

HALTON BOROUGH COUNCIL



*Municipal Building,
Kingsway,
Widnes.
WA8 7QF*

5 October 2021

**TO: MEMBERS OF THE HALTON
BOROUGH COUNCIL**

You are hereby summoned to attend an Ordinary Meeting of the Halton Borough Council to be held in the Bridge Suite - Halton Stadium, Widnes on Wednesday, 13 October 2021 commencing at 6.30 p.m. for the purpose of considering and passing such resolution(s) as may be deemed necessary or desirable in respect of the matters mentioned in the Agenda.

A handwritten signature in black ink, appearing to read 'David W. R.', is positioned above the title 'Chief Executive'.

Chief Executive

-AGENDA-

Item No.		Page No.
1.	COUNCIL MINUTES	SEE MINUTE BOOK
2.	APOLOGIES FOR ABSENCE	
3.	THE MAYOR'S ANNOUNCEMENTS	
4.	DECLARATIONS OF INTEREST	
5.	LEADER'S REPORT	
6.	MINUTES OF THE EXECUTIVE BOARD	SEE MINUTE BOOK
	a) 15 July 2021	
	b) 16 September 2021	
7.	MINUTES OF THE HEALTH AND WELLBEING BOARD	SEE MINUTE BOOK
8.	QUESTIONS ASKED UNDER STANDING ORDER 8	
9.	MATTERS REQUIRING A DECISION OF THE COUNCIL	
	a) ATI UK Ltd Cremator Issue at Widnes Crematorium (Minute EXB 17 refers)	21 - 24
	The Executive Board considered the attached report:	
	RECOMMENDED: That	
	1) delegated authority be granted to the Strategic Director – Enterprise, Community and Resources, in consultation with the Portfolio Holder for Environment and Urban Renewal, to procure a replacement cremator and associated service and maintenance contract; and	
	2) Council be recommended to include £200,000 in the 2020/22 Capital Programme for the scheme, as outlined in Section 5.0 of the report.	
	b) Halton Local Development Scheme (Minute EXB 20 refers)	25 - 42
	The Executive Board considered the attached report:	

RECOMMENDED: That the Local Development Scheme 2021 be adopted as a formal part of Halton Borough Council's planning framework.

- c) 2021/22 Revised Capital Programme (Minute EXB 15 refers) **43 - 48**

RECOMMENDED: That Council approve the revisions to the Council's 2021/22 Capital Programme set out in paragraph 3.2 of the report.

- d) Absence of Elected Member

Council are asked to note that Councillors C. Plumpton Walsh and N. Plumpton Walsh have been absent from attending Council meetings for five months due to personal family circumstances.

Under Section 85 of the Local Government Act 1972, permission is sought for Councillors C. Plumpton Walsh and N. Plumpton Walsh to be granted an extended period of absence from attending Council meetings for a further period of 3 months, concluding on 13 January 2022.

10. MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE AUDIT AND GOVERNANCE BOARD

SEE MINUTE BOOK

- a) Children, Young People and Families
- b) Employment, Learning, Skills and Community
- c) Health
- d) Safer
- e) Environment and Urban Renewal
- f) Corporate Services
- g) Audit and Governance Board

11. COMMITTEE MINUTES

SEE MINUTE BOOK

- a) Development Management
- b) Regulatory
- c) Appointments Committee

12. NOTICE OF MOTION - PLANNING REFORMS

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REPORT TO: Executive Board

DATE: 15 July 2021

REPORTING OFFICER: Strategic Director Enterprise, Community and Resources

PORTFOLIO: Environment and Urban Renewal

SUBJECT: ATI UK Ltd Cremator Issue at Widnes Crematorium

WARDS: Boroughwide.

1.0 PURPOSE OF THE REPORT

- 1.1 To propose a solution to the current problem that exists at Widnes Crematorium regarding two ATI UK Ltd cremators for which there is no maintenance support following the collapse of that company in March 2020.

2.0 RECOMMENDED: That

- 1) Delegated authority be granted to the Strategic Director – Enterprise, Community and Resources, in consultation with the Portfolio holder, to procure a replacement cremator and associated service and maintenance contract; and**
- 2) Council be recommended to include £200,000 in the 2021/22 Capital Programme for the scheme, as outlined in section 5.0 below.**

3.0 SUPPORTING INFORMATION

- 3.1 Widnes Crematorium currently has two ATI UK Ltd cremators which were procured in 2013 and installed in the early months of 2014. This type of cremator was estimated to have a life expectancy of 15 years and for that reason a service and maintenance contract to cover that period was entered into with ATI UK Ltd. In 2014 Widnes Crematorium carried out 567 cremations. In 2020 1,227 cremations were carried out at Widnes Crematorium.
- 3.2 On 18 March 2020 the Council received confirmation that ATI UK had ceased to trade. A week later the first Covid-19 lockdown was announced.
- 3.3 After the demise of ATI UK Ltd the Council was left with no service and maintenance contract. Cremators like any other mechanical apparatus, can and do fail from time to time for a wide variety of reasons. They also

require regular servicing. The Divisional Manager of the Open Space Service approached a number of the larger cremator manufacturers to see if they would enter into a service and maintenance contract for Widnes Crematorium. Only one company was interested. Whilst they declined to enter into a formal contract they agreed to help the Council by carrying out service and repair on an ad-hoc basis, by providing us with a temporary cremator (to cover the expected increase in cremations and to cover if the ATI equipment broke down), and by preparing us a report and giving us options as to how we could move forward. The report was completed on 27 April 2021. The report proposes a solution which would be to replace one of the ATI UK Cremators and to keep the parts from the dismantled machine in the hope that they can be used to keep it operational for the next few years. This would be the cheapest solution to the immediate problem but it would cost in the region of £200,000. The temporary cremator rented at a cost of £8,000 + VAT per month would go off hire and be removed.

4.0 POLICY IMPLICATIONS

4.1 There are no policy implications.

5.0 FINANCIAL IMPLICATIONS

5.1 The proposal would require capital of circa £200,000. It is important to note that Widnes Crematorium generated an income of £762,000 in 2020/21. Operating costs were £227,000 giving a surplus of £535,000. Part of this is used to offset the cost of providing cemeteries but even when that is taken into consideration there was still a surplus of £417,000. Therefore the revenue budget could easily service the capital expenditure.

5.2 Because of the uncertainty and the risk of mechanical failure associated with the ATI UK Ltd cremators the Council hired a temporary cremator. This cost £25,000 for delivery and set up and is costing £8,000 per month for rental (£108,000 to date). If the recommendation of this report is accepted the temporary cremator can be decommissioned and sent off hire (decommissioning cost £20,000).

5.2 The annual service and maintenance cost with ATI UK Ltd had been £13,600 per annum (*based on up to 800 cremations per year*). Going forward annual service and maintenance costs are likely to be circa £20,000 per annum (*based on up to 1400 cremations per year*). In the period since 18 March 2020 the Council has paid Matthews Environmental a total of £2,162 for maintenance on an ad-hoc basis. The revenue costs for service and maintenance can easily be met from existing budgets.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 **Children and Young People in Halton**

There are no implications for Children & Young People.

6.2 Employment, Learning and Skills in Halton

There are no implications for employment, learning and skills.

6.3 A Healthy Halton

There are no implications.

6.4 A Safer Halton

There are no implications.

6.5 Halton's Urban Renewal

There are no implications.

7.0 RISK ANALYSIS

At present there is significant risk to the Widnes Crematorium operation. Although mitigated because of the hire of a temporary cremator should both ATI UK Ltd cremators fail at the same time it would be extremely difficult to carry out the number of cremations that are required without there being serious delays.

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REPORT TO:	Executive Board
DATE:	15 July 2021
REPORTING OFFICER:	Strategic Director – Enterprise, Community & Resources
SUBJECT:	Halton Local Development Scheme
PORTFOLIO:	Environment and Urban Renewal
WARDS:	Borough-wide

1. PURPOSE OF THE REPORT

- 1.1. This report seeks the Board's approval to update the Local Development Scheme (LDS) (Appendix 1). Under statute, a council must prepare and keep updated a 'Local Development Schemes' (LDS) that provides a timetable for the production of their statutory development plan (or 'Local Plan'). An LDS describes the planning policy documents that a council intends to prepare, and gives target dates for key stages in their production. The attached LDS update covers the remaining stages in the preparation of the Delivery and Allocations Local Plan that has recently gone through examination by an independent government inspector.
- 1.2 The Environment and Urban Renewal Policy and Performance Board considered this item on the 23 June 2021 and recommended approval and adoption of the LDS by the Executive Board.

2. RECOMMENDATION: That

1. the Local Development Scheme 2021 (Appendix 1) is adopted as a formal part of Halton's planning framework.

3. SUPPORTING INFORMATION

- 3.1. The Local Plan for Halton currently comprises the Core Strategy (2013), the Joint Waste Plan (2013) and remaining saved policies from the Unitary Development Plan (2005). The Delivery and Allocations Local Plan will supersede the remaining 'saved' UDP policies and selected policies from the Core Strategy; and will sit alongside the Joint Waste Plan to provide the statutory development plan for Halton.
- 3.2. The Council has the option to produce Supplementary Planning Documents (SPDs) (e.g. Design of Residential Development) to support policies within the Local Plan or to provide additional guidance.
- 3.3. There are a number of supporting and process documents that the Council is required to produce including:

- A Sustainability Appraisal (SA) is prepared alongside a planning document, including the Local Plan, to ensure that the document as a whole reflects a balance of sustainable development objectives (social, environmental and economic factors). The SA incorporates the requirements of the European Union (EU) Strategic Environmental Assessment (SEA) Directive 2001/42.
 - A Habitats Regulations Assessment (HRA) is a requirement of the European Habitat Directive and seeks to assess the potential impact of a proposed plan in conjunction with the other plans and policies on one or more European Habitat sites. This is also referred to as the Appropriate Assessment (AA).
 - An Infrastructure Delivery Plan (IDP) will be updated alongside the Local Plan to identify essential supporting infrastructure and services, how they will be delivered and by whom.
 - A Statement of Community Involvement (SCI), which specifies how stakeholders and communities are involved
 - A Local Development Scheme (LDS) that sets out details of each of the documents that will be produced, along with timescales and arrangements for their production.
 - An authority's Annual Monitoring Report (AMR) setting out progress in terms of producing documents and in implementing policies.
- 3.4. The LDS is a public statement of Halton Borough Council's three year work programme for production of the Local Plan. The process of making Local Plans is a lengthy one, made so by the detailed protocols set out in legislation. If due process is not followed this becomes a viable legal ground for challenges either in front of an Inspector at Examination or via court action leading to the plan being found unsound or quashed by the High Court.

4. POLICY IMPLICATIONS

- 4.1. The planning Acts state that planning applications should be determined in accordance with the Development Plan.

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” [Section 38(6): Planning and Compulsory Purchase Act 2004]

- 4.2. This is reiterated in the National Planning Policy Framework (NPPF), which states that Plans should be reviewed at least every 5 years, and policies not reviewed within this time may be considered out-of-date. It

is important therefore that Halton maintains an up-to-date Local Plan and that efforts are concentrated towards the most crucial elements of this.

- 4.3. Given resources, the current LDS is focussed on the production of the Delivery and Allocations Local Plan, the key document that will have the most significant impact for the Borough.

5. FINANCIAL IMPLICATIONS

- 5.1. The LDS is a statutory 'process document' and as such has no direct financial implications beyond setting the timetable for the production of different planning documents. Costs will be met from existing budgets.

