



Mersey Gateway Executive Board

**Thursday, 19 November 2009 3.00 p.m.
Marketing Suite, Municipal Building**

A handwritten signature in black ink that reads 'David W R'.

Chief Executive

BOARD MEMBERSHIP

Councillor Tony McDermott (Chairman)	Labour
Councillor Rob Polhill	Labour
Councillor Mike Wharton	Labour

*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, 28 January 2010*

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

Part I

Item No.	Page No.
1. MINUTES	
2. DECLARATION OF INTEREST	
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.	
3. GENERAL PROGRESS TOWARDS COMMENCING PROCUREMENT	1 - 3

PART II

**ITEMS CONTAINING "EXEMPT" INFORMATION FALLING
WITHIN SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT
1972 AND THE LOCAL GOVERNMENT (ACCESS TO
INFORMATION) ACT 1985**

In this case the Board has a discretion to exclude the press and public but, in view of the nature of the business to be transacted, it is RECOMMENDED that under Section 100(A)(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 of Part 1 of Schedule 12A to the Act.

4. LAND ASSEMBLY STRATEGY	4 - 8
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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 Exec Board

DATE: 19 November 2009

REPORTING OFFICER: Strategic Director, Environment

SUBJECT: General Progress Towards Commencing Procurement

WARDS: All Wards

1.0 PURPOSE OF THE REPORT

- 1.1 To advise members of the general progress made towards securing the authority required to commence the procurement process.

2.0 RECOMMENDATION: That

- (1) the Mersey Gateway Executive Board note the progress made and the outlook for commencing procurement next year.

3.0 SUPPORTING INFORMATION

- 3.1 At the meeting of the last Mersey Gateway Executive Board on 24 September, Members were advised that the formal procurement process for a Mersey Gateway concession contract can only commence once the Council has secured the planning decision by the Secretaries of State and for Ministers to grant Conditional Funding Approval.
- 3.2 The timing of an announcement of the planning decision by the Secretaries of State is linked to when the Department for Transport receives the Inspector's Public Inquiry Report. Although we were advised that the Inspector's Report was expected to be with the Department towards the end of November, the Minister has recently advised that this is now expected in mid-December. The Minister gave this information in his response to an oral question in Parliament raised by Derek Twigg MP. The response by Transport Minister Sadiq Khan was as follows:-

"The Inspector's report following the recent public inquiry is not expected to be received until the middle of December and its recommendations will need to be considered carefully before the Secretary of State can announce the decisions. A further decision on funding will be taken after that."

- 3.3 The Minister's reference to a further decision on funding relates to their consideration of our Conditional Funding Approval submission. The Minister in his response also acknowledged the hard work of the Council and our representations received which explain the benefits of an expeditious decision. The Minister reaffirmed that the time scale for a

decision is linked to when the Department expect to receive the Public Inquiry Inspector's report and pointed out the scheme's complexities. The Minister did however assure Mr Twigg that he has taken on board the points made and the sense of urgency that he has expressed.

3.4 It is encouraging to receive the positive comments from the Minister but the legal due process leading up to planning Decision will determine the timescales to a great extent. There is still an opportunity to announce the Decision before the end of March 2010 but the recent delay puts this outcome at greater risk.

3.5 The second requirement prior to commencing the procurement process is to secure Conditional Funding Approval from DfT Ministers and work towards this aim is progressing as planned. The first draft of the Outline Business Case is due to be discussed with the DfT Major Projects Team at the progress meeting on 19 November.

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 Members will be kept advised of any change in the risk or funding position as options emerge for consideration.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

There will be an indirect contribution to contribute to Key Objective E: To ensure that all children and young people in Halton have positive futures after school by embracing life-long learning, employment opportunities and enjoying a positive standard of living.

6.2 Employment, Learning and Skills in Halton

There will be an indirect contribution to Key Objective B: To develop a culture where learning is valued and to raise skill levels throughout the adult population and in the local workforce.

6.3 A Healthy Halton

There will be opportunities for biodiversity activities to contribute to Key Objective C: To promote a healthy living environment and lifestyles to protect the health of the public, sustain individual good health and well-being, and help prevent and efficiently manage illness.

6.4 A Safer Halton

There will be opportunities to contribute to Key Objective C: To create and sustain better neighbourhoods that are well designed, well built, well maintained, safe and valued by the people who live in them, reflecting the priorities of residents.

6.5 Halton's Urban Renewal

There will be opportunities to contribute to Key Objective E: To enhance, promote and celebrate the quality of the built and natural environment in Halton. Tackling the legacy of contamination and dereliction to further improve the Borough's image. In particular, in Area of Focus 12, examples of future planned activity include "Creating local nature reserves and wild spaces that support the Council's efforts to deliver urban renewal and a better quality of life in Halton". The Mersey Gateway nature reserve will be a main delivery mechanism for this Area of Focus.

7.0 RISK ANALYSIS

7.1 The timing of the Government's decision on the planning process remains uncertain. Even the short delay in the completion of the Inspector's Report means that the commencement of procurement may be held up by the possible General Election next Spring. The process we have agreed with DfT officials is aimed at mitigating the risk of delay and puts in place a realistic programme that could see procurement commencing next summer.

8.0 EQUALITY AND DIVERSITY ISSUES

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

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

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

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted