out on the grounds that the environmental effects did not outweigh the other benefits of the Project.

- 5.2 Following the DoT's decision, the Council took the lead in seeking to solve congestion issues associated with the sub-standard SJB crossing, founding the Mersey Crossing Group comprising local and regional stakeholders. A two-stage study was undertaken between 1997 and 1999. As a first stage nine options were considered for a new bridge. A tunnel was discounted owing to technical difficulties and environmental considerations.
- 5.3 The first stage study concluded that, given the environmental sensitivity of some of the options a range of options still required further consideration at a second stage. This second stage study concluded that options to the west of the SJB would have the greatest environmental effects, but that eastern options, outside designated ecological, sites would have fewer such effects with an online option, adjacent to the SJB, then being preferred.
- 5.4 In 1999 the then Department for the Environment, Transport and the Regions determined that a scheme for the promotion of a new crossing of the Mersey Estuary would need to be included and justified in the Regional Transport Strategy and implemented via the Council's Local Transport Plan. Both of these objectives have been met. Central government has also emphasised the need to consider alternative solutions to relieve traffic congestion in Halton.
- 5.5 A series of studies was undertaken between 2001 and 2003, summarised in a document known as a "Major Scheme Appraisal", which was submitted to the Department for Transport in 2003 and, with additional data, in 2004. This appraisal considered alternatives and the extent to which they achieved local and regional objectives 4.3.1-4.3.4 above, as well as objectives identified by central government. Transport planning alternatives were considered that had the potential to solve congestion problems in Halton. None of these proved feasible in the context of the Project aims.
- 5.6 Without an effective policy solution, an engineering solution was sought that fulfilled as many of the Council's objectives as possible, that was able to fit its environment and be economically viable. This focused on fixed routes east of the SJB. Ultimately, a route known as Route 3A emerged as the preferred route. The design using this route has since been developed in sufficient detail to support the orders and applications (the "**Applications**") for the Project.

- 5.7 Adopting the preferred route, the Project as a whole provides a North-South transport link that incorporates improvements to the existing SJB. It provides a new crossing of the River Mersey that relieves the SJB of much of the traffic that presently causes extreme congestion. The new route forms an essential link between the Merseyside area and North Wales and Cheshire. The reduced traffic will permit the SJB function as a local bridge serving the residents on both banks of the River Mersey in Halton and beyond. Improved public transport access to the SJB can be achieved, while pedestrian and cycling crossings of the Mersey can be encouraged *via* the SJB.

## **6. LOCATION AND DESCRIPTION OF THE PROJECT**

- 6.1 The western extent of the proposed main alignment of the Project works will be located at a new toll plaza in Widnes, on the A562 Speke Road to Liverpool, to the west of the existing Ditton Roundabout Junction (Junction of A562 and A533). The alignment will then head south-eastwards along the line of, and to the south of, Speke Road towards the Ditton Junction. The alignment will then progress, via an embankment, across land currently occupied by industrial units along Ditton Road and over the Garston to Timperley rail freight line, before crossing the alignment of the existing A557 Widnes Eastern Bypass (via a multi-span viaduct), the Catalyst Trade Park and the western corner of the ThermPhos Chemical Works.
- 6.2 A new junction (the “Widnes Loops Junction”) will be formed with the A557 at this location including new toll plazas. The alignment will then continue on viaduct south eastward over the St Helens Canal, Widnes Warth Saltmarsh, the River Mersey via a new bridge, then onwards on viaduct across Astmoor Saltmarsh and Wigg Island, before turning south over the Manchester Ship Canal and Astmoor Industrial Estate. The alignment will then connect into the existing road network in Runcorn at the Junction of the A533 Bridgewater and Central Expressways with the A558 Daresbury Expressway (the Bridgewater Junction). The route then crosses the Bridgewater Canal, extending along the alignment of the existing Central Expressway to the Halton Brow Junction.
- 6.3 From Halton Brow the works comprised in the Project extend southwards along the line of the Central Expressway and continue south along the Central Expressway (A533) to reach the junction of the Central and Southern Expressways known as the Lodge Lane Junction. From Lodge Lane Junction the alignment follows the Weston Link to reach the Weston Link Junction. Thence, it extends along the Weston Point

Expressway and will finally join the M56 Motorway at Junction 12, where the existing roundabout to the north of the junction will be modified to include a signal controlled link. Improvements will be required to the alignment of the Central Expressway to improve its geometric standards and to manage its interface with the new bridge. These should not involve significant earthworks and will be undertaken generally within the existing highway boundary.

