



Mersey Gateway Executive Board

**Thursday, 23 January 2014 3.00 p.m.
The Board Room - Municipal Building,
Widnes**



Chief Executive

BOARD MEMBERSHIP

Councillor Rob Polhill (Chairman)	Labour
Councillor Ron Hignett	Labour
Councillor Eddie Jones	Labour
Councillor John Stockton	Labour
Councillor Mike Wharton	Labour

*Please contact Lynn Derbyshire on 0151 511 7975 or e-mail
lynn.derbyshire@halton.gov.uk for further information.
The next meeting of the Board is on Thursday, 13 March 2014*

**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 Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
3. MERSEY GATEWAY CROSSINGS BOARD LTD	4 - 6
PART II	
4. 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 and, in view of the nature of the business to be transacted, it is RECOMMENDED that under Section 100A(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 it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.	
5. PROGRESS REPORT AND DELEGATIONS BY COUNCIL TO THE CHIEF EXECUTIVE IN RELATION TO MERSEY GATEWAY - KEY DECISION	7 - 23

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: 23 January 2014

REPORTING OFFICER: Chief Executive

PORTFOLIO: Leader

SUBJECT: Mersey Gateway Crossings Board Ltd

WARDS: All

1.0 PURPOSE OF THE REPORT

1.1 To seek authorisation to the Mersey Gateway Crossings Board Ltd offering directors contracts in excess of two years duration and to the appointment of the initial executive directors;

2.0 RECOMMENDATION: That

- (1) The Board agree to the directors of Mersey Gateway Crossings Board Ltd being offered contracts in excess of two years
- (2) The Board delegate the right to vote on the above matter to the Operational Director – Legal and Members Services
- (3) The Board authorises the Chief Executive, in consultation with the Leader, to make all the initial executive director appointments in respect of the MGCB

SUPPORTING INFORMATION

- 3.1 Mersey Gateway Crossing Board Ltd (MGCB) is company limited by shares, with the Council owning 100% of the shares.
- 3.2 Section 188 of the Companies Act 2006 state that any director's contract of two years or more duration requires approval by ordinary resolution, ie that the shareholders of the company must agree to such contracts in advance.
- 3.3 The Governance Agreement proposes that all non-executive directors are appointed for three years by way of a Directors Service Agreement, and hence approval by ordinary resolution is required for MGCB to be able to offer the directors contracts for this duration.
- 3.4 The Construction Director and Finance Director will both be offered a combined Directors Service Agreement and Contract of Employment for four years, and again approval by ordinary resolution is required for MGCB to be able to offer the directors contracts for this duration

3.5 The Department for Transport has been consulted on these matters, in accordance with the draft Governance Agreement and they have no issues with the proposed duration of the contracts.

3.6 The Governance Agreement allows the Council to appoint the initial executive directors, subsequent appoints are to be approved by the Appointments Committee of the Mersey Gateway Crossings Board Ltd

4.0 POLICY IMPLICATIONS

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

5.0 OTHER / FINANCIAL IMPLICATIONS

5.1 All substantive implications are reported above

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

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

6.2 Employment, Learning and Skills in Halton

Over 500 construction jobs will be required for MG and matters are in hand designed to ensure the local community has access to these job opportunities. In the longer term, several thousand jobs are forecast to be created in the sub-region due to the wider economic impact of the project.

6.3 A Healthy Halton

Mersey Gateway provides an opportunity to improve accessibility to services, education and employment for all, including improved cycling and walking facilities

6.4 A Safer Halton

The project will produce road safety benefits for road users including improved cycling and walking facilities.

6.5 Halton's Urban Renewal

Mersey Gateway Project is a priority project in the Urban Renewal Programme.

7.0 RISK ANALYSIS

The project structure supported by the proposed delegation and decision authority will reduce the risk of delay and improve the quality of the project control.

The creation of MGCB Ltd is a requirement of the DfT Funding Letter.

8.0 EQUALITY AND DIVERSITY ISSUES

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

9.0 REASON FOR DECISION

This report is for information only

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Direct management by the Council is precluded by the Government's consent letter which is the basis for the financial approval. The proposed format of the Crossings Board is as a company limited by shares.

11.0 IMPLEMENTATION DATE

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

None under the Meaning of the Act

Document is Restricted