6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 6.1. No direct impacts identified. The LDS is a statutory 'process document' that sets out the programme for updating the statutory development plan for Halton.

7. RISK ANALYSIS

- 7.1. An LDS is a statutory document. Not having an up-to-date LDS presents a risk of legal challenge during the production of planning documents. Stakeholders are entitled to rely upon forward notice of the processes and policies that may directly impact on their land, property, assets or business.
- 7.2. The LDS represents an explicit commitment to the delivery of the Local Plan over a definite period. Not having a specific and relatively fixed work programme for Local Plan delivery means that resources are not prioritised and used as effectively as they could be.
- 7.3. The risk of not having an up-to-date Local Plan needs to be fully understood. Without a current Local Plan, the development industry has no certainty over where different types of land use will be permitted; appeals against refusal of planning permission are more likely to be upheld in the developer's favour with the possibility of costs awarded against the Council. An up-to-date Local Plan is needed to retain local control over decision making. Finally, the government can step in and take control over the local plan process if progress is not made.

8. EQUALITY AND DIVERSITY ISSUES

- 8.1. Building stronger communities through community engagement and good planning is a key aspect of the Local Plan. The Council is already committed to equality regardless of age, sex, caring responsibility, race, religion, marital status, maternity issues, gender reassignment, socio economic need, sexuality or disability and these commitments

are reflected in the Local Plan as far as is relevant. Planning Policy documents are subjected to Equality Impact Assessments during their production to ensure compliance.

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

Document	Place of Inspection	Contact Officer
Saved Policies of the Halton Unitary Development Plan	Municipal Building, Widnes	Alasdair Cross
Halton UDP Proposals Map	Municipal Building, Widnes	Alasdair Cross
Halton Local Development Scheme 2017	Municipal Building, Widnes	Alasdair Cross
The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)	Municipal Building, Widnes	Alasdair Cross
National Planning Policy Framework (2019)	Municipal Building, Widnes	Alasdair Cross
Halton Core Strategy Local Plan (2013)	Municipal Building, Widnes	Alasdair Cross
Waste Local Plan (2013)	Municipal Building, Widnes	Alasdair Cross

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Introduction

- 1.1. This document is the Local Development Scheme (LDS) for Halton, and sets out the documents that Halton Borough Council will produce, along with a timetable for the preparation and review of these documents. It provides the starting point for local communities, businesses, developers, service and infrastructure providers and other interested stakeholders to find out what local planning policy documents relate to their area and the timetable for their preparation. The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires local planning authorities to prepare, maintain and publish a LDS.

Legal Context

- 1.2. The primary legislation that guides the planning system, including the production of Local Plans is set out in the Planning and Compulsory Purchase Act 2004 with amendments from the 2008 Planning Act and 2011 Localism Act. Further detail on procedures for producing Local Plans is contained within the associated regulations, the latest being the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended) which came into force in April 2012.
- 1.3. The Localism Act (2011) included a number of changes to the “plan-making” system including the ability for local communities to prepare neighbourhood development plans that would form part of the overall development plan for the area. Another important aspect of the legislative changes is the duty to co-operate which requires the Council to co-operate with other local planning authorities and prescribed bodies to maximise the effectiveness of the preparation of the Local Plan and supporting activities so far as it relates to a strategic matter.
- 1.4. The National Planning Policy Framework (NPPF) was published in March 2012 and amended in June 2019 by the Department for Communities and Local Government. It sets out the Government’s planning policies for England and the Government’s requirements for the planning system.
- 1.5. National Planning Practice Guidance was launched by CLG in March 2014, it is a completely online resource and is live, which means that guidance can be quickly amended in order to keep it up to date. It provides guidance from CLG to planning professionals to guide them in developing sites, making policies and taking decisions on planning applications.

Development Plan

- 1.6. The statutory Development Plan is the set of Local Plans (also known as Development Plan Documents (DPDs)) that together form the statutory basis for determining whether or not planning permission should be granted.
- 1.7. Local Plans are planning documents that contain policies for the use and protection or development of land, usually including the allocation of land for development. These

must be in general conformity with government guidance, in particular the National Planning Policy Framework.

- I.8. Neighbourhood development plans are community based documents initiated through a parish council or neighbourhood forum. They are required to undergo formal consultation and preparation procedures including an examination by an independent person and a public referendum. Subject to the successful completion of these procedures the neighbourhood development plan will ultimately be adopted by the council as part of the statutory development plan.
- I.9. The Development Plan for Halton currently comprises: the Halton Local Plan Core Strategy (2013), the Joint Waste Local Plan (2013) and parts of the Halton UDP (2005) that have not lapsed, or been replaced by the Core Strategy or Waste Plan.
- I.10. It is intended that in future the Development Plan for Halton will comprise the Halton Local Plan and the Joint Waste Local Plan, along with any Neighbourhood Development Plans that are adopted.
- I.11. Parish Councils or neighbourhood forums have an option to produce Neighbourhood Plans on their own behalf and in their own timescale, the local development scheme does not seek to set this out. To date no parishes or neighbourhood areas in the Borough have yet begun the formal process to begin the development of such a plan.
- I.12. Supplementary Planning Documents (SPD) (and their predecessors, supplementary planning guidance) complement or expand upon local plan policies, for example describing in more detail how an allocated site should be developed. A SPD cannot allocate new sites for development nor contain new policies for the use or development of land, and they must not conflict with the adopted development plan. SPDs are subject to community involvement but do not require independent Examination. They do not form a statutory part of the development plan for the authority but are a material consideration when assessing any planning application to which they relate.

Local Development Scheme

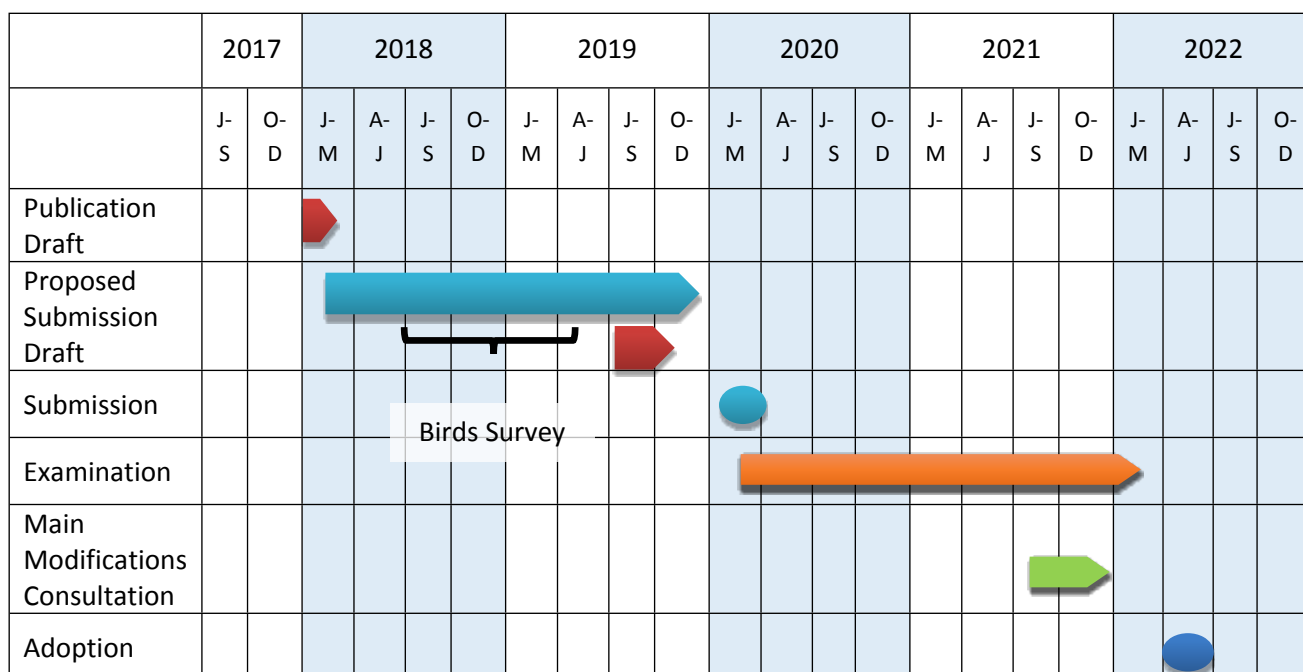
- I.13. Halton Borough Council is currently only preparing one Development Plan Document and this is the Halton Delivery and Allocations Local Plan (incorporating Revised Core Strategy Policies).