- 6.4 Works will also be constructed for the purposes of the Project on the existing alignment of the SJB and Queensway beginning at a location abutting the works to be authorised by the proposed Order just south of the Garston to Timperley Freight Line, then running in a southerly direction along the alignment of the A533 Queensway to the River Mersey and across the SJB. These works will include new toll plazas to the north of the River Mersey.
- 6.5 During the construction of the Project additional works will be carried out, including, the temporary in-filling of the St Helen's Canal and the construction of one or more piled jetties or causeways to provide vehicular access to towers of the new bridge to be constructed in the Mersey Estuary.
- 6.6 The Project provides a vastly improved road transport link between Runcorn and Widnes, as well as improving a key, strategic link within the regional and sub-regional transport network. The new bridge will be an iconic structure in the Mersey Estuary, the associated infrastructure will be accommodated within the existing landscape and sensitive to it.
- 6.7 The new bridge will attract approximately 80% of the existing traffic using the SJB, thereby allowing the status of the SJB to be returned to that of a local crossing, linking the towns of Runcorn and Widnes. As a result the two crossings will provide a vastly improved local network for public transport.

## **7. ASSOCIATED POLICY INITIATIVES**

- 7.1 The Council considers that the aims and objectives of the Project will be better achieved by the promotion of policy initiatives in parallel with the Project. In this respect the Council is promoting a Sustainable Transport Strategy.
- 7.2 The Mersey Gateway Sustainable Transport Strategy, which has been the subject of consultation by the Council, identifies how the Project can encourage sustainable

transport in the Borough of Halton and identifies how interventions can be developed and implemented. The Project allows the reclassification of the SJB as a route for local movement including public transport, walking and cycling. These changes will enhance accessibility and connectivity and are linked to the Mersey Gateway Regeneration Strategy which is described below.

- 7.3 In addition to the Project itself, the Council is advancing a regeneration strategy designed to seize the advantages offered by the release of land by the Project and potential for de-linking of the SJB in Runcorn as well as regeneration opportunities elsewhere in the Borough.
- 7.4 The Council has developed and approved the Mersey Gateway Regeneration Strategy ("MGRS"), which addresses the various options for enabling the regeneration of parts of South Widnes, Runcorn Old Town and the Astmoor Industrial Estate. This initiative also examined opportunities for new development at Halton Lea Shopping Centre, Runcorn and Rocksavage, including Ashville Industrial Estate, Runcorn. Whilst the opportunity to carry out such regeneration is provided by the Project, it is not part of the Project itself. The Project design has however been influenced where special considerations are required to support the emerging regeneration schemes. The Council will shortly be consulting in relation to the West Bank (Southern Widnes) Supplementary Planning Document ("SPD") and the Runcorn Old Town SPD, which comprise the first two policy documents to emerge out of the overarching MGRS.
- 7.5 The Council will explain how its joined up approach to policy will facilitate the delivery of the benefits of the Project to Halton and the wider area.

## **8. COMPLIANCE OF THE PROJECT WITH PLANNING AND OTHER TRANSPORT POLICY**

- 8.1 The Council will describe the development plan policy relevant to the Project, and which provides the context for its assessment as set out within the Regional Spatial Strategy ("RSS") (September 2008) and the adopted Halton Unitary Development

Plan<sup>1</sup> ("UDP"). The Project is supported at all levels of policy, from national to local policy.

- 8.2 A full and detailed schedule of the relevant policies contained within these documents is included in the Environmental Statement that accompanies the TWA Application for the proposed Order, alongside an assessment as to how the Mersey Gateway Project responds to each specific policy.

## **Specific Policies**

- 8.3 A comprehensive assessment of the Mersey Gateway Project against European National, Regional and Local planning policy has been carried out. The Project is supported by local policy contained in the UDP and, in particular, strategic policy S14 of the Halton.

- 8.4 The Halton UDP and the RSS for the North West comprise specific planning policies which express in-principle support for the development of the Project, as follows:

8.4.1 Policy RT10 of the RSS establishes general priorities for transport management and investment within the North West. Earlier versions of the policy (2003 as approved and the draft version of the 2008 document) identified specific transport investment priority schemes, included amongst which was the Project. However, policy RT10 as approved does not make reference to specific schemes, stating instead that a separate Implementation Plan will set out the regional priority schemes for transport investment, based on those schemes endorsed by the Department of Transport - those for which funding arrangements are in place and those under development. The Implementation Plan has not yet been issued but it is anticipated that it will reflect the previous position and include specific reference to the Project.

8.4.2 Draft policy RT8 of the replacement RSS 'due for adoption in 2008' largely reiterates the priorities for transport investment expressed in policy T10. Within the draft policy, Table 10.2, establishes a number of regional and sub-regional priorities for major transport investment,

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<sup>1</sup> Halton Unitary Development Plan as adopted in April 2005.

including the Mersey Gateway Project (there referred to as New Mersey Crossing).

- 8.4.3 The saved strategic policy S14 of the Halton UDP states that a new crossing of the River Mersey, east of the SJB, will be promoted to relieve congestion on the existing Bridge. The supporting text states that the existing severely congested SJB is considered to represent a “*constraint on the economic development of the Region, and severely restricts the development of an integrated transport strategy for Halton.*” It goes on to note that a strategic aim of Halton Borough Council’s Local Transport Plan and the UDP is therefore to pursue the provision of a new and sustainable crossing of the River Mersey. Policy S14 states:

*“A scheme for a new crossing of the River Mersey east of the existing SJB will be promoted to relieve congestion on the existing bridge as part of an integrated transport system for Halton and the wider regional transport network. Any proposed route of the new crossing will be the subject of an environmental assessment.”*

- 8.5 In accordance with Government transport guidance, Halton Borough Council has prepared two full Local Transport Plans (LTPs). These provide a non-statutory policy framework for the ongoing development of the local transport network. The overarching objective of LTP2 the second plan, valid to 2011, is as follows:

*“The delivery of a smart sustainable, inclusive and accessible transport system and infrastructure that seeks to improve the quality of life for people living in Halton by encouraging economic growth and regeneration, and the protection and enhancement of the historic, natural and human environment”.*

- 8.6 The LTP2 identifies a number of shared priorities to achieve this vision, and the development of the Mersey Gateway Project is identified. The LTP2 advises that the Mersey Gateway Project will lead to “*significant journey time savings for cross river traffic and will enable the SJB to cater for locally sustainable travel.*”

- 8.7 In addition to the Development Plan and LTP2, the North West Regional Economic Strategy (2006) recognises the delivery of major transport infrastructure investments within the region, including the “*Second Mersey Crossing.*” The development of the



Second Mersey Crossing is regarded as means of relieving congestion, and *“improving reliability of access to Liverpool Airport and improve linkages within the Liverpool City Region.”*

- 8.8 In light of the policy framework set out above, it can be concluded that the UDP, LTP2 and RSS support the Project.

### **General Policy**

- 8.9 Further, the Council will demonstrate:

8.9.1 that the Project accords with the Development Plan for the Area (in this instance the replacement RSS 2008 for the North West and Halton Unitary Development Plan), having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004;

8.9.2 that the applications and orders the subject of this Statement of Case accord with the provisions of Planning Policy Statement 1: Delivering Sustainable Development and the Key Planning Objectives set out in PPS1 Supplement: Planning and Climate Change. In particular:

8.9.2.1 the Project and associated policy initiatives will improve access to employment and services by non-car modes of transport including cycling and walking;

8.9.2.2 this will reduce reliance on the private car and, by the introduction of tolling, will manage private car demand;

8.9.2.3 the Project will protect the existing natural and historic environment;

8.9.2.4 further, the Project will serve as a catalyst to the physical regeneration of Southern Widnes and Runcorn and create new jobs in the sub-region;

8.9.3 the extent to which the proposed development is consistent with Government Policies in PPG2: Green Belts, especially whether the Project is considered appropriate under the provisions of PPG2. In particular:

- 8.9.3.1 to the extent that it may be inappropriate development in the context of the Green Belt, the impact of the Development is very limited and in any event will not prejudice the purposes of the Green Belt in this location, especially given that large infrastructure projects may sometimes occur within a Green Belt; and
- 8.9.3.2 in any event, there are clearly very special circumstances justifying the construction of the Project given the existence of a compelling case in the public interest for its construction.
- 8.9.4 the extent to which the Project is consistent with Government policies in PPG17: Open Space, with particular regard to the loss of green space. In this respect, although green space will be lost as a result of the Project, the effect is adjudged to be acceptable, especially given the environmental improvements associated with the Project;
- 8.9.5 that the Project fully takes account of the requirements of PPS9: Biodiversity and Geological Conservation, especially given the nature and extent of land identified and protected under local designations. In particular, the Project has been designed to limit the impact upon existing biodiversity and geologically important features associated with the Mersey Estuary. The Project will generate only minor effects upon terrestrial and avian ecology;
- 8.9.6 that the Project accords with PPS10: Waste. Safe removal and transportation of waste arisings resulting from the Project will be required and, accordingly, the Project will accord with guidance in relation to management of waste materials;
- 8.9.7 that the Project accords with PPG13: Transport and in particular that the Project will promote more sustainable transport choices and manage the demand to travel by private transport. The Project and associated policy initiatives will deliver significant benefits in compliance with the objectives of PPG13. These include a reduction in road congestion, reduced journey times, and the enhancement of public transport, walking and cycling provision. Whilst car use may be encouraged by the

improvements in congestion, the proposed tolling regime will function to manage demand. As such, the Project is in accordance with PPG13;

8.9.8 that the Project will have an acceptable impact on features of archaeological and heritage importance, listed buildings and conservation areas in respect of the provisions of PPG15: Planning and the Historic Environment and PPG16: Archaeology and Planning. In particular, the design of the new bridge will complement existing, historical features of the Mersey Estuary, benefiting its setting and surroundings. The works to the SJB will benefit that structure by returning it to its original purpose as a local bridge link;

8.9.9 that the Project fully takes into consideration the requirements of PPS23: Pollution and PPG24: Noise in respect of effects upon air quality and noise and/or vibration impacts.

## **Conditions**

8.10 The Council will set out the planning conditions that it considers should apply to the Project. Those officers representing the Council as promoter of the Project have discussed the planning conditions with those officers who represent the Council as local planning authority (the roles having been kept distinct in order to maintain the proper separation of the Council's functions and to ensure the independence of the Council as local planning authority) and the Council as local planning authority has confirmed that it is content with the conditions currently proposed for the Project. To the extent that any change to the proposed conditions is made, it will be discussed by the promoter of the Project with the local planning authority in the same way.

8.11 In its capacity as local planning authority the Council has received the a direction issued by the Highways Agency on behalf of the Secretary of State for Transport. A copy of the Highways Agency's direction is to be found at Appendix 1 to this Statement of Case.

8.12 The Council considers that the terms of the condition set out in the direction are not appropriate to the Project in every sense. This is because a number of the matters required in the Highways Agency's proposal have already been undertaken in respect of the Project as a whole. Accordingly, the Council proposes the version of the proposed condition that is set out at Appendix 2.

**9. COMPLIANCE WITH CONSERVATION (NATURAL HABITATS &C) REGULATIONS 1994 ("HABITATS REGULATIONS")**

- 9.1 The Project will be carried out in the Upper Mersey Estuary. This area of the estuary is adjacent to the Middle Mersey Special Protection Area ("**SPA**"), Site of Special Scientific Interest and Ramsar Site. Such areas are protected by European Directives and the Habitats Regulations. On a precautionary basis the Council has treated the Upper Mersey Estuary as if it was an SPA.
- 9.2 The Habitats Regulations require that before deciding to give consent to any project which is likely to have a significant effect on an SPA a public authority must carry out an appropriate assessment of the implications of the Project for the SPA's conservation objectives. In carrying out the appropriate assessment the public authority must have regard to mitigation to be secured as part of the Project.
- 9.3 The EIA carried out by the Council in relation to the Project confirms that having regard to mitigation to be secured as part of the Project there will be no adverse effect upon the integrity of the SPA or, to the extent that it is capable of being treated as an SPA given its relative nature conservation value , the Upper Mersey Estuary.
- 9.4 As a result of the above there is no nature conservation impediment to the grant of the permissions or the making/confirmation of the orders required for the Project under the Habitats Regulations.

