



**Environment and Urban Renewal Policy
and Performance Board**

**Wednesday, 14 November 2018 6.30 p.m.
Council Chamber - Town Hall, Runcorn**

A handwritten signature in black ink that reads 'David WR'.

Chief Executive

BOARD MEMBERSHIP

Councillor Bill Woolfall (Chair)	Labour
Councillor Mike Fry (Vice-Chair)	Labour
Councillor Marjorie Bradshaw	Conservative
Councillor Robert Gilligan	Labour
Councillor Harry Howard	Labour
Councillor Alan Lowe	Labour
Councillor Keith Morley	Labour
Councillor Paul Nolan	Labour
Councillor Joe Roberts	Labour
Councillor Pauline Sinnott	Labour
Councillor Angela Teeling	Labour

*Please contact Gill Ferguson on 0151 511 8059 or e-mail
gill.ferguson@halton.gov.uk for further information.*

The next meeting of the Board is on Wednesday, 27 February 2019

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

Part I

Item No.	Page No.
1. MINUTES	1 - 4
2. DECLARATIONS OF INTERESTS (INCLUDING PARTY WHIP DECLARATIONS)	
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. PUBLIC QUESTION TIME	5 - 7
4. EXECUTIVE BOARD MINUTES	8 - 15
5. PERFORMANCE MONITORING	
(A) BUSINESS PLANNING	16 - 21
(B) PERFORMANCE MANAGEMENT REPORTS FOR QUARTER 2 OF 2018/19	22 - 47
6. DEVELOPMENT OF POLICY ISSUES	
(A) RUNCORN REGENERATION UPDATE: DELINKING AND STATION ACCESS	48 - 52
(B) STATEMENT OF COMMUNITY INVOLVEMENT (SCI) S018 LOCAL DEVELOPMENT DOCUMENT	53 - 84
(C) GOVERNMENT CONSULTATION ON SHALE GAS	85 - 94

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.

ENVIRONMENT AND URBAN RENEWAL POLICY AND PERFORMANCE BOARD

At a meeting of the Environment and Urban Renewal Policy and Performance Board on Wednesday, 19 September 2018 at the Council Chamber - Town Hall, Runcorn

Present: Councillors Woolfall (Chair), Fry (Vice-Chair), Howard, A. Lowe, Morley, Nolan, Joe Roberts, Sinnott, Teeling, Horabin and June Roberts

Apologies for Absence: Councillor Gilligan

Absence declared on Council business: None

Officers present: G. Ferguson, T. Gibbs and J. Unsworth

Also in attendance: Councillors Horabin and June Roberts

**ITEM DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

	<i>Action</i>
EUR10 MINUTES	
<p>The Minutes of the meeting held on 27th June 2018 having been circulated were signed as a correct record.</p>	
EUR11 PUBLIC QUESTION TIME	
<p>It was confirmed that no public questions had been received.</p>	
EUR12 EXECUTIVE BOARD MINUTES	
<p>The Board considered the Minutes of the meetings of the Executive Board relevant to the Environment and Urban Renewal Policy and Performance Board.</p> <p>RESOLVED: That the Minutes be received.</p>	
EUR13 PERFORMANCE MANAGEMENT REPORTS FOR QUARTER 1 OF 2018/19	
<p>The Board received a report from the Strategic Director, Enterprise, Community and Resources, which presented the Performance Monitoring Reports for Quarter 1 of 2018/19.</p>	

The reports related to the following functional areas which reported to the Board and detailed progress against service objectives and milestones, and performance targets and provided information relating to key developments and emerging issues that had arisen during the period:

- Development and Investment Services;
- Highways and Transportation, Logistics and Development Services;
- Waste and Environmental Improvement and Open Space Services; and
- Housing Strategy.

Arising from the discussion under comment 3.3, the Board enquired if Officers viewed the feedback from the Combined Authority seeking an increase in programme outputs, typically more businesses assisted, as a realistic target. It was agreed that Members would receive a written response.

RESOLVED: That the first quarter performance monitoring reports be received and noted.

EUR14 ENVIRONMENTAL IMPROVEMENT INITIATIVES

The Board received a presentation from the Divisional Manager - Waste & Environmental Improvement, who outlined to Members the measures being taken to help tackle incidents of environmental crime; such as littering and fly-tipping. Members noted the structure of the Environmental Improvement Team, their role and enforcement activity undertaken, environmental crime prevention methods and the varying levels of enforcement.

In addition the presentation provided the Board with examples of education awareness work carried out by the Team, the number of reported litter, dog fouling and fly tipping incidents and the enforcement action taken and the future use of Community Protection Notices by the Team.

On behalf of the Board the Chair thanked Mr Unsworth for his informative presentation.

RESOLVED: That the presentation be received.

EUR15 LIVERPOOL CITY REGION SINGLE INVESTMENT FUND (SIF)

The Board considered a report of the Strategic

Director, Enterprise, Community and Resources, which provided details on the publication of a Strategic Investment Fund Strategy for the Liverpool City Region Combined Authority (CA) and provided an update on the proposed relaunch of Single Investment Fund (SIF).

A recent review of the existing SIF process had identified a number of areas for improvement, ranging from limited capacity within the CA's Programme Management Team, to projects failing to provide enough information to satisfy the assessment process. The review had also concluded that existing projects within the project pipeline should be revisited to determine whether they could actually be delivered and/or could meet the appraisal criteria.

The CA had now appointed a specialist development team to oversee the SIF process. The team had produced a SIF strategy document and the report highlighted details of the changes in approach within the new document.

It was noted that SIF would now be regarded as a recyclable fund, therefore projects may be funded by a loan only, a combination of loan and grant and in certain instances, grant.

Officers from Halton had met with the CA Investment Team to outline Halton's priorities and the Investment Team had visited Halton to share further specific details and information on potential projects. As a result Officers had been working to update the list of prioritised schemes which were based on the priorities identified in the Mersey Gateway Regeneration Plan Plus document, as well as schemes that accord with Halton's sustainable transport priorities.

Apart from SIF and Transformation Funding, the Government would be announcing Challenge Funds as part of the delivery of the Government's Industrial Strategy, these would be relevant to some of Halton's project pipeline.

RESOLVED: That

1. the approach being taken to access SIF, and other City Region and national funding be endorsed;
2. the Board note that a list of short, medium and long-term project priorities is being developed that were based upon the Mersey Gateway Regeneration Strategy; and
3. the submission of projects for SIF as outlined in 3.8 – 3.11 of the report be supported.

EUR16 REVISED NATIONAL PLANNING POLICY FRAMEWORK

The Board considered a report of the Strategic Director Enterprise, Community and Resources, which provided a brief overview of the main changes included within the revised National Planning Policy Framework (NPPF) which was published by the Government in July 2018.

The report advised that a key part of the new NPPF was the presumption in favour of sustainable development and in particular the titled balance in Para 11 (d) (previously Para 14). Whilst no longer a 'golden thread' for plan-making and decision making, this would remain the key battleground where planning permission was sought on unallocated sites or for which the development plan supported a refusal of planning permission. Full details of the changes within the revised Policy in respect of the following areas, were outlined in the report:

- Greenbelt;
- Viability;
- Appropriate assessment – protection of habitats;
- Standard methodology;
- Small and medium sites;
- Affordable housing;
- Design;
- Heritage
- Town centres;
- Land assembly;
- Strategic and non strategic policies; and
- Transition.

RESOLVED: That

1. the content of the report be noted; and
2. the importance of the revised NPPF in the Local Plan process and local planning decisions is recognised.

Meeting ended at 7.45 p.m.

REPORT TO: Environment and Urban Renewal Policy & Performance Board

DATE: 14th November 2018

REPORTING OFFICER: Strategic Director, Enterprise, Community and Resources

SUBJECT: Public Question Time

WARD(s): Borough-wide

1.0 PURPOSE OF REPORT

- 1.1 To consider any questions submitted by the Public in accordance with Standing Order 34(9).
- 1.2 Details of any questions received will be circulated at the meeting.

2.0 RECOMMENDED: That any questions received be dealt with.

3.0 SUPPORTING INFORMATION

3.1 Standing Order 34(9) states that Public Questions shall be dealt with as follows:-

- (i) A total of 30 minutes will be allocated for dealing with questions from members of the public who are residents of the Borough, to ask questions at meetings of the Policy and Performance Boards.
- (ii) Members of the public can ask questions on any matter relating to the agenda.
- (iii) Members of the public can ask questions. Written notice of questions must be given by 4.00 pm on the working day prior to the date of the meeting to the Committee Services Manager. At any one meeting no person/organisation may submit more than one question.
- (iv) One supplementary question (relating to the original question) may be asked by the questioner, which may or may not be answered at the meeting.
- (v) The Chair or proper officer may reject a question if it:-
 - Is not about a matter for which the local authority has a responsibility or which affects the Borough;
 - Is defamatory, frivolous, offensive, abusive or racist;

- Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - Requires the disclosure of confidential or exempt information.
- (vi) In the interests of natural justice, public questions cannot relate to a planning or licensing application or to any matter which is not dealt with in the public part of a meeting.
- (vii) The Chair will ask for people to indicate that they wish to ask a question.
- (viii) **PLEASE NOTE** that the maximum amount of time each questioner will be allowed is 3 minutes.
- (ix) If you do not receive a response at the meeting, a Council Officer will ask for your name and address and make sure that you receive a written response.

Please bear in mind that public question time lasts for a maximum of 30 minutes. To help in making the most of this opportunity to speak:-

- Please keep your questions as concise as possible.
- Please do not repeat or make statements on earlier questions as this reduces the time available for other issues to be raised.
- Please note public question time is not intended for debate – issues raised will be responded to either at the meeting or in writing at a later date.

4.0 POLICY IMPLICATIONS

None.

5.0 OTHER IMPLICATIONS

None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 **Children and Young People in Halton** - none.

6.2 **Employment, Learning and Skills in Halton** - none.

6.3 **A Healthy Halton** – none.

6.4 **A Safer Halton** – none.

6.5 **Halton's Urban Renewal** – none.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

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

8.1 There are no background papers under the meaning of the Act.

REPORT TO: Environment and Urban Renewal Policy and Performance Board

DATE: 14th November 2018

REPORTING OFFICER: Chief Executive

SUBJECT: Executive Board Minutes

WARD(s): Boroughwide

1.0 PURPOSE OF REPORT

- 1.1 The Minutes relating to the relevant Portfolio which have been considered by the Executive Board are attached at Appendix 1 for information.
- 1.2 The Minutes are submitted to inform the Policy and Performance Board of decisions taken in their area.

2.0 RECOMMENDATION: That the Minutes be noted.

3.0 POLICY IMPLICATIONS

- 3.1 None.

4.0 OTHER IMPLICATIONS

- 4.1 None.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 Children and Young People in Halton

None

5.2 Employment, Learning and Skills in Halton

None

5.3 A Healthy Halton

None

5.4 A Safer Halton

None

5.5 Halton's Urban Renewal

None

6.0 RISK ANALYSIS

6.1 None.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

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

8.1 There are no background papers under the meaning of the Act.

APPENDIX 1

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

EXECUTIVE BOARD MEETING HELD ON 20TH SEPTEMBER 2018

ENVIRONMENTAL SERVICES PORTFOLIO

EXB31 VARIATION OF THE NON-STATUTORY FEES OF HALTON REGISTRATION SERVICE FOR 2020/21

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought approval to vary the non-statutory fees offered by Halton Registration Service for 2020/2021.

The Marriage Act 1995 and the Civil Partnership Act 2005 allowed local authorities to set fees for ceremonies in approved premises. In January 2011, the Executive Board Sub-Committee agreed to set the non-statutory fees outside of the usual timeframe for setting fees, due to ceremonies being planned up to two years in advance.

The proposed fee structure was set out in Appendix 1 for Members' consideration.

RESOLVED: That the variations to the non-statutory fees of Halton Registration Service, as set out in Appendix 1 attached to the report, be approved.

Strategic Director
- Enterprise,
Community and
Resources

EXB32 EUROPEAN REGIONAL DEVELOPMENT FUNDING (ERDF) RENEWABLE ENERGY SCHEME

The Board considered a report of the Chief Executive, which sought authority to invite tenders for the development of a Solar Farm on the former St Michael's Golf Course.

In October 2017, the Board approved proposals to develop a Solar Farm on part of the former St Michael's Golf Course. The initial proposal was to connect the Solar Farm by private wire to Halton Stadium, thereby making use of a brownfield site and a Council asset.

The report set out two options for the use of the electricity generated from the Solar Farm, and these were

noted as being either a Private Wire Arrangement whereby the Stadium would use 45% of the energy generated; or a Power Purchase Arrangement where the Council would be able to use all of the electricity generated.

RESOLVED: That

- 1) approval be granted to invite tenders for the Design, Build, Operation and Maintenance contract for the development of a Solar Farm on the former St Michael's Golf Course; and
- 2) the Strategic Director, Enterprise, Community and Resources, in consultation with the Environment Portfolio holder, be authorised to determine the most appropriate use for the electricity when the financial merits of the options highlighted in the report have been assessed and determine which is the most advantageous to the Council.

Chief Executive

PHYSICAL ENVIRONMENT PORTFOLIO

EXB35 PROHIBITION OF THE SALE OF FUR AT HALTON'S MARKETS

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which proposed the prohibition of the sale of fur at Halton Markets.

Members were advised that a proposed ban on the importation and sale of fur in the UK was debated in Parliament on 4 June 2018. It was noted that the motion received strong cross party support and that the probable next stage would be for Members of Parliament to encourage the relevant Secretary of State to bring forward a Bill for consideration.

It was reported that the National Association of British Markets Authorities (NABMA) had not yet confirmed its position on the matter, and so the decision whether to ban or prohibit the sale of fur would be left to individual local authorities. Members were asked to consider the introduction of such a ban and details of the possible impact on Halton's markets were set out in the report for consideration.

Strategic Director
- Enterprise,
Community and
Resources

RESOLVED: That Members agree to prohibit the sale of fur at Halton's Markets.

EXB36 PROCUREMENT OF FLOATING SUPPORT SERVICES

The Board considered a report of the Strategic Director, People, which sought approval for the invitation of tenders to provide a floating support service to deliver housing related support to people in their own homes.

In 2014, a procurement exercise was undertaken for floating support services to deliver housing related support to people in their own homes across all tenure, to maintain their accommodation and prevent homelessness. Two floating support services were procured at that time; one was for a generic housing support service and the other was for a service working with people with mental health problems. It was reported that the initial contracts were awarded for three years; an option to extend for a further year, which was taken up, will expire on 31 March 2019.

It was noted that both services were co-located within the Plus Dane Runcorn office. The report provided details of the numbers of people that had been helped through both services.

The Board was advised that in line with Procurement Standing Orders, approval was sought to commence a tender exercise for an integrated floating support service, which would offer a generic service across all client groups.

RESOLVED: That the Board approves the commencement of a procurement exercise for floating support services.

Strategic Director
- People

EXB37 COMMUNITY SHOP

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on the Community Shop initiative.

Members had considered the development of a Community Shop at the Board meeting on 15 March 2018. Since then, Members had visited a Community Shop premises in Barnsley in order to gain an insight into the operation of such a facility. It was noted that, with the opening of a Community Shop store in St Helens, the infrastructure was now in place to support similar facilities in the Liverpool City Region.

It was reported that Officers had progressed the identification of potential premises for a Community Shop in Halton. Appendix 1 attached to the report provided details of the options identified for Members' consideration.

RESOLVED: That

- 1) the options set out in the report be noted; and
- 2) a further report be presented to the Board in October to consider how best to proceed to deliver Community Shop in Halton, following the outcome of the options appraisal.

Strategic Director
- Enterprise,
Community and
Resources

TRANSPORTATION PORTFOLIO AND PHYSICAL ENVIRONMENT PORTFOLIO

EXB38 WIDNES LOOPS TO WEST BANK LINK ROAD

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on progress on the Widnes Loops Link Road and junction works.

The Board was reminded that, at its meeting on 22 February 2018, it had approved the outline development of a permanent road link between the Mersey Gateway Widnes Loops Roundabout and Victoria Road/ Waterloo Road/ Hutchinson Street junction. It was reported that during the summer, the Chief Executive in consultation with the Leader and Portfolio holders used his emergency powers to agree the land transfer to the Council.

The report advised that the SCAPE Framework contract would be utilised to procure construction works and with Board approval, also used to deliver the project. An amendment to the Capital Programme had been approved subject to further reporting at detailed design stage.

RESOLVED: That

- 1) the report be noted;
- 2) the Board notes the Chief Executive's use of his delegated powers, as outlined in paragraph 3 of

Strategic Director
- Enterprise,
Community and
Resources

the report;

- 3) Council be recommended to approve the increase of Capital Funding allocation to ensure the scheme progresses; and
- 4) the Board approves the use of the SCAPE contract to enable continued progress of the scheme.

EXB39 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 items of business in accordance with Section 100A (4) 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 paragraphs 3 and 5 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 that 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 Section 100A (4) 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.

**COMMUNITY AND SPORT PORTFOLIO, CHILDREN,
EDUCATION AND SOCIAL CARE PORTFOLIO, HEALTH
AND WELLBEING PORTFOLIO, PHYSICAL
ENVIRONMENT PORTFOLIO AND RESOURCES
PORTFOLIO**

EXB40 SOUTHERN WIDNES KEY IMPACT AREA

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on proposals for the development of the Southern Widnes Key Impact Area.

The Board was reminded that in March 2017, it had approved the Mersey Gateway Regeneration Plan *Plus*, which focused on a cohesive package of development opportunities in eight Regeneration Impact Areas. It was reported that the Southern Widnes area had become a significant 'gateway' to Widnes and the wider Borough, with increased connectivity to and from the area following the opening of the Mersey Gateway.

The report set out details of proposals to provide an attractive, high quality and sustainable mixed use gateway providing an environment that supported business growth, promoted an improved health and wellbeing offer for local residents and encouraged visitors to the Borough.

RESOLVED: That the Board approve the recommendations as tabled at the meeting.

Strategic Director
- Enterprise,
Community and
Resources

REPORT TO: Environment and Urban Renewal Policy and Performance Board

DATE: 14th November 2018

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

SUBJECT: Business Planning

WARDS: All Wards

1.0 PURPOSE OF THE REPORT

1.1 To provide an opportunity for the Board to contribute to the development of the Business Plan for the 2019 – 20 financial year.

2.0 RECOMMENDATION: That the Board receive the information provided and consider the priorities to be covered in the Business Plan 2019-20 (Appendix 1).

3.0 SUPPORTING INFORMATION

3.1 The Council undertakes business planning in parallel with annual budget setting, and the refresh of Corporate Risk Registers. This process has now commenced for 2019 –20.

3.2 Members are invited to consider a small number of priorities that they would like to see reflected in the Business Plan. A draft plan will then be developed, which will be presented to the Board for consideration early in the New Year.

3.3 Business Plans provide an overall operating context together with details of specific objectives and performance measures, giving a focus for the monitoring of progress throughout the year.

3.4 Members' knowledge of local and organisational issues forms an integral element of plan development.

3.5 Plans can only be finalised once final budget decisions have been determined in March 2019 and annual targets can only be confirmed once with year-end outturn figures for 2018 – 19 are known.

4.0 POLICY IMPLICATIONS

4.1 Business planning forms a key element of the Council's policy framework and as such its development will take account of known and anticipated changes within the operating environment.

5.0 OTHER IMPLICATIONS

- 5.1 Plans will continue to form the basis for progress monitoring, including reporting to Policy and Performance Boards throughout the year. Such reports will contain information concerning key developments and emerging issues as well as the delivery of predetermined actions and targets.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 6.1 The business planning process is one means by which the Council aligns its operational activity with its overall strategic aims and those priorities detailed below.

6.2 Children and Young People in Halton

6.3 Employment, Learning and Skills in Halton

6.4 A Healthy Halton

6.5 A Safer Halton

6.6 Halton's Urban Renewal

7.0 RISK ANALYSIS

- 7.1 The development of the Business Plan allow the Council to align its activities with the delivery of partnership priorities and provide information to stakeholders concerning priorities for 2019 – 20.

- 7.2 The process aligns with the annual review of Corporate Risks Registers, ensuring that these are fully considered when determining future actions.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 There are no equality and diversity issues directly related to this report. However, such matters will continue to be monitored and reported annually to the Board through the existing performance monitoring framework.

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

- 9.1 None under the meaning of the Act.

APPENDIX 1: 2019 – 20 BOARD SUMMARY INFORMATION

The purpose of this briefing note is to provide Members of the PPB with an overview of key strategic issues facing the Board over the medium-term.

This briefing cannot cover all aspects of the delivery of services across all of functional areas that fall within the remit of this Board but will provide details of the primary drivers that will influence how services will support and delivering the

Strategic Context

- **Ongoing Financial Constraints**
- **Difficult Choices**
- **Things that we must do**
- **Lots of change and uncertainty**
- **Maintaining Stability**

Council's priorities and business needs.

The Council continues to operate in an extremely difficult financial climate. Statutory responsibilities need to be met and effective financial management and efficient arrangements are crucial to service delivery.

PPB Areas of Responsibility

- Consider each area in turn
- Key issues for each
- Overview

An overview is provided for each priority for comment and discussion.

Waste Management & Open Spaces

- Waste collection and recycling – Maintenance of policies and service delivery.
- Tackling Environmental Crime and promoting positive behaviours.
- Maintaining public parks and developing a revised specification for maintaining open spaces to a standard that is affordable.

Waste Management

The key focus for the service during the Business Plan period will be to continue to reduce levels of waste produced per household in the borough and maximise recycling performance. Whilst there are currently no statutory performance targets with regards to waste, reducing the amount of residual waste that requires costly treatment or disposal will help reduce the Council's overall operating costs, which is vital given the financial pressures it continues to face.

If the Council is to achieve its objectives, it is essential that residents accept their responsibilities for waste and make best use of the recycling services provided to them. A major barrier to waste reduction and increased recycling is public participation and to help overcome this, awareness raising, community engagement and education will continue to be at the forefront of the Council's approach to encouraging residents to think about the amount of waste they produce and recycle. However, if the Council is to be successful in reducing the costs of dealing with waste, it will need to strictly apply its Household Waste Collection Policies and will need to take all necessary steps to ensure residents' compliance with those Policies.

The Council's Household Waste Collection Policies and operational services will need to be continually reviewed throughout to ensure that opportunities for reducing waste and increasing recycling are maximised.

Local environmental quality is important as it impacts on the whole community. The residents of Halton tell us that clean and safe streets are two of the most important factors in helping to make their neighbourhood a good place to live. It is crucial, therefore, that the Council continues to undertake actions to effectively tackle environmental crime, such as littering, fly-tipping and dog fouling, all of which can negatively affect the safety and attractiveness of the local environment.

The Council has a responsibility to protect those members of our community who are affected by the irresponsible behaviour of individuals who commit environmental crime and it is important to continue to work closely with enforcement partners and other external agencies to deliver a co-ordinated approach to enforcement. This will involve developing joint protocols and action plans, and the utilisation of statutory provisions available to address all forms of environmental crime within the boundaries of the Borough.

Whilst recognising that enforcement action must be taken where appropriate, prevention is better than cure and education will always come before any formal enforcement actions. The local community has a responsibility for helping to maintain a clean and safe environment and community engagement activities are fundamental and must be maintained.

Whilst it will be important to develop and deliver effective communication, education and awareness raising initiatives, policies for tackling environmental crime will also need to be continually reviewed to ensure that they remain fit for purpose.

Open Space Services

Open Space Service will need to retain a focus on trying to sustain an acceptable and affordable level of service in the face of continued fiscal constraint.

As part of this process, we will require a revised specification for the maintenance of open spaces that will result in some areas of activity being scaled back in order to limit operating costs and avoid budget overspend. Given that this aspect of service provision is highly visible to the community, the management of public expectations will need to be considered.

Additionally, the service will seek to identify and implement schemes whereby future maintenance costs can, as far as possible, be minimised.

The service will also continue to seek out and maximise opportunities for income generation through the development of franchising opportunities such as parks pavilions. This will allow us to continue to ensure the sustainable provision of public facing services whilst generating revenue.

Furthermore, the effective programming and marketing of events at the Brindley Theatre, and the promotion of Registration Services for weddings and civil ceremonies, will continue to play a significant part in maximising the income stream available to the Council.

Economic Regeneration

- **Combined Authority**
- **Regeneration Assets & Business Improvement**

The Combined Authority

The Liverpool City Region Combined Authority was established on 1st April 2014. The membership comprises the six Local Authority areas and the Local Enterprise Partnership. Under the Devolution Deal, increased decision-making at the Combined Authority level together with funding control has been granted for the key priority areas of economic development, transport and skills.

Key issues include:

- Funding opportunities - SIF
- Spatial Development Strategy
- Major highway infrastructure schemes
- Maintenance of Key Route Network through the LCR

Regeneration Assets

Regeneration remains a high priority as a strategic policy to tackle the Borough's biggest challenges (poverty, deprivation and worklessness).

Key issues include:

Delivery of Mersey Gateway Regeneration Strat

REPORT TO:	Environment and Urban Renewal Policy and Performance Board
DATE:	14 th November 2018
REPORTING OFFICER:	Strategic Director Economy, Community and Resources
PORTFOLIO:	Resources
SUBJECT:	Performance Management Reports for Quarter 2 of 2018/19
WARDS:	Boroughwide

1.0 PURPOSE OF REPORT

- 1.1 To consider, and raise any questions or points of clarification, in respect of performance management for the second quarter period to 30th September 2018.
- 1.2 Key priorities for development or improvement in 2018 - 19 were agreed by Members and included in Directorate Plans, for the various functional areas reporting to the Environment and Urban Renewal Policy and Performance Board as detailed below:
 - Development and Investment Services
 - Highways and Transportation, Logistics and Development Services
 - Waste and Environmental Improvement and Open Space Services
 - Housing Strategy

The report details progress against service objectives and milestones, and performance targets and provides information relating to key developments and emerging issues that have arisen during the period.

2.0 RECOMMENDED: That the Policy and Performance Board

- 1) Receive the first quarter performance management reports;**
- 2) Consider the progress and performance information and raise any questions or points for clarification; and**
- 3) Highlight any areas of interest and/or concern where further information is to be reported at a future meeting of the Board.**

3.0 SUPPORTING INFORMATION

- 3.1 Departmental objectives provide a clear statement on what services are planning to achieve and to show how they contribute to the Council's strategic priorities. Such information is central to the Council's performance management arrangements and the Policy and Performance Board has a key role in monitoring performance and strengthening accountability.

4.0 POLICY IMPLICATIONS

- 4.1 There are no policy implications associated with this report.

5.0 OTHER IMPLICATIONS

- 5.1 There are no other implications associated with this report.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 6.1 Departmental service objectives and performance measures, both local and national are linked to the delivery of the Council's priorities. The introduction of a Thematic Priority Based Report and the identification of business critical objectives/ milestones and performance indicators will further support organisational improvement.
- 6.2 Although some objectives link specifically to one priority area, the nature of the cross - cutting activities being reported, means that to a greater or lesser extent a contribution is made to one or more of the Council priorities.

7.0 RISK ANALYSIS

- 7.1 At the time at which annual business plans are developed, Directorate Risk Registers are also refreshed and updated. Progress concerning the implementation of any high risk mitigation measures, relevant to this board, are included as Appendix 1 of the performance management report for the second quarter period.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 Not applicable.

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

Not applicable

Environment and Urban Renewal PPB – Priority Based Monitoring Report

Reporting Period: **Quarter 2 – 1st July 2018 – 30th September 2018**

1.0 Introduction

- 1.1 This report provides an overview of issues and progress against key service objectives/milestones and performance targets, during the second quarter of 2018/19 for service areas within the remit of the Environment and Urban Renewal (E&UR) Policy and Performance Board.
- 1.2 Key priorities for development or improvement in 2015-18 were agreed by Members and included in Directorate Plans, for the various functional areas reporting to the Environment & Urban Renewal Policy & Performance Board i.e.:
- Development & Investment Services
 - Open Spaces and Waste and Environmental Improvement
 - Highways, Transportation & Logistics and Physical Environment
 - Housing Strategy
- 1.3 The way in which traffic light symbols have been used to reflect progress to date is explained within Section 8 of this report.

2.0 Key Developments

- 2.1 There have been a number of developments during the period which include:-

Development & Investment Services

Consultant Services Contract

- 2.2 The existing consultant services contract comes to an end in mid-Nov 2018. A procurement process has been ongoing since August and nearing completion. It is anticipated that the award of the contract will take place in mid-October with a view to the new contract commencing as planned in mid-November.
- 2.3 Appointment of external consultants to advise on property related issues for the Council's Regeneration and leisure project:
- Runcorn Vision project – Sanderson Weatherall
 - Southern Widnes Impact area project – Sanderson Weatherall

3MG

- 2.4 Alstom have 206 employees based at the Widnes site now. The repaint of the pendolino is progressing well and Alstom are identifying more work for the Widnes facility Stobart have opened their new Widnes Head Quarters for Stobart's Energy and have generated income from a sale and lease back deal which will enable them to undertake further land remediation.

Sci-Tech Daresbury

- 2.5 Executive Board approved the funding package for Project Violet, utilising the Enterprise Zone TIF mechanism alongside loan funding from the Chrysalis Fund.
- 2.6 The Skill SPACE project was reviewed following the submission of a Full Business Case in July. A number of queries were received from the CA appraisal team and whilst not unsurmountable, it became clear that the project was not yet in a position to deliver and the SIF Skills Capital funding was not the most appropriate route. The JV Board decided to withdraw the bid and to instead focus on the delivery of the Talent and Skills Strategy through a series of interventions.

Liverpool City Region Business Growth Programme

- 2.7 The delivery of the Business Growth Programme (BGP) in Halton is due for completion December 31 2018. To date the programme has engaged with 230 Halton businesses, assisting 140 businesses against a target of 123. The remaining Quarter of the programme will collect evidence of jobs creates as a result of BGP assistance. Currently 36 jobs have been created against a target of 115.

Halton Growth Hub

- 2.8 The following tables describe the performance of the Halton element of the Liverpool City Region Growth Hub Programme firstly, since its inception in October 2015 and secondly, in Quarter 2 2018/19:

	Total
Unique Company Engagements	1,122
Total Engagements	5,355

Figure 1: Growth Hub Engagement : Lifetime of the Programme (October 2015 – September 2018)

	Total
Unique Company Engagements	181
Total Engagements	407

Figure 2: Growth Hub Engagement : Current Quarter (July 01 – September 30 inclusive)

External Funding*Funding Updates*

- 2.9 During the quarter 2 2018/19 period:
- £1,428,808 secured in external grants this quarter, including £300,000 from Big Lottery Fund for Loose/The Studio, £120,000 for Halton Carers and extensions to the Ways to Work and BBO Digital schemes funded by the European Programme.
 - 22 requests for support with funding were received this quarter.
 - Approximately 6 bids have been submitted in the quarter to the value of £4.6 million.
 - The Team is working on 19 pipeline bids with a value of almost £18 million
 - We are monitoring 8 schemes worth almost £20 million

Open Spaces and Waste and Environmental Improvement

Open Space Services

- 2.10 Hale Park, Runcorn Hill Park and Victoria Park were all successful in securing Green Flag Awards during Quarter 2.

Highways, Transportation & Logistics and Physical Environment

Traffic Division

Street Lighting Conversion

- 2.11 The LED street lighting conversion programme is continuing in the current financial year, which will reduce energy and maintenance costs. Unfortunately there has been a batch of faulty cells, which has resulted in delays and lamps failing as on permanently.

Emergency Planning

- 2.12 During the last quarter the Emergency Planning team assisted with one incident which was a gas leak in Gerrard Street. The Local Authority Emergency Centre was activated at the Municipal Building and staffed by the Emergency Planning Officer (EPO) and Senior Officers.
- 2.13 A Rest Centre was activated at Kingsway Leisure Centre and Highways assisted with the placing of cordons at the appropriate areas.

Planning and Policy

Local Plan

- 2.14 The Ministry of Housing and Local Government have issued a revised National Policy Framework (NPPF) in July. A revised draft Local Plan will now need to take this into account. In addition the Office of National Statistics (ONS) released on 20th September new Household Projections. These projections form the current basis for estimating housing needs under the current standard method. These projections result in a lower housing figure than has previously been consulted upon. The result of the above changes will need to be taken into account in revising/ producing the next stage of the Local Plan.

Planning Applications

- 2.15 The Application to amend the condition relating to road deliveries of refuse derived fuel to the Runcorn Energy from Waste (EfW) Facility has now been received. The application consultation process is on-going. The application is likely to be reported to the Development Control in December 2018 / January 2019.
- 2.16 The Applications for Redrow at the Daresbury Strategic site have been approved. The Permissions comprise 850 Dwellings, 15,000 sqm of office development and a local centre.
- 2.17 An application for a new Office Building for INOVYN is expected to be received shortly this would result in 6490 sqm of new office space.

Planning Application Statistics

Total Applications Received: (Includes those Withdrawn and Returned)			
Applications Decided	165	Applications On-Hand (Undecided)	133
Pre-Applications Received	24	Pre Applications Closed	26

N.B. There are certain applications (such as tree preservation orders) that are not counted in the statutory CLG speed of processing statistics. This accounts for the difference between the figures reported above and the figures given for PPT LI 04.

Highway Schemes and Maintenance*Mersey Gateway Delinking*

2.18 West Bank – Widnes Loops link road, and Runcorn SJB delinking at the end of Runcorn viaduct, are now moving from detailed design phase with Schemes and maintenance with the Highway Development team taking on a regulatory role (planning application responses for Highway Authority and LLFA) but there has been significant work in handover to design team/consultants. The programme anticipates commencement of works early 2019. The team is has also had significant input into the related Station Quarter masterplan proposals.

Widnes Gyrotory

2.19 Scheme at Widnes Fiddlers Ferry Rd gyratory – the first Phase of construction works to provide a two lane exit from Earle Road has been completed and works have begun to introduce an additional lane in the centre island.

Structures*Runcorn Approach Viaduct Refurbishment*

2.20 Site works for the Runcorn Approach Viaduct (RAV) concrete deck refurbishment scheme (Task 16 within Year 3 of the LCR SJB programme) have progressed and concrete repairs been completed. The remaining activities for completion (waterproofing the deck and resurfacing) are being phased to co-ordinate with other schemes for RAV and RAV West due to be on site later in the year.

2.21 The design process for the RAV western cantilever and parapet modification scheme (which is required to enable the demolition of RAV West under the Runcorn de-linking scheme) is progressing.

Demolition Assistance / Project Support

The team has also provided input to the planning and scheme development processes for the demolition of various highway structures within the Trumpet Loop section of the SJB complex, and also to the forthcoming STEP improvement schemes for RAV and Widnes Approach Viaduct.

Highway Development*Highways Asset Management Plan (HAMP)*

2.22 In line with Highways Asset Management plan annual surveys for carriageway condition are in the process of being undertaken and collated annual results will be reported later in the year. It should be noted that the target measure does not include those highways which are starting to deteriorate, where works may be required to prevent future failure and more costly repairs.

- 2.23 Similarly for Public Rights of Way 'easy to use' measure will be reported in Q4 2018/2019 following collation of survey data.

3.0 Emerging Issues

- 3.1 A number of emerging issues have been identified during the period that will impact upon the work of services including:-

Development & Investment Services

Investment and Development Services

- 3.2 3.5 Contract period for the provision of property Guardian services is due to expire May 2019 and commence work to re tender the contract.
- 3.3 3.6 Alstom's land option expires on 31 December 2018. The Council is working closely with Alstom to extend the current arrangement, so as to facilitate the expansion of the Widnes facility.
- 3.4 Business Growth Programme\Place Marketing ERDF Programme Extension the Liverpool City Region Combined Authority (CA) issued a 'Call' under ERDF Programme Priority 3 (Business Support) in March 2018. The Call sought partnerships or agencies to deliver a range of business support services across the Liverpool City Region for a period of three years.
- 3.5 A partnership of City Region Local Authorities and Chambers of Commerce have delivered the Business Growth Programme (BGP) for a period of six years and Place Marketing for inward Investment project for a period of three years utilising ERDF Priority 3 funding. An extension to both projects was, therefore, sought by the partnership for a further three years
- 3.6 A formal Change Control, with respect to the BGP, has been appraised by the Combined Authority (CA) and the Ministry of Housing, Communities and Local Government (MHCLG) and informal feedback received. It is anticipated that the BGP will be extended to cover the period January 2019 – December 2021. The extended project in Halton will have a target of assisting 95 businesses and creating 95 jobs over the 3 year period.
- 3.7 A Change Control for the Place Market for Inward Investment was submitted on 8th October 2018 and is currently being evaluated.

Liverpool City Region 'One Front Door'

- 3.8 The Combined Authority (CA) has been tasked with realising a Mayoral ambition to create 'One Front Door', in other words a single portal for all investment enquiry and management and place marketing, for the City Region.
- 3.9 The CA has consulted widely with both public and private sector partners and developed a proposal which will see the creation of a small central team of approximately five individuals that will oversee inward investment marketing and inward investment enquiry management across the City Region. Significantly, individual Local Authorities will retain responsibility for managing the relationship with key companies within their individual geographies.

Single Investment Fund Round II

- 3.10 The Combined Authority (CA) is preparing to launch a second round of Single Regeneration Fund (SIF).
- 3.11 A call for projects is anticipated in Quarter 4 2018. Council Officers are, therefore, working with a range of both public and private sector partners to assess a range of potential projects against SIF eligibility and deliverability criteria.
- 3.12 The CA has evaluated the performance of SIF Round I and as a consequence appointed a team of ten development and investment professionals to work with potential applicants to develop projects.

External Funding

- 3.13 A Charging Policy was introduced on September 1st 2018; there is a fee for all bids written for the private sector and a sliding scale of charges for the voluntary/community sector with an exemption for any organisation that holds less than £10,000 in unrestricted funds. Monthly review meetings will be held to look at any issues relating to charging and quarterly reports will go to OD/SD.
- 3.14 The Team is focussing on key Governmental funding streams, including the Industrial Strategy Challenge Fund and the Single Investment Fund at LCR level, as well as key Lottery funds to ensure bids from Halton are being submitted. The Team will increase its support for leads of the Impact Areas within the Mersey Gateway Regeneration Plan Plus in relation to funding requirements.
- 3.15 Focus on winding down of ESIF programme in England; some calls still due to be released with a deadline for funding agreements to be in place by March 2020. Need to be prepared for the Shared Prosperity Fund which is due to replace the ESIF post-Brexit.
- 3.16 Much activity at the LCR level regards Culture and Visitor Economy; need to ensure Halton is able to benefit from any joint funding opportunities e.g. Creative Civic Change and Boroughs of Culture.
- 3.17 The Team is also focussing on renewing its training offer, with a view to launching a new training programme for 2019.

Open Spaces and Waste and Environmental Improvement

Parks and Open Spaces

- 3.18 The very dry summer period presented a number of challenges for the service. In particular the public parks were extremely busy which required additional resources for tasks such as litter bin emptying. In some of the busiest parks bins were having to be emptied three times per day seven days per week

Highways, Transportation & Logistics and Physical Environment

Planning and Policy

Planning and Development

- 3.19 Following the release of the Household projections by ONS the Government will be looking to consult on the changes to the methodology used to calculate housing need. No timescale for this has been published.
- 3.20 Following the release of the Household projections by ONS the Government will be looking to consult on the changes to the methodology used to calculate housing need. No timescale for this has been published.

Structures

Silver Jubilee Bridge Maintenance Delays

- 3.21 Approximately 5 working days on the Silver Jubilee Bridge (SJB) arch re-painting scheme have been lost to adverse weather during Q2. With the poor weather experienced earlier in the year, there are several weeks of cumulative delay to the programme. The main contractor is seeking to recover lost time through additional weekend working.
- 3.22 Due to protracted discussions over design liabilities, the SJB cable replacement scheme within Year 2 of the LCR programme is now scheduled to be on site in Q4 2018/19.

4.0 Risk Control Measures

- 4.1 Risk control forms an integral part of the Council's Business Planning and performance monitoring arrangements. As such Directorate Risk Registers were updated in tandem with the development of the suite of 2018 – 19 Directorate Business Plans.
- 4.2 Progress concerning the implementation of all high-risk mitigation measures relevant to the remit of this Board is included as Appendix 1 to this report.

5.0 High Priority Equality Actions

- 5.1 Equality issues continue to form a routine element of the Council's business planning and operational decision making processes. Additionally the Council must have evidence to demonstrate compliance with the Public Sector Equality Duty (PSED) which came into force in April 2011.
- 5.2 The Council's latest annual progress report in relation to the achievement of its equality objectives is published on the Council website and is available via:





[http://www3.halton.gov.uk/Pages/councildemocracy/pdfs/EandD/Equality -
objectives progress report - April 2013.pdf](http://www3.halton.gov.uk/Pages/councildemocracy/pdfs/EandD/Equality-_objectives_progress_report_-_April_2013.pdf)

6.0 Performance Overview

6.1 The following information provides a synopsis of progress for both milestones and performance indicators across the key business areas that fall within the remit of the Board.

Development and Investment Services

Key Objectives / milestones

Ref	Milestones	Q2 Progress
EEP 01a	Completion of Halton Tomorrow Document - July 2018	
EEP 01b	Produce Local Economic Assessment – September 2018	
EEP 03b	Complete consultation on Astmoor Masterplan - December 2018	
EEP 03f	Complete Feasibility Study for Ditton Rail Station - September 2018	




Supporting Commentary

Halton Tomorrow (renamed Halton 2030) is now complete and was presented to Executive Board, Employment, Learning, Skills and Community (ELSC) Policy & Performance Board and Management Team. An additional piece of work is now being undertaken to develop an Action Plan.

Interim findings were reported to ELSC PPB in February 2018 and to the Board of Halton Chamber of Commerce and Enterprise in June 2018. The LEA now forms the basis of the Halton Tomorrow and the economic development priorities for Halton Council

The feasibility study has been delayed by Merseytravel. Merseytravel at the Council to go through them to get this piece of work undertaken and Merseytravel are only now appointing the consultant to undertake the work. It is now expected by December 2018.

Key Performance Indicators

Ref	Measure	17 / 18 Actual	18 / 19 Target	Q2 Actual	Q2 Progress	Direction of travel
EEP LI 07	Number of companies benefitting from the Council's intensive Key Account Management Service (KAM).	New Indicator for 2018/19	50	50		N / A
EEP LI 14	Number of Businesses Supported.	658	700	181		





Supporting Commentary

KAM sectors have been refined and now include Advanced Engineering and Manufacturing (AEM), Energy and Environmental and Knowledge Intensive Businesses; Digital & Creative, Pharmaceuticals, Life Sciences and Financial and Business Services.

Current Progress' refers to 'unique company engagements' through the Growth Hub since the inception of the Growth Hub contract in October 2015

Policy, Planning and Transportation

Key Objectives / milestones

Ref	Milestones	Q2 Progress
PPT 01	Review progress against LCR SJB maintenance strategy and deliver 2018/19 major bridge maintenance works programme March 2019 .	
PPT 02	Deliver the 2018/19 LTP Capital Programme March 2019	
PPT 03	Ensure continued unrestricted availability of the Highway network and to allow future maintenance to be delivered on a steady state, lifecycle planned basis.	
PPT 05	Consult on a revised draft Delivery and Site Allocations Local Plan (DALP) September 2018	

Supporting commentary

There has been some delays to several tasks within the Silver Jubilee Bridge major maintenance works programme for Year 3, but all activities are due to be completed within 2018/19.













Construction works are due to commence in the next Quarter on Year 3 STEP programme to improve parking and access to Runcorn East Rail station, improvements to cycling and walking from Runcorn Town Centre to Widnes Town centre across a reconfigured Silver Jubilee bridge deck, improvements to Bridgewater Canal tow path from Runcorn town centre to Murdishaw and walking and cycling improvements along Astmoor Busway.

Footway reconstruction programme is progressing well with works programmed for Walpole road, Birkdale road, Fieldway Hale road (Blackburn Ave to Lovell Terrace), Hough Green road and Ditchfield road.

Carriageway resurfacing works have commenced in Runcorn at Clifton Island South to provide a new running surface, this work is being carried out overnight and will require closures of the M56 slip roads. Work is planned in early November to resurface Fairfield Road. Design work is underway at Prescott Road and Runcorn Road Moore.

The Ministry of Housing and Local Government have issued a revised National Policy Framework (NPPF) in July. A revised draft Local Plan will now need to take this into account. In addition the Office of National Statistics released on 20th September new Household Projections. These projections form the current basis for estimating housing needs under the current standard method. These projections result in a lower housing figure than has previously been consulted upon. This together with outstanding evidence and assessment requirements (some resulting from the last consultation) mean that the milestone has not been met.

Key Performance Indicators

Ref	Measure	17 / 18 Actual	18 / 19Target	Q2 Actual	Q2 Progress	Direction of travel
PPT LI 02	Net additional homes provided	369 (2017/18)	552	369 (2017/18)	N/A	N/A
PPT LI 03	Number of affordable homes delivered (gross)	92 (2017/18)	138	92 (2017/18)	N/A	N/A
PPT LI 04	Processing of planning applications (%) as measured against targets for:					
	a) Major application	83%	60%	100%		
	a) Minor applications	95%	80%	96%		
	b) Other applications	96%	80%	96%		
PPT LI 12	Damage to roads and pavements (% above intervention levels) repaired within 24 hours.	100%	100%	100%		
PPT LI 15	% of network where structural maintenance should be considered:					
	a) Principal roads	0.3%	2.00%	N/A	N/A	N/A
	b) Non-Principal Roads	1.00%	4.00%	N/A	N/A	N/A
	c) Unclassified Roads	3.46%	9.00%	N/A	N/A	N/A
PPT LI 16	Bus service punctuality, Part 1: The proportion of non-frequent scheduled services on time (%):					
	a) Percentage of buses starting route on time	97.67%	98.55%	100%		
	b) Percentage of buses on time at intermediate timing points	84.83%	95.00%	83.02%		

Supporting Commentary

Housing completion figures are reported annually at year end.

All planning application processing measures remain above target. Due to the specific nature of planning applications being determined on a case by case basis (different sites, with different proposed developments from different applicants with different ambitions) it is difficult to achieve 100% for each category every quarter, however each outcome is significantly above target.


Repair to damage to roads and pavements remains positive and Annual structural surveys will be undertaken and collated and results reported later in the year. In line with the Highways Asset Management Plan consideration needs to be given to further overall long term investment and highway condition. Note that this figure doesn't measure those highways which are starting to deteriorate, where works may be required to prevent failure and more costly repairs.

The performance of buses starting services on time continues to perform above expected and it is anticipated that it will continue to perform at this level for the rest of the year. Although the percentage of buses on time at intermediate points is down on last year's performance, operators continue to monitor

the services to enable changes to improve performance. It is anticipated these changes will result in the target being met by year end.





Waste and Environmental Improvement

Key Objectives / milestones

Ref	Milestones	Q2 Progress
CE 04	Continue to deliver communications and awareness raising initiatives to ensure that participation with the Council's recycling services is maximised and that residents comply with the requirements of the Council's Household Waste Collection Policy - March 2019 .	

This work will remain on-going throughout the year. Activities have included the distribution of a 'Kerbside Recycling Guide' booklet to householders. The aim of providing this booklet was to help householders understand the full extent of materials that can be recycled through the kerbside collection service and also how items should be presented for collection. Increasing awareness of these issues will increase recycling levels, improve the quality of the recyclable materials collected and help save money by reducing disposal costs.

Key Performance Indicators

Ref	Measure	17 / 18 Actual	18 / 19 Target	Q2 Actual	Q2 Progress	Direction of travel
CE LI 05	Residual household waste per household.	551kgs	590kg	299kg		
CE LI 06	Household waste recycled and composted.	43.80%	44%	45.3%		

Supporting Commentary

The figures for residual household waste per household and the amount recycled and composted are all cumulative estimates and at this stage indications are that their respective targets will be met.

7.0 Financial Statements

ECONOMY ENTERPRISE & PROPERTY DEPARTMENT

Revenue Budget as at 30th September 2018

	Annual Budget £'000	Budget To Date £'000	Actual £'000	Variance (overspend) £'000
<u>Expenditure</u>				
Employees	4,308	2,362	2,395	(33)
Repairs & Maintenance	2,215	1,064	1,064	0
Premises	51	50	47	3
Energy & Water Costs	686	270	257	13
NNDR	542	541	541	0
Rents	353	212	221	(9)
Economic Regeneration Activities	17	4	4	0
Supplies & Services	1,649	1,099	1,094	5
Grants To Voluntary Organisations	36	24	24	0
Other Expenditure	25	13	13	0
Capital Financing	99	74	74	0
Total Expenditure	9,981	5,713	5,734	(21)
<u>Income</u>				
Fees & Charges Income	-248	-93	-92	(1)
Rent – Commercial Properties	-1,139	-15	-28	13
Rent – Investment Properties	-44	-20	-20	0
Rent – Markets	-773	-691	-687	(4)
Government Grant Income	-1,696	-1,696	-1,696	0
Reimbursements & Other Grant Income	-105	-58	-58	0
Schools SLA Income	-504	-465	-457	(8)
Capital Salaries	-62	-16	-16	0
Transfers From Reserves	-857	-512	-512	0
Total Income	-5,428	3,566	3,566	0
Net Operational Expenditure	4,553	2,147	2,168	(21)
<u>Recharges</u>				
Premises Support	1,965	983	983	0
Transport	26	11	11	0
Asset Charges	4	0	0	0
Central Support Services	2,121	1,085	1,085	0
Accommodation Income	-2,396	-1,198	-1,198	0
Repairs & Maintenance Income	-2,402	-1,201	-1,201	0
Central Support Income	-2,042	-1,021	-1,021	0
Net Total Recharges	2,724	-1,341	-1,341	0
Net Department Expenditure	1,829	806	827	(21)

Comments on the above figures

Economy Enterprise & Property budget is projected to be over budget at year end. The significant budget variances are listed below.

Employee budgets are based on full time equivalent staffing numbers of 122.

A recent restructure within the Department has helped reduce the anticipated negative variance on employee costs this quarter. There has not been a great turnover of staff this financial year and this is reflected in the staff turnover saving target not being achieved by the Department. Where possible, vacancies will not be filled in year and agency staff will be kept to a minimum and only used in statutory areas.

Following reconciliation by the energy providers, the Council has received a number of one off refunds relating to previous years utility charges.

Commercial Properties held by Halton Borough Council are fully occupied and this is reflected in the income to date. Quarter 2 shows the Department over achieved on rental income and this is profiled to continue in year.

School SLA income target has not been achieved this financial year. Due to the increase of staffing costs, SLA charges have increased, which in turn has meant that schools are choosing to use alternative services. Market rental income is under budget as at quarter 2. Following a restructure within the Department the main focus over the next few months will be to promote the markets, which will hopefully increase the income levels.

All savings put forward by the Department for 18-19 have been achieved this financial year. Every effort will be made to ensure that expenditure on controllable budgets is kept to a minimum within the financial year and where necessary budgets have been realigned to try and relieve budget pressures. It is currently forecast the department's net spend will be approximately £35k over the annual budget.

ECONOMY ENTERPRISE & PROPERTY DEPARTMENT

Capital Projects as at 30 September 2018

	2018-19 Capital Allocation £'000	Allocation to Date £'000	Actual Spend £'000	Total Allocation Remaining £'000
3MG	499	42	42	457
Sci Tech Daresbury – EZ Grant	382	243	243	139
Solar Panel Golf Course	1,278	19	19	1,259
Decontamination of Land	50	0	0	50
Former Crossville Depot	440	83	83	357
Advertising Screen at The Hive	100	0	0	100
Murdishaw	38	0	0	38
Venture Fields	41	0	0	41
Widnes Market Refurbishment	1,191	813	813	378
Equality Act Improvement Works	150	0	0	150
Linnets Club House	287	22	22	265
Broseley House	1,190	711	711	479
Stadium Alterations	200	0	0	200
The Croft	30	0	0	30
Total	5,876	1,933	1,933	3,743

Comments on the above figures.

Widnes Market Refurbishment – The re-roofing contract (incl. internal decoration) is currently in delay with anticipated completion W/C 22nd October (subject to weather conditions). A Notification of Delay letter has been submitted by the contractor and this is currently being assessed.

The remaining Widnes Market projects will be postponed until the final costs for the re-roofing works are confirmed.

Broseley House - The vacant upper floors have been secured where necessary to prevent unauthorised access, and are in the process of being cleared of all debris following vandalism prior to HBC purchasing the property. Minor improvement works have been carried out to the front parking area to make the area safe and the external oil tank building to the rear of the main building is soon to be demolished to help reduce anti-social behaviour in the area.

3MG - Alstom have completed the relocation of its Preston workforce to Widnes and now has 206 people on the Widnes Site. Discussions have commenced with Alstom to extend their option for a further 18 acres as the current option expires on 31 December 2018.

Stobart have completed a new headquarters at Viking Park for their Energy division and have completed a sale and lease back to raise capital to further invest in the site, starting with land remediation.

Solar Panel Golf Course –The Council are in the process of updating the design based on technical advice. Once finalised this will start the preparation of the main design and build contract and hopefully go out to tender at the beginning of November. Planning approval for the scheme was granted in May 2018.

COMMUNITY & ENVIRONMENT DEPARTMENT**Revenue Budget as at 30th September 2018**

	Annual Budget £'000	Budget To Date £'000	Actual £'000	Variance (overspend) £'000
<u>Expenditure</u>				
Employees	13,897	6,980	7,086	(106)
Other Premises	2,026	1,158	1,161	(3)
Supplies & Services	1,389	743	642	101
Book Fund	160	73	65	8
Hired & Contracted Services	1,165	488	492	(4)
Food Provisions	470	240	209	31
School Meals Food	1,980	744	656	88
Transport	51	28	25	3
Other Agency Costs	390	194	183	11
Waste Disposal Contracts	5,900	3,306	3,352	(46)
Grants To Voluntary Organisations	67	17	2	15
Grant To Norton Priory	172	87	87	0
Rolling Projects	7	7	7	0
Capital Financing	101	101	101	0
Total Expenditure	27,775	14,166	14,068	98
<u>Income</u>				
Sales Income	-1,879	-945	-767	(178)
School Meals Sales	-2,368	-961	-839	(122)
Fees & Charges Income	-6,073	-3,329	-2,723	(606)
Rents Income	-225	-126	-111	(15)
Government Grant Income	-1,198	-1,018	-1,050	32
Reimbursements & Other Grant Income	-681	-271	-241	(30)
Schools SLA Income	-1,347	-1,347	-1,346	(1)
Internal Fees Income	-172	-92	-74	(18)
School Meals Other Income	-254	-105	-66	(39)
Catering Fees	-177	-83	-56	(27)
Capital Salaries	-123	-53	-61	8
Rolling Projects Income	0	0	-45	45
Transfers From Reserves	-125	-125	-125	0
Total Income	-14,622	-8,455	-7,504	(951)
Net Operational Expenditure	13,153	5,711	6,564	(853)
<u>Recharges</u>				
Premises Support	1,558	779	779	0
Transport Recharges	3,069	1,376	1,376	0
Central Support Services	3,665	1,871	1,871	0
Asset Charges	93	0	0	0
HBC Support Costs Income	-421	-286	-286	0
Net Total Recharges	7,964	3,740	3,740	0
Net Department Expenditure	21,117	9,451	10,304	(853)

Comments on the above figures

The net Department budget is £853,000 over budget profile at the end of the second quarter of the 2018/19 financial year.

Employee budgets are based on full time equivalent staffing numbers of 477.

Employee spend is currently over budget, mainly due to staff savings targets for the department which are not being met in all areas due to the need to maintain frontline services in areas such as School Meals and Open Spaces. Employee spend against budget to date has improved since Quarter 1 due to some areas operating with vacancies, although this is having an adverse impact on certain income streams. Casual and overtime usage across the Department is £260,685 over the profiled budget to date. Agency spend is over £43,000 higher than what it was at the same stage last year.

Income targets had been reduced by approximately £200k this year, although in many areas, the department will again struggle to meet the budgeted income amounts. Fees and charges will be the main source of concern again, with large shortfalls on Leisure Centre income due to cancelled classes as staff vacancies cannot be filled, and a continued reduction in the number of memberships being taken out. The Brindley is struggling to meet income targets and has suffered lower than expected ticket sales over the summer due to the World Cup and several weeks of unusually hot weather, although it is hoped that sales will increase coming in to the busier winter season. With no concert or significant event at the Stadium, planned events income will underachieve significantly at year-end.

Other areas where income targets are not being achieved include catering, event income, sponsorship income and architect fees within the Open Spaces division.

Sales income is again currently short of the target to date mainly due to Stadium Bars and Catering, and Municipal Catering. So far income is down on these activities compared to the same stage last year and there is no evidence to be able to project anything more hopeful for the remainder of the year. Currently sponsorship income for the Stadium is under review but this also stands to underachieve significantly by year-end.

Rental income is a concern with Liverpool and Everton Ladies not currently allowed to play at the Stadium under FIFA regulations. It is hoped this can be addressed with a new pitch on which work is due to start in Quarter, however this year's income will be significantly affected, and it is not certain that these tenants will return next year.

Based on current demand and estimated income streams it is forecast the department will be approximately overspent by £1.8m at the end of the year.

COMMUNITY & ENVIRONMENT DEPARTMENT**Capital Projects as at 30th September 2018**

	2018-19 Capital Allocation £'000	Allocation to Date £'000	Actual Spend £'000	Total Allocation Remaining £'000
Stadium Minor Works	50	25	17	33
Stadium Pitch	300	0	0	300
Brindley Cafe Extension	80	30	6	74
Children's Playground Equipment	61	0	-1	62
Landfill Tax Credit Schemes	340	0	0	340
Upton Improvements	13	0	0	13
The Glen Play Area	41	0	0	41
Runcorn Hill Park	5	5	3	2
Crow Wood Park Play Area	478	5	5	473
Open Spaces Schemes	611	100	128	483
Peelhouse Lane Cemetery	500	25	16	484
Peelhouse Lane Cemetery - Enabling Works	33	0	7	26
Phoenix Park	100	80	103	(3)
Victoria Park Glass House	170	0	0	270
Sandymoor Playing Fields	1,032	560	470	562
Widnes & Runcorn Cemeteries - Garage & Storage	190	0	0	210
Litter Bins	20	0	0	20
Total	4,024	830	748	3,390

POLICY, PLANNING & TRANSPORTATION**Revenue Budget as at 30th September 2018**

	Annual Budget £'000	Budget To Date £'000	Actual To Date £'000	Variance to Date (Overspend) £'000
<u>Expenditure</u>				
Employees	4,510	2,174	2,073	101
Other Premises	168	96	86	10
Contracted Services	209	83	97	(14)
Supplies & Services	157	78	75	3
Street Lighting	1,700	492	387	105
Highways Maintenance	2,446	861	861	0
Fleet Transport	1,413	484	484	0
Lease Car Contracts	1	0	0	0
Bus Support	649	285	282	3
Finance Charges	145	4	4	0
Contribution to Reserves	201	0	0	0
Grants to Vol. Organisations	61	29	29	0
LCR Levy	882	220	220	0
NRA Levy	64	64	64	0
Total Expenditure	12,606	4,870	4,662	208
<u>Income</u>				
Sales	-351	-133	-133	0
Planning Fees	-526	-245	-220	(25)
Building Control Fees	-209	-104	-92	(12)
Other Fees & Charges	-646	-406	-424	18
Rent	-9	0	0	0
Grants & Reimbursements	-177	-191	-228	37
Government Grant Income	-126	0	0	0
Efficiency Savings	-68	-9	-9	0
Schools SLAs	-43	-44	-45	1
Capital Salaries	-317	-13	-13	0
LCR Levy Reimbursement	-882	-220	-220	0
Total Income	-3,354	-1,365	-1,384	19
Net Operational Expenditure	9,252	3,505	3,278	227
<u>Recharges</u>				
Premises Recharges	642	321	321	0
Transport Recharges	771	356	356	0
Asset Charges	539	0	0	0
Central Recharges	1,732	866	866	0
Transport Recharge Income	-4,896	-1,969	-1,969	0
Central Recharge Income	-866	-398	-398	0
Net Total Recharges	-2,078	-824	-824	0
Net Department Expenditure	7,173	2,681	2,454	227

Comments on the above figures

Employee spend is currently under budget mainly due to there being a number of vacancies within Building Control and Highway teams. It is projected that the vacancies will remain vacant for the next quarter.

Employee budgets are based on full time equivalent staffing numbers of 113.

Other premises costs are anticipated to be under budget due to lower energy costs from a recently refurbished Lower House Lane Depot.

The underspend to date on Street Lighting is due to reduced energy costs associated with the capital project for lighting upgrades.

Supplies and services are under budget due to a conscious effort from all budget holders to reduce spending where possible.

Both planning and building control income targets are not anticipated to achieve their income budgets for this financial year. This is due to staffing issues, along with continued competition from Approved Inspectors charging rates that the Council cannot compete with.

There are income budgets such as repairs, access crossing and Section 74 overrun charges that are projected to overachieve, although these are areas where income is received on an ad-hoc basis and therefore income levels are unpredictable

At this point it is forecast the department outturn net spend will be within the allocated budget.

POLICY, PLANNING & TRANSPORTATION**Capital Projects as at 30th September 2018**

Capital Expenditure	2018/19 Capital Allocation £'000	Allocation to Date £'000	Actual Spend £'000	Total Allocation Remaining £'000
<u>Local Transport Plan</u>				
Bridges & Highway Maintenance				
Bridge Assess, Strength & Maintenance	1,546	361	361	1,838
Road Maintenance	2,093	279	279	1,814
Total Bridge & Highway Maintenance	3,639	640	640	3,652
Integrated Transport	460	115	115	345
STEP Schemes	2,643	66	66	2,577
SJB MM – Arch Painting	6,665	3,023	3,023	3,642
SJB deck reconfiguration	600	0	0	600
SJB decoupling	9,596	230	230	9,366
KRN – Earle Rd Gyrotory	1,150	129	129	1,021
Ditton Loops	1,000	113	113	887
Total Local Transport Plan	25,753	4,316	4,316	21,437
Halton Borough Council				
Street Lighting	282	23	23	259
Lighting Upgrades	500	0	0	500
Risk Management	170	0	0	170
Fleet Vehicles	1,513	434	434	1,079
Total Halton Borough Council	2,465	457	457	2,008
Total Capital Expenditure	28,218	4,773	4,773	23,445

Comments on the above figures.

The fourth year of the STEP (Sustainable Transport Enhancement Package) programme has begun with grant allocations being agreed by the LCR.

The SJB MM (Silver Jubilee Bridge Major Maintenance) arch painting programme is continuing.




Works are continuing for the lighting upgrade programme.

Spend on capital projects are still relatively low in quarter 2 but these are expected to pick up during the remainder of the financial year. Capital allocations are in the main expected to be fully spent by year end.





8.0 Application of Symbols

Symbols are used in the following manner:

Progress Symbols

<u>Symbol</u>	<u>Objective</u>	<u>Performance Indicator</u>
Green 	Indicates that the <u>objective is on course to be achieved</u> within the appropriate timeframe.	<i>Indicates that the annual target <u>is on course to be achieved</u>.</i>
Amber 	Indicates that it is <u>uncertain or too early to say at this stage</u> whether the milestone/objective will be achieved within the appropriate timeframe.	<i>Indicates that it is <u>uncertain or too early to say at this stage</u> whether the annual target is on course to be achieved</i>
Red 	Indicates that it is <u>highly likely or certain</u> that the objective will not be achieved within the appropriate timeframe.	<i>Indicates that the target <u>will not be achieved</u> unless there is an intervention or remedial action taken.</i>

Direction of Travel Indicator

Green 	Indicates that performance is better as compared to the same period last year.
Amber 	Indicates that performance is the same as compared to the same period last year.
Red 	Indicates that performance is worse as compared to the same period last year.
N / A 	Indicates that the measure cannot be compared to the same period last year.

Implementation of High Risk Mitigation Measures (Environment and Urban Renewal PPB) – Quarter 2 to 30th September 2018

The purpose of this report is to provide an update concerning the implementation of mitigation measures for those areas of risk which have been assessed as high within the Directorate Risk Register which are relevant to the remit of this Board.

Assessment of current risk		Impact (Severity)	Likelihood (Probability)	Score (I x L)		
1	Unwillingness of public to participate in Council recycling services or comply with Council policies will result in increased costs being incurred.	4	3	12		
Risk control measure(s)		Lead Officer	Timescale Review	Residual Impact	Residual Likelihood	Residual Score
1a	<i>Produce a Waste Prevention Plan to set out initiatives to help reduce the amount of waste produced in Halton.</i>	Divisional Manager (Waste and Environmental Improvement)	Quarterly	4	2	8
1b	<i>Ensure sufficient resources are in place to deliver comprehensive community engagement, education and promotional campaigns</i>					
1c	<i>Work closely with officers from other Council Departments, external organisations and community groups to deliver projects to encourage residents to participate in Council waste recycling and waste reduction schemes and initiatives.</i>					
1d	<i>Consideration of policies and initiatives to incentivise and encourage residents to participate in Council recycling services and initiatives.</i>					

Progress update

The increasing cost of dealing with residual waste and the financial benefits that can be realised from reducing the amount of waste produced in Halton means that promoting waste prevention and encouraging residents to make full use of the recycling services and facilities provided by the Council remains a key focus for this service area. A Waste Communications and Engagement Plan is currently being developed that will set out the programme of activities that will be undertaken to help achieve the Council's objectives in this regard.

The Council employs two Community Engagement Officers who are proactively involved in delivering regular programmes of activity to help support the Council's educational and awareness raising initiatives. These initiatives are intended to ensure that residents understand the importance of recycling and help maximise participation in recycling services. Activities include direct engagement with members of the public via events held in public spaces and buildings, targeted householder engagement through 'door knocking' exercises and the delivery of information leaflets to households.

Implementation of High Risk Mitigation Measures (Environment and Urban Renewal PPB) – Quarter 2 to 30th September 2018

In April 2018, a 'Kerbside Recycling Guide' booklet was delivered to households across the borough. The aim of providing this booklet was to help householders understand the full extent of materials that can be recycled through the kerbside collection service and also how items should be presented for collection. Increasing awareness of these issues will increase recycling levels, improve the quality of the recyclable materials collected and help save money by reducing disposal costs.

A programme of waste awareness and education is delivered to schools across the borough and social media is increasingly being used to help promote waste prevention and encourage increased use of the Council's recycling services.

Community engagement and recycling activity is also undertaken with external partners. Examples include the 'Recycle Right' campaign that is being delivered in partnership with the Merseyside Recycling & Waste Authority and community recycling events that are often delivered in conjunction with the relevant Housing Association.

The Council's Household Waste and Recycling Collection Policy sets out the Council's approach to reducing waste levels in Halton and the services it will provide to encourage waste minimisation and increased recycling. Maintaining a restriction on the amount of residual waste that the Council will collect from each household and having in place sufficient measures to ensure that residents remain aware of and compliant with the Council's service requirements are key elements of the Policy. The Council's Waste Management Policies continue to be subject to periodic review and updating as necessary.

Implementation of High Risk Mitigation Measures (Environment and Urban Renewal PPB) – Quarter 2 to 30th September 2018

Assessment of current risk – (Transport) ¹			Impact (Severity)	Likelihood (Probability)	Score (I x L)	
ECR R17	Failure to maintain and make available the Councils highway network could lead to adverse consequences for road users and others. (Strategic Priority: Safer Halton / Halton's Urban Renewal)		3	4	12	
Risk control measure(s)		Lead Officer	Timescale Review	Residual Impact	Residual Likelihood	Residual Score
R17 a	Delivery of prioritised maintenance programme	Operational Director (Policy, Planning & Transportation)	Annually	2	6	6
R17 b	Availability of capital and revenue funding					
R17 c	Timely and effective use of Variable Message Signs					
R17 d	Coordination of works to minimise impact.					

Progress update

Halton's Highway Safety Inspection Policy Framework is in place, this is in conjunction with the Highways Asset Management Plan.

The availability of revenue budget remains problematic due to the ongoing fiscal pressures being experienced across all service areas of the Council which will inevitably have an impact upon what can be delivered. As a consequence revenue funding continues to be used in a targeted way paying particular attention to the ongoing safety of the highways infrastructure.

Variable Message Signs continue to be used regularly to help manage the flow of traffic and minimise disruption on the road network as a result of maintenance and urgent works, events and other incidents.

Highway works are managed through permits to help coordinate maintenance to highways including works by utility providers. This alleviates the congestion and disruption that can occur when such works are necessary and allows a greater degree of planned co-ordination of the wider highway network and use of alternative routes etc.