Halton Delivery and Allocations Local Plan (Incorporating Revised Core Strategy Policies)

- I.14. Once adopted, the new Local Plan will provide a robust and up-to-date policy framework to guide future development within the Borough. Specifically, the new Local Plan will:
 - a. Replace selected policies from the Halton Local Plan Core Strategy (adopted April 2013) and the remaining saved policies of the Halton UDP (adopted April 2005).

- b. Refresh and update a number of Strategic Policies of the Core Strategy.
- c. Include allocations of land for residential, employment, retail, leisure and other land uses.
- d. Identify areas to be designated and protected for landscape, nature conservation, environmental and heritage reasons.
- e. Provide policies to guide decision making in the development management process.

Timetable



	LDS 2017	LDS 2020	LDS 2021
Start	Jan 2014	Jan 2014	Jan 2014
Initial Scoping Consultation (Reg 18)	Jan 2014	Jan 2014	Jan 2014
Revised Scoping Consultation (Reg 18)	Jan 2016	Jan 2016	Jan 2016
Publication Draft Consultation	Oct 2017	Jan / Mar 2018	Jan / Mar 2018
Proposed Submission Draft (Reg 19)	Jun / Jul 2018	Aug 2019	Aug 2019
Submission	Jun / Jul 2018	Feb 2020	Mar 2020
Pre-examination Meeting	Oct 2018	Apr / May 2020	-
Hearing	Dec 2018	Jun / Jul 2020	Mar / Jun 2021
Main Modification Consultation			Sept / Oct 2021
Receipt of Inspector's Report	April 2019	Oct / Nov 2020	Feb / Mar 2022
Adoption	July 2019	January 2021	May / Jun 2022

- I.15. More detail is provided in Appendix A.
- I.16. The Council is liaising with partner authorities across the Liverpool City Region on the review and possible replacement of the Joint Halton and Merseyside Waste Local Plan.
- I.17. Other planning documents intended to be prepared by the Council include:
 - a. Open Space SPD
 - b. Transport and Accessibility SPD
 - c. Environmental Protection SPD

Indicative Timetable

	2021				2022				2023			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Open Space			Preparation			Formal Consultation	Adoption					
Transport & Accessibility	Preparation					Formal Consultation	Adoption					
Environmental Protection	Preparation					Formal Consultation	Adoption					
<ul style="list-style-type: none"> Preparation Formal Consultation Adoption 												

- I.18. The following supporting documents have been or are being produced by the Council to support the policy contained within the Local Plan and to provide more guidance to those undertaking development or to those making decisions on planning applications.
- I.19. **Local Development Orders (LDO)** are policy instruments that extend permitted development rights for certain forms of development that the local authority considers to be suitable, either in general or limited to defined areas. LDOs are intended to simplify development. Development that conforms to an LDO would not require planning permission.

Process Documents

- I.20. A **Sustainability Appraisal Report (SA)** is prepared alongside a planning document, including the Local Plan, to ensure that the document as a whole reflects a balance of sustainable development objectives (social, environmental and economic

factors). The SA incorporates the requirements of the European Union (EU) Strategic Environmental Assessment (SEA) Directive 2001/42.