**10. IMPOSITION OF TOLLS AND CHARGES**

- 10.1 It is proposed that the new bridge comprised in the Project will open in or about 2014. The proposed Order provides for the imposition of tolls for the use of the new bridge by vehicles. The new bridge will depend upon toll revenue to secure finance.
- 10.2 Further, because one of the objectives of the Project is to relieve the congested Silver Jubilee Bridge, and in order to ensure that an appropriate redistribution of traffic occurs, it is necessary for the SJB to be subject to a tolling regime as well. This will also enable tolls derived from vehicles crossing the SJB to be applied to the purposes of the Project. It is proposed that the tolling regimes applicable to the SJB resemble those applied to the new bridge as closely as possible.

- 10.3 The proposed Order is not being used to apply tolls to the SJB. Instead the Council is promoting the proposed Charging Order pursuant to the Transport Act 2000 as described above.
- 10.4 The proposed Charging Order is due to start in 2014 to coincide with the opening of the proposed Mersey Gateway Bridge for use by the public. Halton's second Local Transport Plan (LTP) runs from 2006/07 to 2010/11. The new bridge will not be open and tolling/charging will not be in operation until 2014 at the earliest. Therefore, the relevant LTP will be the third LTP ("LTP3"). It is anticipated that LTP3 will have to be submitted to the Secretary of State for Transport for approval in due course. However, as the proposed Charging Order is a central element of the Council's strategy to reduce congestion and is a component measure to support the implementation of the Project it is expected that the objectives in LTP3 will remain broadly in line with those in the existing LTP that relate to the SJB and the Project as a whole.
- 10.5 Priorities for the revenue expenditure from tolls and charges are:
- 10.5.1 paying the costs of expenses incurred in designing, constructing, managing, operating and maintaining the new bridge and in managing, operating and maintaining the SJB or any costs associated with financing any of both;
  - 10.5.2 providing such funds as are or are likely to be necessary to discharge the obligations of the Council or a concessionaire pursuant to a concession agreement;
  - 10.5.3 paying the interest on, and repaying the principal of, monies borrowed in respect of the Project;
  - 10.5.4 making payment into any maintenance or reserve fund provided in respect of the SJB or the new bridge;
  - 10.5.5 making payments to the Council's general fund for the purpose of directly or indirectly facilitating the achievement of policies relating to public transport in its LTP
  - 10.5.6 providing funds for the provision of discounted tolls and charges to residents of the Borough of Halton;

- 10.5.7 providing funds for, meeting expenses incurred in, or the cost of securing any necessary authority or consent for, and in the constructing or in securing the construction, maintenance and operation of the new bridge or in securing the maintenance, operation and de-linking of the SJB; and
- 10.5.8 providing funds for the implementation of the Mersey Gateway Sustainable Transport Strategy described above.

## 11. CONCLUSION

11.1 In summary, the Council considers that:

11.1.1 the Project accords with national and local planning policies; in particular, policy S14 of the Borough of Halton's adopted and saved UDP, which supports the delivery of a new crossing of the River Mersey in conjunction with the promotion of a sustainable transport strategy. This states:

*“A scheme for a new crossing of the River Mersey east of the existing SJB will be promoted to relieve congestion on the existing bridge as part of an integrated transport system for Halton and the wider regional transport network.”*

11.1.2 the Project is justified by the objectives set for it by the Council and set out above;

11.1.3 the environmental impacts associated with the Project are capable of being properly mitigated and, to the extent that any residual effects remain, they are outweighed by the benefits of the Project; and

11.1.4 the linked Mersey Gateway Sustainable Transport Strategy and Mersey Gateway Regeneration Strategy, along with the related SPD policy documents, will further assist in the delivery of the benefits of the Project.

11.2 The Council considers that there is a compelling case in the public interest for the acquisition of the necessary land and the grant of the necessary powers for the construction of the Project so as to secure the benefits outlined above and to protect

and enhance Halton's connectivity with the national road network in order to achieve economic growth.

11.3 The Council reserves the right to amend or vary the case made in this Statement of Case.

## **12. LIST OF DOCUMENTS**

12.1 HBC will refer to, or put in evidence, the documents (or parts of documents) set out at Appendix 3 to this Statement of Case.