¹ NB – Risks associated with the Mersey Gateway Project are monitored through the Corporate Risk Register

REPORT TO: Environment and Urban Renewal Policy and Performance Board

DATE: 14th November 2018

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

PORTFOLIO: Transportation

SUBJECT: Runcorn Regeneration Update: Delinking and Station Access

WARDS: All Wards

1.0 PURPOSE OF THE REPORT

- 1.1 This report provides an update on the planned programmes that see the completion of the Silver Jubilee Bridge (SJB) maintenance works, deconstruction of SJB access road infrastructure in Runcorn ('delinking'), and the delivery of enhanced access to enable the Runcorn Station area vision. Work at 'Widnes Loops' will be undertaken consecutively with the delinking works in Runcorn. Executive Board received reports on:
- SJB Closure & Maintenance: July 2017
 - Runcorn Station Quarter: October 2017
 - Runcorn Delinking: December 2017
 - Widnes Loops: February 2018 & September 2018

2.0 RECOMMENDATION: That

- (1) the current position with these programmes is noted; and**
- (2) the Board receives an overview presentation at the meeting**

3.0 SUPPORTING INFORMATION

SJB Maintenance

- 3.1 As the Mersey Gateway Bridge opened on 14 October 2017, the SJB (the seventh largest steel arch bridge in the world and Historic England Grade II listed structure) closed for major maintenance work. The works were anticipated to take 18 months to complete and comprise:
- Steel arch painting
 - Support cable replacement trial
 - Deck carriageway reconfiguration to provide for two lanes and a separate cycleway on the Runcorn Access Viaduct (RAV)
 - Installation and testing of tolling equipment

It should be noted that this is far from routine maintenance, this is the first time the painting and cable replacement works have been undertaken since the bridge was constructed in 1961.

SJB Complexities

- 3.2 The SJB has inherent maintenance constraints. Its Grade II listed status imposes significant restrictions. Carriageway lanes are narrow and access for maintenance is difficult. The main span is high over a major shipping canal and a tidal river and it is exposed to harsh weather conditions in a coastal environment. The maintenance programme is driven by safety, while work goes on high above the deck it is too dangerous to allow public access below.
- 3.3 Each side of the deck on the main span of the bridge is supported by 24 locked coil strand cables. The tops of the cables are connected to the steel arch. The existing cables are original, dating from 1961. In order to understand the durability and long-term performance of the cables, a trial replacement is planned. It is the first time this has been attempted, and dead loads must be correctly transferred from the existing cable to temporary hangers to allow replacement.
- 3.4 Over time, expansion joints and waterproofing systems deteriorate and the chloride based de-icing salts sprayed on highways in the winter leak onto and contaminate the structure causing corrosion. The bridge relies upon its paintwork system to protect the steel. There is no permanent access provision beneath the deck or on to the main steel arch superstructure for large-scale maintenance works. Painting the arch steelwork requires a closure of the bridge to traffic. The arch has therefore never received a full painting over such a significant extent of the arch. To paint the steelwork, scaffolding and sheeting is required to facilitate surface preparation and a controlled environment for painting. The old paint is removed by blasting and the debris must be collected, rather than falling into the river, a site of international importance for bird life.
- 3.5 Engineering assessments indicate that numerous structural members in the arch truss were highly loaded, with little spare capacity. The scaffold system is carefully designed to not over utilise any structural member, particularly under wind loading when sheeted out. When winds become high, the sheeting must be removed. Over winter 2017 ('Beast from the East') 5 weeks were lost from the programme due to weather conditions preventing working, and any strong winds experienced over autumn / winter 2018 could delay work further. The scaffold tower assemblies are on the deck. Painting works need to be complete for these to be removed to then allow the deck carriageway reconfiguration to start.
- 3.6 Efficient sequencing and coordination of works on site is a major factor in delivering these projects as quickly as possible. Tasks have therefore been combined to compress timescales. It is important to note that there is a high cost in programme overruns to the contractor. Delays can mean the contractor picks up the cost of staff and equipment deployment on a daily basis. It is in the contractor's interest to complete the work as quickly as possible.

Runcorn Station Area

- 3.7 While the SJB is closed, the works to reconfigure the current road access to the SJB are being accelerated. These works comprise:
- Runcorn Approach Viaduct (RAV) deck refurbishment, reconfiguration and parapet upgrades. This viaduct carries traffic off the SJB towards Runcorn Old Town in an easterly direction. In the future this spur will be open to two way traffic, as per the original configuration in 1961.
 - 'Delinking' and complete deconstruction of the structures carrying traffic from the SJB toward West Runcorn, around 'Trumpet Loop' leading to the Weston Point Expressway. A new parapet will need to be constructed, forming a new edge to the RAV structure.
 - Construction of a new roundabout to link the Daresbury Expressway with the Weston Expressway. This roundabout will be located at the end of the RAV and include a spur leading into the railway station.

4.0 POLICY IMPLICATIONS

- 4.1 Ambitions to regenerate the Old Town and Runcorn Station area materialise through proposals for a new public transport hub, better passenger facilities, enhanced public realm, legible routes into the Old Town's retail core, and direct access from the new roundabout. The scheme will create an economic catalyst for a number of development opportunities around the rail station and in the Old Town, ready for the forthcoming HS2 and West Coast Mainline improvements, and creating a new gateway into Runcorn, the Liverpool City Region and beyond.
- 4.2 The de-linking of the SJB provides a unique opportunity to address poor connectivity and public realm within the Station area. The scheme will initially focus upon large-scale public realm interventions which create a better gateway into Runcorn, and improve links to the town centre and local assets by:
- Removal of structures currently hampering navigation and legibility
 - Creating a positive environment along desired pedestrian and cycle routes by introducing wide footways and street greenery
 - Enhancing pedestrian and cycle-only routes including access towards the SJB and Dukesfield from the station area
 - Encourage public activity with focused public realm interventions and active frontage
- 4.3 The ambition is to provide vehicle, pedestrian and cycling routes within the scheme that provide a clear and efficient network, whilst creating a positive environment for pedestrians and cyclists, with direct routes and easy access from the station, towards the town centre, other modes of transport, and local assets.
- 4.4 Removal of the 'Trumpet Loop' provides an opportunity to create a welcoming gateway into Runcorn by introducing new civic square

adjacent to the station, along with transport interchange elements within clear sight and easy walking distance of the station. There are public realm and landscaping opportunities across the station hub to resolve complex level changes, whilst also providing seating, shelter and greenery. Space for taxi and drop off areas and a new cycle hub could also be provided. A combination of clear wayfinding, realtime bus timetable facilities, and direct pedestrian and cycling routes to the town centre will assist the public with onward journeys from the station, enabling them to easily reach their desired destinations within Runcorn and the wider area.

5.0 OTHER IMPLICATIONS

- 5.1 Disruption to the road network will be kept to a minimum during the construction of the new roundabout.
- 5.2 The full programme of works is very complex and can be affected by a number of uncontrollable events, such as weather conditions. Timescales are therefore estimates, however key programme dates are as follows:

RAV deck refurbishment, concrete repairs, surfacing, reconfiguration for 2 way traffic, parapet upgrade	Commenced
Delinking planning application for highway works	Submitted
RAV parapet plinth to West side	Spring 2019
SJB cable replacement	Spring 2019
Widnes access viaduct (WAV) re-configuration	Winter 2018
New roundabout with Runcorn Station spur	Start Spring 2019 Completion early 2020
De-linking	Start Spring 2019
SJB steel arch painting completion	Summer 2019
SJB carriageway re-configuration (scaffold removal required)	Start Summer 2019

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

No direct implications envisaged.

6.2 Employment, Learning and Skills in Halton

Good road networks are fundamental to economic growth and employment.

6.3 A Healthy Halton

No direct implications envisaged.

6.4 A Safer Halton

No direct implications envisaged.

6.5 Halton's Urban Renewal

Efficient road transport networks make areas desirable places to live and work.

7.0 RISK ANALYSIS

7.1 The primary risk is the loss of investment in infrastructure that has been relied upon for supporting the delivery of regeneration at Runcorn Station and enhanced accessibility to Runcorn and the Borough as a whole. Other risks include the slippage of timescales due to uncontrolled events, such as inclement weather.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no Equality and Diversity implications arising from this report.

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

Document	Place of Inspection	Contact Officer
Planning Application Ref 18/00504/FUL	Planning and Development, Municipal Building	Tim Gibbs

REPORT TO:	Environment and Urban Renewal Policy and Performance Board
DATE:	14 th November 2018
REPORTING OFFICER:	Strategic Director – Enterprise, Community and Resources
PORTFOLIO:	Physical Environment
SUBJECT:	Statement of Community Involvement (SCI) S018 Local Development Document
WARDS:	Boroughwide

1 PURPOSE OF THE REPORT

- 1.1 To update Board on the review of the ‘Statement of Community Involvement’ (SCI), a town planning process document. As with other ‘Local Development Documents’ Government requires that SCIs should be regularly reviewed, at least every 5 years. The last SCI was adopted in 2013 and the power to adopt the SCI rests with Executive Board.

2 RECOMMENDATION: That the Board approve submission of the SCI to Executive Board for adoption.

3 SUPPORTING INFORMATION

- 3.1 Government requires Councils produce and keep up to date a Statement of Community Involvement “which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications”.
- 3.2 The SCI becomes a procedural test against which our planning documents / decisions can be judged, i.e. that relevant planning documents / applications have been subject to the level of public consultation as set out in the SCI. As such the document sets out the minimum level of consultation that each class of document / decision will be subject to. Where appropriate, and where time and resources allow, we would seek to go above and beyond the baseline standards set out in the attached document (Appendix A).

- 3.3 The duties to engage the community in planning matters and to prepare the SCI arise from the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017. This legislation requires that Local Planning Authorities prepare a statement for how it will involve those with an interest in development in the area, including the preparation and review of the Local Plan and Supplementary Planning Documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and the consideration of planning applications.
- 3.4 The SCI is intended to inform the community about how and when they can get involved. The procedures contained with an adopted SCI must be followed for consultation on all Local Plan documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and all planning applications within Halton.
- 3.5 The SCI is also guided by the Government's Consultation Principles: Guidance (2016) which provides guidance on how consultations should be conducted in general, by adopting a more proportionate and targeted approach.
- 3.6 The council's first SCI was adopted in 2007 and revised in 2013. It is being updated in 2018 because there have been a number of legislative changes to the way that planning documents are prepared. In addition, technological advances have seen the emergence of online and electronic communication as the preferred media for many individuals and organisations.

4 POLICY IMPLICATIONS

- 4.1 The SCI has been produced to ensure that through its function as a Local Planning Authority; the Council is in accordance with National Planning Policy and relevant regulations.

5 OTHER IMPLICATIONS

- 5.1 No other issues have been identified.

6 RISK ANALYSIS

- 6.1 Failure to comply with consultation requirements set out in legislation / regulations and the SCI would leave the adoption of the affected document subject to legal challenge.

7 EQUALITY AND DIVERSITY ISSUES

- 7.1 Government is keen to see 'Digital as Default', allowing public sector service providers to realise efficiencies whilst improving services to connected users. Advertising and conducting consultations primarily through digital means significantly reduces costs to the Council but risks partially excluding residents and organisations without access to the internet.

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

Document	Place of Inspection	Contact Officer
Planning and Compulsory Purchase Act (2004 as amended) Section 18	Municipal Building	Alasdair Cross
Town and Country Planning (Local Planning) (England) Regulations 2012(as amended)	Municipal Building	Alasdair Cross
Neighbourhood Planning (General) Regulations 2012 (as amended)	Municipal Building	Alasdair Cross
CLG (2010) The Community Infrastructure Levy Regulations (as amended)	Municipal Building	Alasdair Cross
Halton Local Development Scheme	Municipal Building	Alasdair Cross

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DRAFT STATEMENT OF COMMUNITY INVOLVEMENT OCTOBER 2018

Operational Director
Policy, Planning and Transportation,
Halton Borough Council,
Municipal Building,
Kingsway,
Widnes,
WA8 7QF

Contents

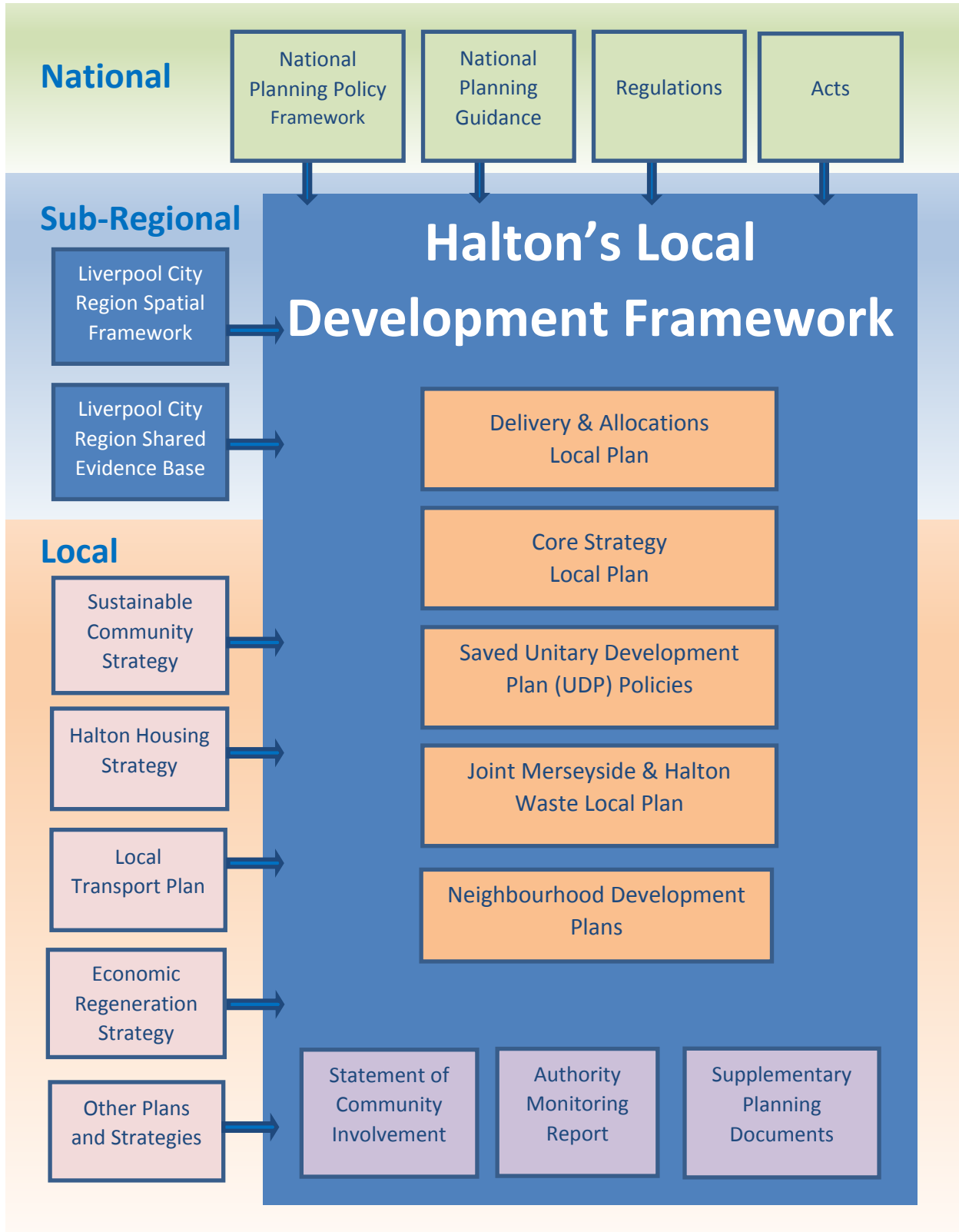
1. Introduction and Purpose	4
2. Regulatory Framework	8
3. How to interpret this document.....	10
PART A: Local Plans	11
Preparation and Revision of Local Plans and other Local Development Documents.....	11
4. Community Involvement in the Local Development Framework.....	11
Figure 2: LDD production stages.....	14
Figure 3: SPD production stages.....	16
PART B: Development Management.....	18
Community Involvement in Planning Applications	18
5. Provisions relating to the control of development in Part 111 Town and Country Planning Act 1990.....	18
PART C	22
6. Neighbourhood Plans and Neighbourhood Development Orders	22
PART D	31
7. Community Infrastructure Levy (CIL).....	31
8. Further Planning Advice.....	34
9. Monitoring.....	34
10. Availability of Consultation Material	34

I. Introduction and Purpose

Our Statement of Community Involvement (SCI): Role and Purpose

- I.1 The role and purpose of the SCI is to provide the community with clarity on the levels of involvement that they should expect in planning processes. This statement explains how the Council will involve the community in planning for the future use of land in the Borough.
- I.2 The Council is responsible for preparing planning documents used to shape the future development of the Borough. Together, these documents are known as the Local Development Framework (LDF). The policies within these documents need to take account of local, regional, sub-regional and national policies, needs and interests. This document is the third Statement of Community Involvement (SCI) Halton Borough Council has produced and is part of the LDF. The first SCI was adopted in 2006 and revised in 2013. The SCI now requires revision because of:
- recent changes in the National Planning Policy Framework, planning regulations and procedures governing plan making.
 - the introduction of the 'Duty to Inform, Consult and Involve' arising from the Local Government & Public Involvement in Health Act 2007,
- I.3 The LDF is a folder made up of a number of;
- Local Development Documents (LDDs),
 - Supplementary Planning Documents (SPDs) and,
 - process documents such as the Authority's Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- I.4 These plans and documents can be prepared and reviewed separately, increasing opportunities for community involvement, as different LDDs and SPDs will be prepared at different times in response to changing circumstances. The Halton LDF is illustrated in figure 1 below.

Figure 1: SCI Policy context



Statutory basis for this Statement of Community involvement (SCI)

- I.5 The requirement to prepare a SCI was introduced by section 18 of the Planning and Compulsory Purchase Act 2004.
- I.6 The functions specified for the purpose of SCI's are the Council's functions relating to:
- The preparation and revision of Local Plans and other Local Development Documents (including joint Local Development Documents) and
 - The provisions relating to the control of development in Part 3 Town and Country Planning Act 1990.