- 1.21. **Habitats Regulations Assessment (HRA)** is a requirement of the European Habitat Directive and seeks to assess the potential impact of a proposed plan in conjunction with the other plans and policies on one or more European Habitat sites. This is also referred to as the Appropriate Assessment (AA).
- 1.22. An updated **Infrastructure Delivery Plan (IDP)** has been prepared alongside the Local Plan to identify essential supporting infrastructure and services, how they will be delivered and by whom.
- 1.23. **Authority Monitoring Report (AMR)** will set out whether the Council is on target to meet the milestones set out in the LDS, it will provide information on whether the policy targets included in the Local Plan are being achieved and will identify key issues that are relevant to the borough that should be used to revise the LDS if necessary.
- 1.24. **Statement of Community Involvement (SCI)** – The Halton SCI was updated and approved in 2020. It sets out how the community will be involved in the preparation, alteration and review of planning policy documents produced by the Council and how they can be expected to be consulted on planning applications.

3. Evidence Base

- 3.1 The key pieces of Halton’s existing evidence base which will be used to support the Local Plan are set out below (please note that other existing evidence base documents may also be used, where required, alongside these):

A	Whole Plan Viability Study (HDH Planning & Development Ltd 2019)	The study assessed the viability impacts of emerging planning policies to ensure that the Local Plan, when taken as a whole, is viable and deliverable and providing evidence to support affordable housing provision from qualifying sites.
B	Liverpool City Region Strategic Housing and Employment Land Market Assessment (SHELMA) (GL Hearn 2017)	This study identifies housing and employment land needs for the City Region over the period to 2037
C	Liverpool City Region Strategic Housing and Employment Land Availability Assessment Vol.2 (March 2018) (GL Hearn)	This study quantifies the potential supply of land for large scale B8 (warehousing).

D	Joint Employment Land and Premises Study (BE Group, 2010)	The study assesses the quantity and quality of employment land in the Borough and recommends future allocations of employment land to maintain economic growth.
E	Halton Retail Study (England & Lyle 2017):	This is a capacity study looking to identify trading roles and performance of the Borough's main retail centres and to quantify the need, if any, for additional provision.
F	Halton Landscape Character Assessment (TEP, 2009):	This identifies, describes and maps areas according to various landscape character types.
G	Halton Open Space Study (PMP and HBC, 2006).	The study assesses existing and future needs for open space, sport and recreation in Halton and the current ability to meet these needs.
H	Halton Strategic Flood Risk Assessment (HBC, 2007)	Provides a detailed assessment of the extent and nature of the risk of flooding and the implications for future development.
I	Halton Level 2 Strategic Flood Risk Assessment (JBA, 2019)	Detailed flood risk assessment for individual potential development sites, focusing on risk from three primary watercourses.
J	Liverpool City Region Renewable Energy Capacity Study (Arup, 2010):	This study identifies Energy Priority Zones for the delivery of low and zero carbon technologies.
K	Cheshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (June 2018)	Assessment of accommodation and related service needs of Gypsies, Travellers and Travelling Showpeople across Halton, Warrington and Cheshire.
L	Liverpool City Region and Warrington Green Infrastructure Framework Draft (Mersey Forest, 2013)	This Framework provides information and new perspectives on green infrastructure across the seven local authorities.
M	Liverpool City Region and Warrington Green Infrastructure Framework Action Plan (Mersey Forest, 2013):	This Plan identifies actions at a city region level that meet key priorities of the Green Infrastructure Framework.
N	Listed Buildings in Halton:	Compendium detailing each of the Listed Buildings in Halton, including location map and image(s) of the property or structure.