12.2 In accordance with the rules set out at paragraph 1.2 above, the Council gives notice that the documents (or parts of documents) set out in Appendix 3 to this Statement of Case are available for inspection free of charge between the hours listed at the locations set out below. The documents will remain available for inspection until the date of commencement of the inquiries into the Project. Copies of the documents (or parts of documents) may be taken at the locations listed, subject to paying the charges applicable thereto.

12.3 Documents are available for inspection at:

- Kingsway Learning Centre, (Library), Victoria Road, Widnes WA8 7QY (Open Monday to Thursday 9.00 am to 5.30 pm, Thursday to Friday 9.00 am to 7.00 pm, Saturday 9.00 am to 4.00 pm)
- Halton Lea Library, Halton Lea, Runcorn WA7 2PF (Open Monday to Wednesday 9.00 am to 9.00 pm, Friday 9.00 am to 5.30 pm, Saturday 9.00 am to 4.00 pm)

12.3 The Council reserves the right to introduce such additional documents as may be relevant to any Public Inquiry later held in respect of the Order and will endeavour to notify any Public Inquiry and any statutory third parties of any such documents as soon as possible prior to the opening of such Public Inquiry.

**DLA Piper UK LLP**

**7 November 2008**

**Appendix 1**

**Direction by the Highways Agency**



TR110 (May 2007)

An Executive Agency of  
The Department for Transport

## Developments Affecting Trunk Roads and Special Roads Highways Agency Response to an Application for Planning Permission

From: Director, Network Operations Directorate North West, Highways Agency.

To: Halton Borough Council.

Council's Reference: 08/00200/FULEIA & 08/00201/FULEIA proposed works to the existing highway network specifically the Central Expressway, Lodge Lane Junction, Weston Link Junction and the M56 Junction 12 on part of existing highway network, comprising A533 Central Expressway from south of its junction with A533 Bridgewater/A558 Daresbury Expressway & including Central Expressway/ Lodge Lane Junction up to/including M56 junction12

Referring to the notification of a planning application dated 3<sup>rd</sup> April 2008, your reference 08/00200/FULEIA & 08/00201/FULEIA, in connection with the M56 motorway, notice is hereby given under the Town and Country Planning (General Development Procedure) Order 1995 that the Secretary of State for Transport:-

- a) ~~does not propose to give a direction restricting the grant of planning permission;~~
- b) ~~does not propose to give a direction restricting the grant of planning permission but offers advice (see the enclosed letter);~~
- c) directs that any planning permission which the planning authority may grant shall include the conditions shown overleaf, for the reasons given;
- d) ~~directs that the planning authority shall not grant permission for this application for the reasons/the time period given overleaf~~

(delete as appropriate)

*Signed by authority of the Secretary of State for Transport*

<b>Date:</b> 24 July 2008	<b>Signature:</b>
<b>Name:</b> D J Clark	<b>Position:</b> Network Manger - Network Strategy North West
<b>The Highways Agency: City Tower Manchester M1 4BE</b>	

**Condition(s) to be attached to any grant of planning permission:**

1. No development shall commence until full design and construction details of the required improvements to Junction 12 of the M56 shown in outline in Drawing B4027/H/SK/224 dated July 2008 (which includes details of signalisation for the new improvement) have been submitted to and approved in writing by the Secretary of State for Transport. The details to be submitted shall include:
  - How the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations,
  - Full signing and lighting details,
  - Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),
  - Independent Stages One and Two Road Safety Audits (Stage Two to take account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes,
  - New Approach to Appraisal (NATA) / Project Appraisal Report (PAR) assessment.
  
2. No part of the development shall be brought into its intended use unless and until the highway improvements as shown in outline on Drawing B4027/H/SK/224 dated July 2008, and agreed in detail in accordance with condition 1 above, have been implemented to the satisfaction of the local planning authority in consultation with the Secretary of State for Transport

**Reason(s) for the direction given at b), c) or d) overleaf and the period of time for a direction at e) when directing that the application is not granted for a specified period:**

The conditions set out above are made to ensure that the M56 motorway might continue to fulfil its purpose as part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980, maintaining the safety of traffic on the road.