What are the legal requirements?

- I.7 Details of consultation required during the preparation of the documents covered by the SCI are set out in various Acts, Statutory Instruments and policy documents, including;
- The Planning and Compulsory Purchase Act 2004, Section 18 (Part 1), sets out the requirement for LPAs to produce a Statement of Community Involvement;
 - The Town and Country Planning (Local Planning) (England) Regulation's 2012 (as amended) set out the minimum requirements for consultation on planning policy documents;
 - The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the minimum requirements for consultation on planning applications;
 - The Localism Act 2011, Sections 110, sets out a "Duty to Co-operate" between public bodies on planning issues that cross administrative boundaries;
 - The National Planning Policy Framework (NPPF) 2012 sets out the importance of community involvement and multi-agency consultation, and further emphasises the importance of cross-boundary co-operation.
 - The Community Infrastructure Levy Regulation's 2010 (as amended) set out the minimum requirements for consultation on the Community Infrastructure Levy;
 - Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 sets out the need to periodically review Conservation Area designations in consultation with the community;
 - The Town and Country Planning Act 1990, Section 199, sets out the need to consult persons and consider representation and objections in relation to Tree Preservation Orders (TPOs)

2. Regulatory Framework

- 2.1 The Council's first SCI¹ was prepared in the context of the Town and Country Planning (Local Development) (England) Regulations 2004² (as amended). It was first adopted in July 2006 and subsequently revised in 2013.
- 2.2 The Government has since made changes to the planning process through legislation³ and associated revised regulations⁴, together with revised policy in the National Planning Policy Framework (NPPF)⁵. This fourth version of the SCI has been prepared in the context of these changes and to ensure that the legal requirements for community involvement will be met.
- 2.3 The requirements set out in the regulations can be summarised as follows:
- Formal consultation for a defined period: this must be for a minimum of six weeks for Local Development Documents (LDDs) and four weeks for Supplementary Planning Documents (SPDs).
 - Notification and issue of information to specific consultation bodies which the Council considers would have an interest in the subject matter.
 - Notification to 'general' consultees which the Council considers appropriate or have expressed an interest in the preparation of a LDD or SPD and whose details are held on the LDF database.
 - Information made available on the Council's website.
 - Make information available at 'deposit locations'.
 - Publish a statement setting out who has been consulted during the preparation of the LDD and how the consultation was undertaken. The statement will also include a summary of the main issues raised and details as to how the issues have been addressed in the document.
 - Publish an adoption statement on the website, and inform to consultees who had requested to be notified of the adoption of a LDD document.
- 2.4 The Localism Act 2011 requires all LPAs to engage with neighboring authorities and other statutory bodies to consider joint approaches to plan-making. Halton Council is committed to fulfilling its Duty to cooperate and works closely with neighboring authorities and other partner organisations and stakeholders. Regulation 4 of the Town

¹ HBC (2006) Statement of Community Involvement

² CLG (2004) Town and Country Planning (Local Development)(England) Regulations

³ CLG (2008) The Planning Act

⁴ CLG (2012) Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended)

⁵ CLG (2012) National Planning Policy Framework (as amended)

and Country Planning (Local Planning) (England) Regulations 2012 lists the Duty to Co-operate 'prescribed bodies'.

- 2.5 A number of documents are also relevant to the preparation of the SCI these include:
- Halton Borough Council Sustainable Community Strategy 2011-2026 which sets out the Council's approach to community engagement; and
 - The Halton Local Development Scheme (LDS) – this sets out the timetable for the preparation of planning policy documents
- 2.6 Nothing in this SCI overrides any statutory provision relating to the preparation, adoption or revision of local development documents (including joint local development documents).

3. How to interpret this document

- 3.1 This document is divided into four sections to reflect the requirements of Section 18 Planning and Compulsory Purchase Act⁶. Part C and Part D to reflect the Localism Act (2011) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

Part A : Local Plans

Deals with the preparation and revision of Local Plans and other local development documents (including joint local development documents and supplementary planning documents).

Part B : Development Management

Deals with the provisions relating to Development Management, i.e. the control of development as set out in Part 111 of the Town and Country Planning Act 1990⁷.

Part C : Neighbourhood Plans

Deals with the preparation and revisions of Neighbourhood Plans and Local Development Orders.

Part D : Community Infrastructure Levy

Deals with the preparation and introduction of the Community Infrastructure Levy (CIL).

⁶ [HMSO \(2004\) The Planning and Compulsory Purchase Act](#)

⁷ [HMSO \(1990\) The Town and Country Planning Act](#)

PART A: Local Plans

Preparation and Revision of Local Plans and other Local Development Documents

4. Community Involvement in the Local Development Framework

- 4.1 Halton Borough Council is responsible for preparing a LDF to guide development in the borough. At the time of writing in 2018, the Core Strategy Local Plan is the overarching strategic planning document. The LDF also includes the saved policies from the Halton Unitary Development Plan (UDP)⁸ and a range of adopted SPDs. These documents will be in place until superseded by the adoption of new local plans which are subject to examination in public by an independent inspector appointed by the Secretary of State.

Key Contacts and LDF Consultation Database

- 4.2 The Council holds a database of contact details for organisations and community groups. It contains details of statutory organisations and people who have responded to previous consultations or have requested to be informed of the production of LDDs, SPDs and/or supporting documents. This is a 'live' database, updated on a regular basis as requests for inclusion or removal are received. All data held is pursuant to the principles of the Data Protection Act⁹ (1998).
- 4.3 To subscribe, see <https://halton.me/planning-contact/>

⁸ HMSO (2011) The Localism Act

⁹ HMSO (2012) Neighbourhood Planning (General) Regulations (as amended)

When and how can the community get involved in the production of the LDF documents?

Local Development Documents

- 4.4 Each Local Development Document (LDD) that the Council prepares has to go through a number of stages, with informal and formal consultation stages taking place along the way. The stages are described below and illustrated in Figure 2.

Scoping and Pre-Production

- 4.5 The Council will seek the involvement of relevant groups in the formation of evidence; this will be used to support planning policies. The Council will ensure that based upon the relevance to the subject of the LDD. Those who have expressed an interest in the subject area when subscribing to the consultation database may be consulted.
- 4.6 Information relating to the formal 'scoping' stage (Reg 18) will be made available for viewing at deposit locations (as listed in Section 10) and made available on the Council's website. As a method of reducing duplication and achieving greater efficiency, the Council anticipates that multiple documents may be consulted upon at one time.
- 4.7 Planning Authorities must undertake a Strategic Environmental Assessment (SEA) on documents which are likely to have significant environmental effects under European Directive 2001/42/EC¹⁰. It is also mandatory for LDDs to produce a Sustainability Appraisal (SA)¹¹. The SA process ensures that we assess the environmental, economic and social effects of policies and proposals as the LDD is being produced. The overall aim is to check whether our policies and plans are contributing towards achieving sustainable development. The SA takes place alongside the preparation of a Local Development Document and includes opportunities for involvement at key stages of the document's production. Whilst the SA and SEA tests are distinct, it is possible to carry them out in one appraisal process. During formal consultation(s) in the production stage of a LDD the SA and SEA will be made available at deposit locations and on the Council website.

Production

- 4.8 Using evidence previously gathered or commissioned, the Council will begin work on preparing a draft document that;

¹⁰ European Union Directive (2001) The European SEA Directive 2001/42/EC

¹¹ Sustainability Appraisal

- a) has considered alternative approaches and is justified in the selected approach, and;
 - b) is underpinned by both the evidence base and SA.
- 4.9 The draft LDD will be subject to a six week public consultation period. Appropriate stakeholders, and those individuals with an identified interest in the topic/document subscribed to the LDF notifications system (consultation database) will be contacted. The draft LDD and supporting documents will be placed at deposit locations and will be made available on the Council website.
- 4.10 Representations received during the public consultation will be taken into consideration and the LDD altered as appropriate. A concise report called a 'Statement of Consultation' will be prepared summarising the representations received and how they are to be, or have been, addressed in the subsequent 'submission' version of the LDD.

Submission - Examination

- 4.11 The 'submission' version of the LDD, the SA and supporting documents will be placed at deposit locations and on the Council website. These documents will also be sent to the Secretary of State. Representations can be made at this stage, however, they will not be considered by the Council, but by an independent Inspector, appointed by the Secretary of State, who will hold a public examination.
- 4.12 At least six weeks before the examination hearing sessions begin all details of the hearing sessions will be advertised in the local press and on the Council website. This information will include times, dates and the location of the examination and the name of the inspector appointed.
- 4.13 It is at the inspectors' discretion as to whether a 'pre examination' meeting is called. This would take place 8 weeks prior to the start of the examination hearing sessions.
- 4.14 It is at the Inspector's discretion as to what issues they wish to cover in the Hearing Sessions, whether to hold Hearing Sessions and whom may be invited to take part in any Hearing Sessions.

Adoption

- 4.15 Following an examination, the Inspector will produce a report which informs the Council of their findings. If no major changes to the LDD are required the Council can proceed to adoption. If major changes are required these will be subject to a six week public consultation.

- 4.16 The Council will produce an adoption statement; this will be available on the Council's website. A notification letter will also be posted to all consultees that have previously requested to be notified of the adoption of the LDD.

Figure 2: LDD production stages

DPD Preparation Stage	Reg Number	Purpose	Consultation Required?	Publicity Required?
Evidence gathering	-	Gather evidence in order to identify the issues and opportunities for development in the Borough	As necessary for each evidence document	As necessary for each evidence document
Scoping	Reg 18	Notify persons/groups of the subject of the DPD and invite them to make representations about the content of the DPD	Yes	Yes
Issues and Options	-	Gathering evidence on the issues and options for suggested policy directions and undertaking initial work on the Sustainability Appraisal. Notify persons/groups of the issues for the DPD and invite them to make representations. If consulted upon, comments received will inform the next stage.	Optional (requirement removed by the 2012 Regulation's)	Optional (requirement removed by the 2012 Regulation's)
Preferred Options	-	To prepare a draft document taking into account the comments made at Issues and Options and produce a Sustainability Appraisal.	Optional	Optional
Publication	Reg 19 Reg 20	Prepare a final draft document taking into account the comments made at any previous stages, along with a Sustainability Appraisal.	Yes	Yes
Submission of a DPD to the Secretary of State	Reg 22	All representations received at Publication stage will be collated, summarised and forwarded to an independent Planning Inspector	No	Yes
Independent Examination	Reg 24	The EiP considers the soundness of the DP, which includes an assessment of whether the LPA has considered the views of the community and met the requirements of the SCI	No	Yes
Main Modifications		The Planning Inspector may recommend modifications to the DPD in order to make	Yes	Yes

		it pass a test of soundness. Any comments received will be considered by the Planning Inspector		
Publication of Inspectors Report / Adoption of the DPD	Reg 25 Reg26	Subject to the recommendations of the Planning Inspector, the Council will adopt the DPD as soon as practical and will notify consultees of the publication of the Inspectors Report and adoption of the DPD.	No	Yes
Monitoring and Review		Annual Monitoring will track the performance of policies and to advise on necessary adjustments	No	No

Supplementary Planning Documents (SPD)

- 4.17 Supplementary Planning Documents are produced to provide more detailed planning policy guidance to applicants or their agents seeking planning permission. They supplement existing Local Development Documents. The following section describes when and at what stage public consultation takes place in the production of an SPD and is illustrated in figure 3 below.
- 4.18 Unlike a LDD, an SPD is not required to be examined by the Secretary of State, as the content of the SPD is intended to 'supplement' policies within a LDD which will have undergone an examination in public.

Pre-Production

- 4.19 At this stage evidence is gathered to support policies to be written. As previously stated SPDs supplement existing LDD policies or saved Unitary Development Plan (UDP) policies. Therefore, it is likely that some evidence will already exist which will be used in the preparation of the SPD. Where additional evidence is required, consultation will occur with groups/ departments/ organisations who have expressed an interest in the SPD subject or who are associated with the subject, for example, the Hot Food Takeaway SPD would liaise with Environmental Health.

Production

- 4.20 A draft SPD is prepared and is subject to a minimum four week consultation period. Appropriate stakeholders stored on the LDF database and any organisation or person requesting to be kept informed of the production of SPDs will be contacted and informed that the SPD is available at deposit locations. The SPD consultation will be advertised and made available on the Council's website.

- 4.21 In accordance with Regulation 17 (d)(i) of the Town and Country Planning (Local Planning)(England) 2004 Regulations 2012¹² a 'Statement of Consultation' will be produced. This will list all representations received as a result of the consultation and will explain how they have been taken into consideration and, where appropriate, the SPD altered.

Adoption

- 4.22 Following an internal approvals process, the statement of consultation and an adoption statement will be made available on the Council website and at deposit locations. An adoption statement will be sent to any person who had requested to be notified of the adoption of the SPD.

Figure 3: SPD production stages

SPD Preparation Stage	Reg Number	Purpose	Consultation Required?	Publicity Required?
Evidence gathering	-	Gather evidence in order to the SPD	No	No
Scoping/Issues	Reg 12(a)	To set the scope of and identify issues. Comments will inform the next stage of the SPD.	Informal/ limited to bodies who have expressed an interest in the subject	Optional
Public participation on draft SPD	Reg 12(b) Reg 13	To prepare the draft SPD Publish consultation statement (Reg 12(a)) and draft SPD, invite representations on the draft SPD. Comments will inform the next stage of the SPD	Yes	Yes
Final SPD	-	To produce the final SPD	No	No
Adoption of the SPD	Reg 14	Adoption of the SPD	No	Yes
Monitoring & Review		Annual Monitoring will track the performance of policies and to advise on necessary adjustments	No	No

¹² CLG (2012) Town and Country Planning (Local Planning)(England) Regulations (as amended)

PART B: Development Management

Community Involvement in Planning Applications

5. Provisions relating to the control of development in Part 111 Town and Country Planning Act 1990.

- 5.1 The planning application process involves the making, consideration and determination of applications for “development” which can be either building works or a material change of use. There are also other types of applications that do not involve development but fall under the management of the local planning authority and include applications for advertisement consents and listed building consents.

Timescales

- 5.2 The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major applications and 8 weeks for all others. If an Environmental Impact Assessment is required as a result of the scale of development, then this period will extend to 16 weeks.

Permitted Development

- 5.3 Not all “development” requires a planning application for planning permission. Some works can be carried out as “Permitted Development” whereby planning permission is automatically granted by the Town and Country Planning (General Permitted Development) (England) Order 2015. Similarly, not all advertisements require consent from the Council; certain types of advert may be displayed with “Deemed Consent”.

If you are unsure whether or not you require planning permission, or other planning related consents please visit

https://www.planningportal.co.uk/info/200125/do_you_need_permission

The Planning portal provides a useful link to an interactive house.

- 5.4 For up-to-date information on how to make a planning application, guidance can be found on our website
<https://www3.halton.gov.uk/Pages/planning/applyforplanning.aspx>

Pre Application Advice

- 5.5 Halton Borough Council welcomes and encourages applicants and developers to see pre-application advice from the Council prior to the submission of a formal planning application. There are a number of benefits in seeking advice before making an application, including:
- Providing early guidance on the planning policies relevant to your development and help to understand how these policies apply to your proposal;
 - Identifying if there is a need for specialist information such as a tree survey, flood risk assessment, ecological assessment.
 - Enabling proposals to be changed and potential problems overcome before an application is submitted, saving time during the application process and minimising the risk of planning permission being refused.
 - Ensuring you know what information is required to submit the application
 - Identifying and addressing issues at pre-application stage can save time when an application is submitted and may result in a quicker decision.

In summary, pre-application discussion can help deliver a higher quality of application which improves the chance of successful outcomes.

What is required when submitting a pre-application enquiry?

- 5.6 Normally pre-application enquiries require the submission of sketch drawing and other relevant detail and applicants are asked to fill in forms which are available on the Council's website. We aim to provide a response within 28 days wherever possible, we will advise on the likelihood of gaining an approval on an informal basis.
- 5.7 The schedule of charges for pre-application advice and the pre application procedure can be found on the Council's webpages at:
<https://www3.halton.gov.uk/Pages/planning/Get-Planning-Advice.aspx>

How will the Council consult on pre-application enquiries?

- 5.8 For major pre-application enquiries the Council may seek advice from statutory consultees in order to provide comprehensive pre-application advice.
- 5.9 During pre application discussion officers will advise developers on whether we feel the proposal would benefit from a process of community involvement before the application is submitted. National Planning Practice Guidance advises that "pre application engagement with the community is encouraged where it will add value to the process and the outcome." The Council understands that different types of

development will require public consultation to be tailored to suit the individual circumstances, however on major schemes a public meeting, exhibition and leaflet drop in the local area may be required. Appropriate consultation plans can be agreed at pre application stage.

- 5.10 Community consultation measures are not necessary for small scale applications for example a house extension or single dwelling. However, we emphasise with applicant/developers the benefits to be gained from discussing proposals with neighbours.

Development Management

- 5.11 The Council exercises its development management function in the public interest and is committed to publicising and consulting widely on planning applications. Upon receipt of a planning application the Council will undertake a period of formal consultation.
- 5.12 Dependent upon the type of application being considered, the Council is also required to consult various organisation and bodies and to invite them to make a representation, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2015) (DMPO).
- 5.13 The main type of consultation groups include:
- Public
 - Statutory Consultees
 - Non Statutory Consultees
- 5.14 The level of consultation associated with planning applications, will be proportionate to the type and scale of planning applications being determined. The Council will meet legal requirements with regards to publicity.
- 5.15 The regulations set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, The Planning (Listed Building and Conservation Areas) Regulations and The Planning (Listed Buildings and Conservation Areas) Act 1990, state how planning applications need to be publicised, wither by site notice or individual neighbour notification,
- 5.16 Neighbour notification by letter is the principal method of consultation for most planning applications. Letters are sent to all owners/occupiers of properties that immediately adjoin the boundary of the application site. Where the Council is unsure of the owner of an adjoining site a site notice will be displayed.
- 5.17 A press notice is also required for the following types of applications:
- Erection of 10 or more dwellings, or a site areas of 0.5 ha or more
 - Erection of 1000 sqm of floor space or site area of 1 ha or more

- An application accompanied by an Environmental Impact Statement
 - A departure from the Local Plan
 - A development that would affect a public right of way under part III of the Wildlife and Countryside Act 1981
 - Development affecting the character or appearance of a Conservation Area
 - Development affecting the setting of a Listed Building.
- 5.18 Interested parties are given 21 days to respond in writing to the consultation.,
- 5.19 A weekly list of planning applications is available on the Council's webpage, or you can sign up to receive the weekly list via email at <https://webapp.halton.gov.uk/planningapps/>
- 5.20 We consult neighbouring Council's where appropriate and also consult directly any properties in other Boroughs which directly adjoin an application site.

How to comment on a planning application

- 5.21 Planning applications can be viewed in on the Council's website <https://webapp.halton.gov.uk/planningapps/>
- 5.22 Comments may be made on any planning application, by anyone, regardless of whether or not they were consulted individually. All comments must be made in writing and must contain the name and address of the author. The Council will not take into consideration any anonymous comments received.
- 5.23 Comments received are public information and cannot legally be kept confidential, therefore comment should not include any personal information for example, phone numbers or signatures. Comments should be submitted within the stated identified consultation period,

Notifying you of a decision

- 5.24 A decision on the planning application will be available on the Council webpage, it is the responsibility of the individual who have commented on an application to check the status of the application on the web page as people who have commented on an application are not notified that a decision has been made.

PART C

6. Neighbourhood Plans and Neighbourhood Development Orders

What is Neighbourhood Planning?

- 6.1 Introduced by the Localism Act 2011 supported by the Neighbourhood Planning (General) Regulations 2012 (as amended), Neighbourhood planning offers communities three new planning tools intended to support community-led growth and development.
- 1) Neighbourhood Development Plans
These Plans allow communities to establish general (non-strategic) planning policies for the development and use of land within a defined neighbourhood area and so influence the type, design, location and mix of new development.
 - 2) Neighbourhood Development Orders
This is a community led “order” that grants planning permission in relation to a Neighbourhood Area for development specified in the Order. An order cannot relate to ‘excluded’ development and does not grant building regulations approval.
 - 3) Community Right to Build Orders
This is a particular type of Neighbourhood Development Order that grants planning permission for small-scale, site-specific, community-led developments. It does not remove the need for Building Regulations approval
- 6.2 Neighbourhood Planning is a community-led framework for guiding the future development, regeneration and conservation of an area. It is about the use and development of land and may contain a vision, aims, planning policies and proposals for improving the area, or the allocation of key sites for specific kinds of development.
- 6.3 A Neighbourhood Plan is subject to an independent examination, and if approved by the Examiner a local referendum, in which residents on the electoral register within the designated area can vote. If the Plan or Order is supported by over 50% of the turnout, the local authority must adopt it into its Local Development Framework, thereby representing a material consideration in the determination of planning applications, or “make” the Order so removing the need for separate planning permission.
- 6.4 The Neighbourhood Plan must be made within 8 weeks of the date of the Referendum. Prior to a draft neighbourhood plan being “made” after succeeding at referendum, it automatically forms part of the development plan, but it would not continue to do so if the Borough Council were to decide it should not be “made”.
- 6.5 Neighbourhood Planning proposals must be;

- In line with local and national planning policies
 - In line with other laws
 - In accordance with the local planning authority plans for growth.
- 6.6 Like local plans, regulations cover neighbourhood plan/orders preparation, including consultation requirements. Regulations also cover the referendum stage. The council's role is to provide advice and support to groups developing a plan. Up to submission of the final draft ('proposed submission') plan, it is the Parish council/qualifying body that is responsible for public consultation and engagement in its preparation.

Borough Council support for Neighbourhood Plans

- 6.7 The Borough Council will seek to provide proportionate support to 'qualifying bodies' seeking to prepare a Neighbourhood Plan, where the level of support does not adversely impact on the delivery of the Council's own Local Development Scheme.
- 6.8 Support may include;
- Technical advice on process and procedures
 - Advice on potential scope of the Neighbourhood Plan and interrelationships with existing / emerging higher level policy
 - Interpretation of Borough planning policies
 - Interpretation of evidence base studies / information
 - Provision of housing development requirements
- 6.9 Where appropriate, the Council will consider an informal service level agreement with qualifying bodies to cover information sharing (both ways), procedural issues and intended timetables.
- 6.10 The preparation of a Neighbourhood Plan is the responsibility of the individual qualifying body, and as such the nature, timing and extent of the public engagement is outside the scope of this SCI. The following table sets out the key stages in the preparation of a Neighbourhood Plan, where regulations require the qualifying body to undertake consultation and the duties/roll of the Borough Council.

Neighbourhood Development Plans and Orders		
Key Stages	Opportunities for engagement	
	Qualifying body	Halton Council
<u>Stage 1: Designation of neighbourhood area (and if appropriate neighbourhood forum):</u>		
Qualifying body submits an application to the borough council to designate an area	Before submitting an application to designate the neighbourhood area the qualifying body may decide to consult with the local community about preparing a neighbourhood plan/ order.	<p>Where a parish council applies for the whole of a parish to be designated as a neighbourhood planning area and no existing designations/applications are in place the Council must designate the area, and will publicise the designation.</p> <p>Where another group applies for designation, the Council will formally publicise and consult on the application (minimum consultation period is 4 weeks) and will publish details in relation to the designation or refusal of a neighbourhood area</p> <ul style="list-style-type: none"> • Write to specific, general and all other consultees who the council consider may have an interest. • Make documents available on the council's website, at the HDL offices and other locations as considered appropriate.
<u>Stage 2: Preparing the Draft Neighbourhood Plan/Order</u>		
<ul style="list-style-type: none"> • Develop vision, aims and objectives • Develop communications strategy • Gathering baseline information and evidence • Identify and assess options • Prepare draft Neighbourhood Plan/ 	Qualifying body should undertake ongoing consultation and engagement with the community (those living, working, with an interest in or affected by proposals) and relevant consultees (such as infrastructure providers) as the neighbourhood plan/order is being developed.	

<p>Order and associated documents</p> <p>Ensure compliance with EU obligations If the plan is deemed likely to have significant environmental effects then Strategic Environmental Assessment will be required.</p>	<p>If it is determined that a Strategic Environmental Assessment (SEA) is required for the neighbourhood plan then the Parish Council / qualifying body will need to undertake the SEA.</p>	<p>The Council will carry out an initial screening which lasts for five weeks and involves consulting the statutory consultees.</p>
<p>Stage 3: Pre-submission publicity and consultation</p>		
<ul style="list-style-type: none"> • Formal consultation stage • After consultation, the qualifying body will consider representations received and amend neighbourhood plan as appropriate • Consultation statement is prepared which details the consultation undertaken, the responses received and any changes as a result. • The Borough Council will continue to provide informal advice and support. 	<ul style="list-style-type: none"> • Qualifying body will formally publicise the draft neighbourhood plan or order and invite representations. • Consultation bodies (outlined in the Neighbourhood Planning Regulations¹³ (Sch1) also need to be consulted. 	<p>The Council may make formal representations in response to consultation</p>
<p>Stage 4: Submission of Neighbourhood Plan/Order to Borough Council:</p>		
<p>Submission Plan and supporting documents submitted to the council including basic conditions statement, SEA and consultation statement.</p>		<p>If the Council finds that the plan or order meets the legal requirements it will formally publicise and consult (for a minimum of 6 weeks) as follows:</p> <ul style="list-style-type: none"> • Write to specific, general and all other consultees who

¹³ The Neighbourhood Planning (General) Regulations 2012 No. 637 SCHEDULE 1

		<p>the council consider may have an interest.</p> <ul style="list-style-type: none"> • Make documents available on the council’s website, at Deposit Locations as considered appropriate along with any locations suggested by the Parish Council/qualifying body. • Use social media and local media/ press to raise awareness • Collate the representations made to send to the examiner.
<p><u>Stage 5: Independent examination</u></p>		
<ul style="list-style-type: none"> • Qualifying body submits plan, relevant documentation and representations to independent examiner. • Following examination, the examiner issues a recommendation to the council and qualifying body. • If the council is satisfied that the Plan/Order meets the basic conditions the neighbourhood plan proceeds to referendum, working with the parish/town council/forum in light of any changes required by the examiner. • If the council doesn’t think the basic conditions have been 		<p>The Council will;</p> <ul style="list-style-type: none"> • Write to specific, general and all other consultees who the council consider may have an interest informing them that the examiner’s report has been published. • Publish the examiner’s report on the council's website

<p>met, they will work with the qualifying body to determine the way forward.</p>		
<p><u>Stage 6 : Referendum plan/order</u></p>		
<p>Referendum version of the neighbourhood plan/ order made available by the council along with associated documents including information statement, examiners report, decision statement and general information document.</p> <ul style="list-style-type: none"> • Results declared after polling has taken place • If there is a positive referendum result the Neighbourhood Plan becomes part of the Development Plan immediately. 	<p>Qualifying body can raise awareness of referendum through publication of <i>neutral promotional material</i>.</p>	<p>Council makes arrangements and publishes notice for the referendum setting out the relevant information and associated documents in line with legislative requirements. These documents will be made available on the council's website, council offices, local library and parish council office along with any locations suggested by the qualifying body.</p> <ul style="list-style-type: none"> • A person is entitled to vote if at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area. • Council declares result of referendum on website and via social media.
<p><u>Stage 7: Making the neighbourhood plan/ order</u></p>		
<p>If more than 50% vote in favour, the Borough council 'makes' the plan via Council resolution.</p>		<p>The Council will;</p> <ul style="list-style-type: none"> • Publish the Neighbourhood Plan, adoption statement and SEA adoption statement (where relevant) on the council's website, at the council offices and other locations as considered appropriate. A copy of the adoption statement will be sent to specific, general and all other consultees who the council consider may have an interest.

<u>Stage 8: Monitoring and Review</u>		
<p>The Neighbourhood Plan sets out the period for which it has effect. Qualifying bodies in areas where policies in a made neighbourhood plan have become out of date may decide to update their plan, or part of it before the end of the plan period.</p>	<p>The process for the ‘making’ of a replacement plan/order is the same as the process for the making of the existing plan/order. A streamlined procedure for modification of a neighbourhood development plans/orders where the proposed modifications would materially affect the policies in the plan/order, but would not be as significant or substantial as to change the nature of the plan is also possible.</p>	<p>The Council will advise on the options, process and timing for reviewing neighbourhood plans.</p>

PART D

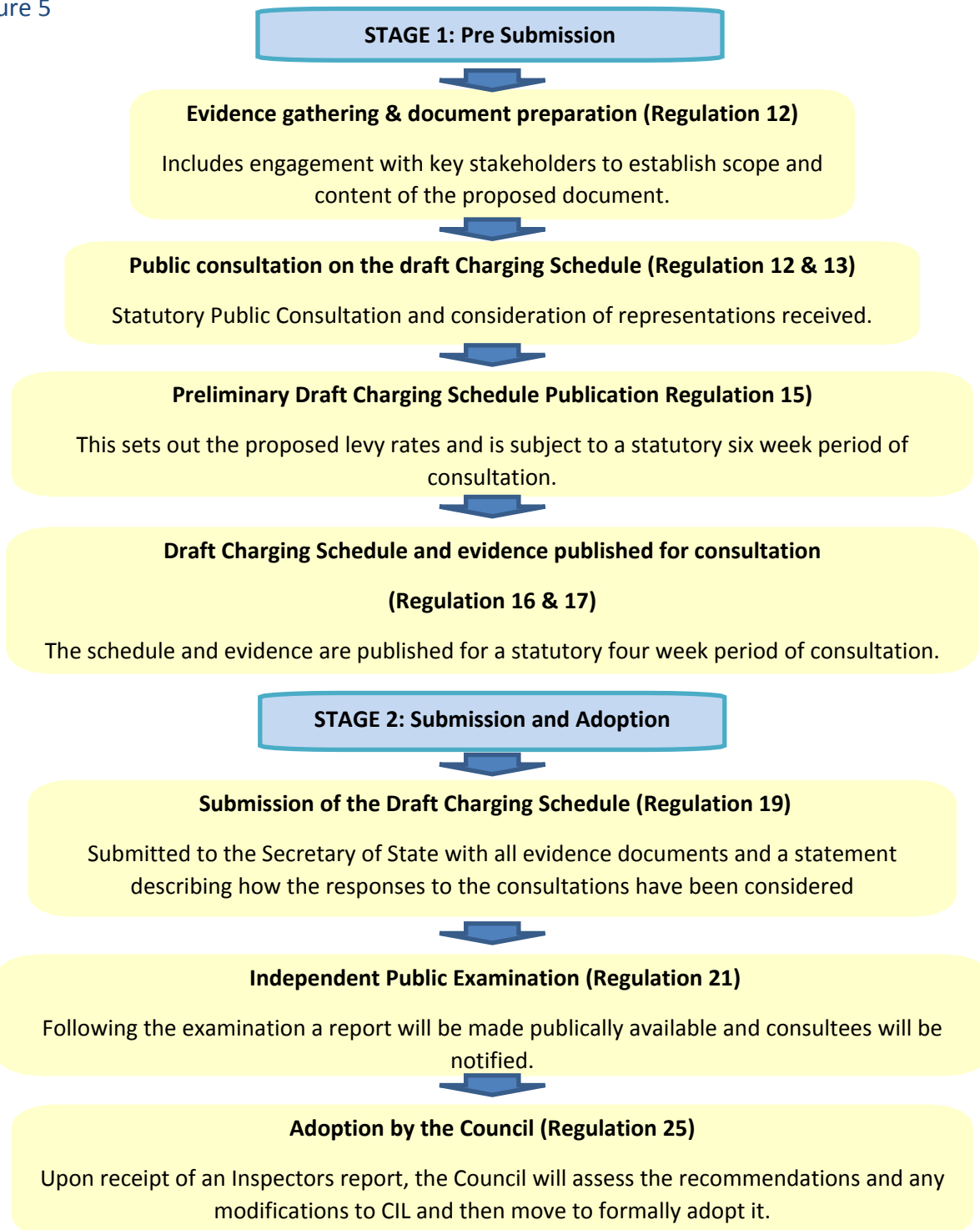
7. Community Infrastructure Levy (CIL)

- 7.1 There are CIL Regulations¹⁴ that prescribe the steps that need to be undertaken in the preparation of a CIL Charging schedule, as described in figure 5 below. The procedures for preparation, consultation, submission and examination are very similar to those for the preparation of Local Development Documents which collectively form Halton's Local Plan.
- 7.2 Initial preparation of a draft CIL involves engagement with key stakeholders to establish the scope and content of the CIL. The Council will prepare a preliminary draft and this will then be consulted on for a period of 6 weeks. Following this, the Council will consider the representations received and prepare a Draft Charging Schedule. This is then consulted upon for a further statutory six week period
- 7.3 If there are any modifications following consultation on the Draft, there will be another consultation for at least 4 weeks.
- 7.4 Following the consultation period, the Draft Charging Schedule will be submitted to the Secretary of State together with all supporting evidence documents and a statement setting out how the council have considered representations received following each consultation stage, This statement will clearly explain how the responses have been considered by the Council, and how or if the schedule has been amended as a result.
- 7.5 An independent examination of the CIL by a Government appointed Inspector, will be arranged. Members of the public, stakeholders and the Council are able to attend. The purpose of the Examination is to consider the "soundness" of the Community Infrastructure Levy and whether it meets the legal requirements as set out in the relevant legislation and regulations. The conduct of the Examination is usually hearing sessions whereby representors can present their comments orally to the inspector during the sessions. The Examination may, however, be wholly by written representations; this will be determined by the Inspector. During the Examination the Inspector may pose additional questions to the Council and other representors to help his/her understanding of the issues. These questions and the responses given will be made publically available, usually on the Council's website. The Examination may result in modifications being required in order to make CIL 'sound'. If these modifications are deemed to be significant 'material changes' to the schedule then the Inspector may advise that the Council undertakes a further round of public consultation on these changes. This consultation will usually be for six weeks.
- 7.6 Following the Examination, the Inspector will prepare a report on the CIL and make recommendations and or modifications which are required before CIL can be adopted. This report will be made publically available and consultees will be notified.

¹⁴ CLG (2010) The Community Infrastructure Levy Regulations (as amended)

- 7.7 Upon receipt of an Inspectors report, the Council will assess the recommendations and any modifications to CIL and then move to formally adopt it. The Council will produce and Adoption Statement, advertise that the Schedule has been adopted and make the document available for public inspection at the main Council Planning Offices and on the Council website.

Figure 5



8. Further Planning Advice

- 8.1 The Royal Town Planning Institute (RTPI) is helping to encourage public participation in planning issues by setting up a Planning Aid system in every region. The advice offered to community groups and individuals is complementary to the advice given by the local authority. Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees:

Planning Aid England (PAE)

Tel: 020 7929 9494

(www.rtpi.org.uk/planning-aid)

- 8.2 The planning portal is a web based source of planning information. (www.planningportal.gov.uk). The information provided allows members of the public to learn more about how the planning system works and find out how they can become involved. The planning portal provides comprehensive information for both planning policy and development control/development management.

9. Monitoring

- 9.1 Plan Document, which is the overarching strategic planning policy The Council will maintain the LDF consultation database which will continue to be the main source to identify individual consultees for future consultation exercises. The Council will seek to work with partners and land owners to pursue delivery against the Vision and Strategic Objectives of the Sustainable Community Strategy and Core Strategy Development document within the LDF.

10. Availability of Consultation Material

- 10.1 All consultation material, supporting background and evidence base documents will be published on the Council website.
- 10.2 All consultation material will be made available in Halton Direct Link offices and in all Halton's libraries. The location and opening times of the Councils offices and libraries can be found online at: <http://www3.halton.gov.uk/educationandlearning/libraries/>

REPORT TO: Environment and Urban Renewal Policy and Performance Board

DATE: 14th November 2018

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

PORTFOLIO: Physical Environment

SUBJECT: Government Consultations on Shale Gas

WARDS: All Wards

1.0 PURPOSE OF THE REPORT

1.1 To inform the Board of the Council's response to the Government's consultations on changes to the regulation of Shale Gas exploitation.

2.0 RECOMMENDATION: That the content of this report is noted

3.0 SUPPORTING INFORMATION

3.1 Two consultations have been undertaken simultaneously by two separate Government Departments. These are as follows:

3.2 Department for Business, Energy and Industrial Strategy (BEIS)

This consultation sought views from industry, regulators and other parties on the timings and criteria for including shale gas projects in the Nationally Significant Infrastructure Project (NSIP) regime under the Planning Act 2008.

3.3 <https://www.gov.uk/government/consultations/inclusion-of-shale-gas-production-projects-in-the-nationally-significant-infrastructure-project-nsip-regime>

3.4 Ministry of Housing, Communities and Local Government (MHCLG)

The consultation sought views on the principle of whether non-hydraulic fracturing shale gas exploration development should be granted planning permission through a permitted development right, and in particular the circumstances in which it would be appropriate.

3.5 <https://www.gov.uk/government/consultations/permitted-development-for-shale-gas-exploration>

- 3.6 Members should note that there are already permitted development rights (meaning Parliament has already granted an England-wide consent for this activity) for mining and minerals exploration and this already covers boreholes, seismic surveys and excavations for minerals exploration.
- 3.7 As both consultation closed on 25 October 2018, it was not possible to report the responses to Board prior to the consultation closing. The respective responses submitted can be found in Appendix 1 and 2 to this report.

4.0 POLICY IMPLICATIONS

- 4.1 The regulation of shale gas is complex and not generally understood; ultimately environmental matters are for the Environment Agency, through their environmental permits for industrial processes. Gas well integrity / safety is a matter for the Health and Safety Executive (HSE). The Government's Oil and Gas Authority will monitor compliance with the conditions of the terms in the PEDL (Petroleum Exploration and Development Licence. Finally a Hydraulic Fracturing Consent licence is needed from BEIS.
- 4.2 Despite these overlapping regulatory regimes, the only one that involves public consultation is on planning applications, at which point there is an expectation that all aspects will be considered. However, the Government is clear that separate regulatory regimes should not duplicate. To that end, the planning process is essentially concerned with compatibility, in land use terms, of the proposed development with surrounding uses (for example highway safety and amenity issues in terms of visual impact and noise). If anything, the proposals set out in the two consultations make the policies and regulatory regime that applies to this industry even more complex.
- 4.3 As the Council is a Minerals Planning Authority, the Board will be interested in the current national policy context applicable to Shale Gas. The current set of national policies is set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance. Members should note the positive language used in national policy (see also Section 9 of this report).
- 4.4 NPPF:
Oil, gas and coal exploration and extraction - Paragraph 209. Minerals planning authorities should:
a) recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons, for the security of energy supplies and supporting the transition to a low-carbon economy; and put in place policies to facilitate their exploration and extraction [emphasis added];

b) when planning for on-shore oil and gas development, clearly distinguish between, and plan positively for, the three phases of development [emphasis added] (exploration, appraisal and production), whilst ensuring appropriate monitoring and site restoration is provided for;

4.5 *Planning Practice Guidance:*
<https://www.gov.uk/guidance/minerals#planning-for-hydrocarbon-extraction>

5.0 FINANCIAL IMPLICATIONS

5.1 No immediate financial implications as the report is for information only.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

There are no implications for the priorities given below as this is a consultation on national policy.

6.1 **Children & Young People in Halton**

6.2 **Employment, Learning & Skills in Halton**

6.3 **A Healthy Halton**

6.4 **A Safer Halton**

6.5 **Halton's Urban Renewal**

7.0 RISK ANALYSIS

7.1 The main risks include further changes to Government policy, regulations and legislation.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 This report has no direct implications for equality and diversity issues.

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

Document	Place of Inspection	Contact Officer
Ministerial Written Statement 17 May 2018 https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-05-17/HCWS690	Online	Tim Gibbs
BEIS Guidance on Shale Gas https://www.gov.uk/government/publications/about-shale-gas-and-hydraulic-fracturing-fracking/developing-shale-oil-and-gas-in-the-uk	Online	Tim Gibbs

APPENDIX 1: DEPARTMENT FOR BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

INCLUSION OF SHALE GAS PRODUCTION PROJECTS IN THE NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT (NSIP) REGIME

Q1: Do you agree with the proposal to include major shale gas production in the Nationally Significant Infrastructure Project regime?

Not at this time.

Q2. Please provide any relevant evidence to support your response to Question 1.

It is premature to move major shale gas production into the NSIP project regime at the current time because:

- the consultation has not made the case or provided evidence to justify the proposed change and why the existing system of regulating onshore oil and gas cannot continue to be operated;
- the industry in the UK is not sufficiently mature to be able to set reliable thresholds for example on production rate, on-site and associated infrastructure on the basis of successful and commercially viable production;
- the national need for major shale gas production has yet to be established and it is unclear why major shale gas production is to be treated differently to some other onshore oil and gas production techniques;
- the relationship between local control of testing and appraisal and that of major production is not clearly described and there are significant concerns that a move away from localism (to the NSIP regime) could disadvantage the local communities which are impacted;
- Minerals Planning Authorities can refer shale gas production projects to the Secretary of State for BEIS for determination and the Secretary of State for BEIS can decide to direct a major shale gas production project to the NSIP regime and therefore the opportunity for such applications to be determined nationally already exists. This can already be done on a case by case basis in close co-operation with the Minerals Planning Authority.

It may well be that in the future, once shale gas production is a proven industry within the UK context and good industry practice has been established, that there may be a case for a NSIP threshold. However, currently the proposal raises substantial concerns about a lack of local community and Local Authority influence.

Q3. Which criteria should be used to indicate a nationally significant project with regards to shale gas production?

Whilst we consider it premature at this point as set out in our response to question 2 above, responses have been provided to some of the criteria listed below. This is because there may be circumstances where the scale of the proposed shale gas production project may be better addressed as an NSIP with full involvement of the Minerals Planning Authorities and (local) communities and therefore that a threshold or criteria needs to be set in the future.

(a) Number of individual wells per well-site.

No - the number of wells required that would constitute a major shale gas production development is unknown as there are too many variables in terms of scale of development, potential resource and the productivity of that resource.

- (b) The total number of well sites within the development.
Not at this time – the above-ground location of well pads is more likely to be governed by land use constraints and infrastructure availability so adopting this criterion alone could encompass quite a wide range of sites.
- (c) Estimated volume of recoverable gas.
Not at this time. How this could be calculated has not been defined in the consultation documents. There is potential for this to be used in the future when the gas production rates of different geological formations are better understood through for example a larger sample site of appraisal wells, flow tests and sustained production rates. This will need to be informed by evidence and industry practice - industry estimates of potential resource vary widely as does the efficiency of extraction. Potentially to be used in combination with b, d, e and g.
- (d) Estimated production rate.
This is likely to be a better criterion provided there is sufficient certainty that the flow rates can be maintained over the lifetime of the well as there is often a decay in production rate without intervention (re-drilling and re-fracturing). Potentially to be used in combination with b, c, e and g but not alone.
- (e) Gas connection
Connection to the national gas network could be a criterion but should not be used alone – see criteria b, c, e and g.
- (f) Associated equipment on-site.
No – each site should be considered on a case by case basis as this will be widely influenced by local market, land use, infrastructure and market opportunities e.g. gas or electricity offtake, private wire etc. Such matters would be better addressed through the EIA process and thresholds there.
- (g) Shared infrastructure for multiple-well sites.
Possibly in the future in combination with criteria b, c, d and e but would need to be informed by site-specific production experience and practice in the UK onshore oil and gas context.
- (h) Combination of above criteria
Possible in the future as set out above.
- (i) Other.
No suggestions.

Q4. Please provide any relevant evidence to support your responses to Question 3.

See above.

Q5. At what stage should this change be introduced?

Not at the present time. Whilst it is helpful to proactively explore options to facilitate production to secure energy supplies in England, the shale gas industry is currently not proven or sufficiently mature to justify and provide evidence for an immediate change. The consultation is also very unclear as to how this proposal would relate to commitments and targets to address climate change and re-balance the energy generation mix towards lower carbon and / or renewable sources. A view and further consultation will be needed once the industry has progressed to a sufficiently large scale to be supported by sufficient evidence and good practice to justify any NSIP criteria.

Irrespective of the criteria to be used and the timing of any changes, the Minerals Planning Authorities and (local) communities must be engaged in a meaningful way as part of the NSIP process.

Q6. Please provide any relevant evidence to support your responses to Question 5.

It is extremely difficult to separate this consultation from the Housing, Communities and Local Government consultation on permitted development. When the two proposals are considered together it raises a significant concern for Local Authorities and the communities they represent that there is a significant and un-justified move away from localism and local control. Whilst the undertaking to provide a consultation on community participation and engagement in autumn 2018 is welcomed, the proposals should have been released alongside the above consultations.

Furthermore when the two consultations are taken together this results in complication of regulatory processes, which previously should have operated in an integrated manner as follows:

- Exploration stage – permitted development;
- Testing and appraisal – local control via Minerals Planning Authority;
- Production stage – NSIP or local depending on criteria.

Given that the development of such onshore oil and gas technologies are largely an iterative process, this regulatory separation makes operation of an integrated approach more challenging.

There is a widespread local concern that the early adoption of NSIP criteria when the industry has yet to be proven in the UK context is premature and will reduce the ability of local communities and Local Government to influence decisions. The proposal at this time therefore raises concerns in terms of local accountability and an intention to move away from localism.

Irrespective of NSIP – LAs need to be resourced appropriately to be able to response to shale gas development proposals.

See comments in Qu 5. Above in relation to climate change.

APPENDIX 2: MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION

PERMITTED DEVELOPMENT FOR SHALE GAS EXPLORATION

General Comment:

It is extremely difficult to separate this consultation from the Department for Business, Energy and Industrial Strategy consultation on Nationally Significant Infrastructure Projects for shale gas production development. When the two proposals are considered together it raises a significant concern for Local Authorities and the communities they represent that there is a significant and un-justified move away from localism and local control.

This is particularly a concern when the consultation document refers to an intended proposal to strengthen community engagement through consultation (paragraph 7) yet this is not available in time to inform responses to both the NSIP and permitted development (PD) rights consultations. Such an approach does not provide the necessary certainty that local communities require.

It remains premature to consult on PD rights for shale gas exploration for three reasons:

- As set out in paragraph 2, the shale gas industry in the UK is immature and there is little certainty that it will develop at scale; and
- Seismic exploration can take place over very wide areas with a range of constraints and sensitivities that need to be taken into consideration – some of these are seasonal and temporal in nature and Local Authorities may still have legislative responsibilities under other regimes e.g. as a Competent Authority under the Habitats Regulations. This diffuse nature of the seismic survey activity should be referred to in paragraph 19; and
- Whilst the exploration phase generally is likely to have relatively low environmental impacts due to the nature, scale and duration of the activities, inclusion of it as PD raises local community concerns that it could lead to more significant and potentially locally environmentally damaging activities some of which may also have wider ranging implications for climate change.

Paragraph 11 is considered not to be a representative statement as the proposed technology is considered by many to be controversial and the assessment and evidence requirements do need to be considered on a case by case basis. These factors, plus the emerging policy approach, the immature nature of shale gas, and the information submitted by the industry, all contribute significantly to time taken for consent. With increasing applications and local planning and industry experience and awareness it is reasonable to assume that the timescale will reduce for the exploratory phases.

It has yet to be ascertained what decision-taking regime is needed to be fit for the future development of shale. The only way this will be known is when there is sufficient evidence and a representative number of applications have successfully been proven at the production stage to be making a meaningful contribution to the UKs energy mix and energy strategy.

Furthermore, the case for why shale gas as a technology should be treated differently to other onshore oil and gas technologies has yet to be made. This is not

established in the consultation document e.g. paragraph 20. The case remains unproven why shale should be treated differently to other onshore oil and gas developments and possibly other energy generations projects. This is a particular concern within the context of the energy strategy and different technologies to secure energy supply given that shale gas development may be relatively inefficient in terms of energy generation in terms of extraction and generation efficiency and resultant emissions compared to other technologies.

Therefore, it is considered that the grant of PD rights for shale exploration activities is premature and should be reviewed in 2 years with a larger sample of applications and informed by those data.

Permitted Development Rights

Paragraph 17 should refer to the Habitats Regulations and also be clear where the Competent Authority responsibility lies – it is assumed that this will remain with the Minerals / Local Planning Authority and not Ministry of Housing, Communities and Local Government.

Question 1

- a) Do you agree with this definition to limit permitted development rights to non-hydraulic fracturing shale gas exploration?**

No.

- b) If No, what definition would be appropriate?**

Whilst we do not agree that it should be PD at this time, any definition should be supported by clear evidence to justify the 96-hour time limit and also exclude environmentally sensitive areas – which again should be defined.

Question 2

Should non-hydraulic fracturing shale gas exploration development be granted planning permission through a permitted development right?

No – for the reasons already set out in our general comments it should not be granted PD at this time because of the immaturity or embryonic stage of the shale industry within the UK context and the very limited evidence used to justify such a proposal. The PD issue should be revisited when there is a larger evidence base and a sensible review period would be 2 years.

Question 3

- a) Do you agree that a permitted development right for non-hydraulic fracturing shale gas development would not apply to the following?**

Yes we do but:

- each of those listed should be defined for example there is no clear definition of what sites of archaeology interest constitute and this must be precisely defined
- the list is in-complete. It is a significant omission that European and International nature conservation designations have been excluded from the list as these are particularly environmentally sensitive and could be affected by a range of activities associated with exploration activities. The list should be amended to include the following designations Ramsar sites, Special Areas of Conservation

(SAC) and Special Protection Areas (SPAs). Consideration also must be given to functionally linked habitat associated with these designations.

b) N/A

c) Are there any other types of land where a permitted development right for non-hydraulic fracturing shale gas exploration development be granted planning permission through a permitted development should not apply

Yes – see above – Ramsar sites, SACs, SPAs and functionally linked habitat and also National Nature Reserves. This safeguard is necessary even though PEDL licensed areas should exclude these designations as there is still potential for exploration activities to take place within them as part of the process of gathering evidence in relation to the potential resource and geology.

Question 4

What conditions and restrictions would be appropriate for a permitted development right non-hydraulic fracturing shale gas exploration development?

Whilst we consider that it is premature to grant PD rights as set out in the above responses, secondary criteria are also needed for a tier of local constraints and non-statutory designations such as:

- Local nature reserves and local sites (local wildlife and geological sites);
- Priority habitats;
- Ecological network areas such as Nature Improvement Areas;
- Any restrictions or conditions that enable a conclusion of no likely significant effects through the HRA process.

In addition, the PD consultation appears to downplay the extensive spatial area for seismic testing and jumps to an approach which is site-focussed.

Question 5

Do you have comments on the potential considerations that a developer should apply to the local planning authority for a determination, before beginning the development

Yes – see answer to Question 4 and each proposal will need to be considered on a case by case basis given the diversity of potential constraints and special local considerations. This is particularly important as exploration activities can cover large areas.

We are concerned that when the consultation requirements for these local considerations are taken into account this could introduce time-delays that may, in reality be little different in terms of timescale and Local Planning and Mineral Authority consultation requirements and support arrangements than a planning application for exploration. In addition, the proposed approach would also result in an increased financial burden on the local authority resources as any prior approval fee is likely to be less than that for a planning application.

Question 6

Should a permitted development right for non-hydraulic fracturing shale gas exploration development only apply for 2 years, or be made permanent?

As set out we do not consider PD is appropriate. Should Government proceed on this basis it should be restricted to 2 years.

Question 7

Do you have any views regarding people with protected characteristics as defined in section 149 of the Equality Act 2010?

No. However, care needs to be exercised that shale gas development does not disadvantage certain communities and groups on the basis of wealth and social deprivation given that these areas are highly likely to have lower land values and therefore potentially lower development costs for the shale industry.

This perceived impact on local communities may however be offset through job and wealth creation potentially. However, current evidence shows the economic benefits of the exploration phase to be very limited and temporary.