**Appendix 2**

**Proposed planning condition relating to Junction 12 of the M56**

No development shall commence until full design and construction details of the proposed improvements to Junction 12 of the M56 shown in outline in Drawing B4027/H/SK/224 dated July 2008 (which includes details of signalisation for the improvement junction) have been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency. The details to be submitted shall include:

- \* The physical interface with the existing highway alignment, details of the carriageway markings and lane destinations,
- \* Full signing and lighting details,
- \* Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or that any relaxations/departures from standards have been agreed in writing with the Highways Agency),
- \* Independent Stages One and Two Road Safety Audits (Stage Two to take account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes,

*Reason: To ensure so far as appropriate that the development functions in a sustainable fashion*

## Appendix 3

## LIST OF DOCUMENTS

Document type	Doc. No.	Document
Application Documents and Orders		<b>Planning Application Documents</b>
	1.	Planning Application Form (Silver Jubilee Bridge)
	2.	Planning Application Form (Expressway Works)
	3.	Certificate C
	4.	Listed Building Application
	5.	Listed Building Certificate
	6.	Design and Access Statement
	7.	Design and Access Statement Supplementary Annex
	8.	Statement of Community Involvement
	9.	Application plans, etc.
		<b>Transport and Works Act Application</b>
	10.	The proposed River Mersey (Mersey Gateway Bridge) Order 200[ ]
	11.	Explanatory Memorandum
	12.	Statement of Aims and Reasons
	13.	Consultation Report
	14.	Environmental Statement/Addendum to Environmental Statement
	15.	Declaration as to the Status of the Applicant
	16.	List of Consents, Permissions and Licences required under other enactments
17.	Estimate of Costs authorised by the proposed Order	
18.	The Applicant's proposal for funding the cost of implementing the Order	

	<b>19.</b>	Book of Reference
	<b>20.</b>	Planning Direction Document
	<b>21.</b>	Bundle of TWA Works and Sections Plans
		<b>Road User Charging Order</b>
	<b>22.</b>	The Proposed A533 (Silver Jubilee Bridge) Road User Charging Scheme Order 200[ ]
	<b>23.</b>	Explanation of Tolls and Road User Charging
	<b>24.</b>	Road User Charging Key Plan
	<b>25.</b>	Road User Charging Order - Plan
		<b>Compulsory Purchase Orders</b>
	<b>26.</b>	Halton Borough Council (The Mersey Gateway - Central Expressway) Compulsory Purchase Order 2008
	<b>27.</b>	Central Expressway CPO plans
	<b>28.</b>	Halton Borough Council (The Mersey Gateway - Queensway) Compulsory Purchase Order 2008
	<b>29.</b>	Queensway CPO plan
		<b>Side Roads Orders</b>
	<b>30.</b>	Halton Borough Council (A533 Central Expressway) Side Roads Order 2008
	<b>31.</b>	Central Expressway SRO plans
	<b>32.</b>	Halton Borough Council (A533 Queensway) Side Roads Order 2008
	<b>33.</b>	Queensway SRO Plan
<b>Acts of Parliament</b>	<b>34.</b>	Salmon and Freshwater Fisheries Act 1975
	<b>35.</b>	Dangerous Substances Act 1976
	<b>36.</b>	Highways Act 1980
	<b>37.</b>	Wildlife and Countryside Act 1981
	<b>38.</b>	Environmental Protection Act 1990
	<b>39.</b>	Water Resources Act 1991

	<b>40.</b>	New Roads and Street Works Act 1991
	<b>41.</b>	Transport and Works Act 1992
	<b>42.</b>	Clean Air Act 1993
	<b>43.</b>	Environment Act 1995
	<b>44.</b>	Road Traffic Reduction Act 1997
	<b>45.</b>	Transport Act 2000
	<b>46.</b>	Education Act 2002
	<b>47.</b>	Traffic Management Act 2004
<b>Statutory Instruments</b>	<b>48.</b>	The Environmental Protection (Duty of Care) Regulations 1991
	<b>49.</b>	The Conservation (Natural Habitats, & c.) Regulations 1994. HMSO, London
	<b>50.</b>	Air Quality Regulations 2000
	<b>51.</b>	Air Quality (Amendment) Regulations 2002
	<b>52.</b>	Water Environment (Water Framework Directive) (England and Wales) Regulations 2003
	<b>53.</b>	Air Quality Standards (England) Regulations 2007 – Statutory Instrument No 64
<b>European Legislation</b>	<b>54.</b>	EC Freshwater Fish Directive 78/659/EEC
	<b>55.</b>	EEI Directive of 2 April 1979 on the conservation of wild birds. 79/409/EEC
	<b>56.</b>	EC Groundwater Directive. Protection of Groundwater against Pollution Caused by Certain Dangerous Substances 80/68/EEC
	<b>57.</b>	EC Urban Wastewater Treatment Directive 91/271/EEC
	<b>58.</b>	Habitats Directive 92/43/EEC
	<b>59.</b>	Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. Office for Official Publications of the European Communities
	<b>60.</b>	EC Water Framework Directive 2000/60/EC
	<b>61.</b>	Council Regulation (EC) No 1100/2007 of 18 September 2007 Establishing Measures for the Recovery of the Stock of European Eel

<b>National Policy</b>		<b>Planning Policy Statements/Guidance</b>
	<b>62.</b>	Planning Policy Statement 1: Delivering Sustainable Development (2005)
	<b>63.</b>	Supplement to Planning Policy Statement 1: Planning and Climate Change (2007)
	<b>64.</b>	Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)
	<b>65.</b>	Planning Policy Statement 10: Planning for Sustainable Waste Management (2005)
	<b>66.</b>	Planning Policy Statement 23: Planning and Pollution Control (2004)
	<b>67.</b>	Planning Policy Statement 25: Development and Flood Risk (2006)
	<b>68.</b>	Planning Policy Guidance 2: Green Belts (1995)
	<b>69.</b>	Planning Policy Guidance 13: Transport (2001)
	<b>70.</b>	Planning Policy Guidance 15: Planning and the Historic Environment (1994)
	<b>71.</b>	Planning Policy Guidance 16: Archaeology and Planning (1990)
	<b>72.</b>	Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (2002)
	<b>73.</b>	Planning Policy Guidance 24: Planning and Noise (1994)
		<b>Circulars</b>
	<b>74.</b>	Office of the Deputy Prime Minister Circular 06/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their impact within the Planning System
	<b>75.</b>	Office of the Deputy Prime Minister Circular 06/2004 - Compulsory Purchase and the Crichel Down Rules
	<b>76.</b>	Office of the Deputy Prime Minister Circular 01/2006 - Guidance on Changes to the Development Control System
		<b>Other Policy and Guidance</b>
	<b>77.</b>	Nature Conservancy Council 1989. Guidelines for Selection of Biological SSSIs. Nature Conservancy Council, Peterborough
	<b>78.</b>	Transport White Paper 1998

<b>79.</b>	New Approach To Appraisal DfT, 1998
<b>80.</b>	Department for Transport, A new deal for transport; better for everyone, 1998
<b>81.</b>	Department for Transport, From Workhorse to Thoroughbred, 1999
<b>82.</b>	Department for Transport - Transport Ten Year Plan 2000
<b>83.</b>	Department for Transport, Tomorrow's Roads: safer for everyone, 2000.
<b>84.</b>	The Guidelines for Landscape Character Assessment, 2002 Countryside Agency and Scottish Natural Heritage.
<b>85.</b>	Department for Health, Choosing Health in Halton, 2004
<b>86.</b>	Department for Transport, Walking and Cycling – an Action Plan, 2004
<b>87.</b>	Department for Transport - Transport White Paper “The Future of Transport” July 2004
<b>88.</b>	Department for Transport, Transport Assessment Guidance 2005
<b>89.</b>	Department for Transport, Transport, Wider Economic Benefits and Impacts on GDP 2006
<b>90.</b>	Office of the Deputy Prime Minister, Defra & English Nature: Planning for Biodiversity and Geological Conservation – A Guide to Good Practice (March 2006)
<b>91.</b>	Department for Transport - the Eddington Transport Study 2006
<b>92.</b>	DEFRA, 2006. Circular 01/2006. Environmental Protection Act 1990: Part 2A - Contaminated Land.
<b>93.</b>	The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2007) published by Defra in partnership with the Scottish Executive, Welsh Assembly Government and Department of the Environment Northern Ireland
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