O	Mersey Gateway Regeneration Strategy (HBC and GVA, 2008)	
P	Halton Green Belt Study: (HBC 2018):	This study reviews and assesses the Green Belt around Widnes and Hale, Runcorn, Moore, Daresbury and Preston-on-the-Hill.
Q	Strategic Housing Land Availability Assessment (2020)	This is the main mechanism to identify a deliverable and developable supply of sites in the Borough for housing.
R	Halton Housing Land Availability Report (annual update)	This report provides data on land availability and take-up (build) rates for housing within Halton
S	Halton Employment Land Availability Report (annual update)	This report provides data on land availability and take-up (build) rates for employment uses within Halton
T	Liverpool City Region Transport Plan for Growth: (2015)	This document combines the key elements from the Local Transport Plans for Merseyside and Halton
U	Playing Pitch Strategy: (2019) - Study out to tender	This strategy assessed existing and future needs for playing pitch provision in Halton.
V	Halton Local List:	This document identifies the non-designated heritage assets in Halton.
W	Liverpool City Region Ecological Network (MEAS, 2015)	This study assessed existing and future needs for ecological site protection and potential enhancement.
X	Halton Non Breeding Birds Survey (Avian Consulting 2019):	This survey identified functionally linked habitat associated with the Special Protection Area of the Mersey Estuary for overwintering non breeding wetland birds.

4. Delivery

- 4.1. There will always be an element of uncertainty associated with a document of this nature. It is legitimate to ask how reasonable and achievable are the targets set out above, and what issues may affect the overall delivery of the LDS.
- 4.2. An assumption has been made over the amount of time that will need to be allocated to public and stakeholder involvement. Whilst this has been based on past experience, it cannot accurately predict how many people will wish to engage with the Council on a particular project.
- 4.3. The programme has to be flexible in terms of staff, both the turnover and the allocation of work – neither can be fully accounted for over a three year period.

Project Management and Resources

- 4.4. Preparation of the planning documents will be led by the Council’s planning policy team. The work will be complemented by other council officers with specialist expertise in particular areas e.g. housing, urban design, heritage and conservation, leisure, transport, environment, health and legal. In addition, external resources may be called upon, including Merseyside Environmental Advisory Service (MEAS) and consultants for certain projects.
- 4.5. The Operational Director for Policy, Planning and Transportation has a strategic overview of the production of planning policy documents; the Principal Officer for Planning and Transport Strategy is responsible for the management of the programme and document production.
- 4.6. Elected member involvement in plan preparation is primarily via the Local Plan Working Party. This group provides advice and feedback to officers on a range of planning policy matters. The decision to submit the Local Plan to the Secretary of State and subsequent stages up to and including adoption will be via full Council resolution, but agreement to publicly consult on draft documents can be given by the Executive Board.

Monitoring and Review

- 4.7. To ensure that the plan process is achieving its objectives, the Authority Monitoring Report (AMR) will set out the progress and effectiveness of the plan preparation processes. The AMR is updated annually and will report key milestones in relation to the progress of the development plan documents and other relevant items.
- 4.8. Unforeseen developments such as the closure of a major employer may lead to the requirement for the Local Development Scheme to be reviewed earlier as this may require new SPDs or DPDs to be produced urgently whilst other documents are delayed.

Risk Assessment

- 4.9. The table below identifies possible risks that could be encountered in the implementation of this LDS. It sets out an evaluation of the significance of the potential risk and the mitigation measures to manage risk should it occur.

Risk	Likelihood	Issue	Mitigation
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	Risk	Likelihood	Issue	Mitigation
1	IT Systems	Medium	<ul style="list-style-type: none"> • Insufficient expertise • Resources – software, hardware and staff • Loss of data • Lack of access to data held by other teams • Changes to systems used Could all lead to slippage in the programme.	Staff training, appropriate resourcing, and improvements to data access could reduce these risks.
2	Staffing Issues	High	<ul style="list-style-type: none"> • Loss of experienced staff • Reduced numbers of staff • Sickness Could lead to slippage in the programme, reduced staff moral and motivation, over work of existing staff potentially leading to sickness within the team and thereby increasing the issue.	Prompt recruitment of new staff, or temporary staff and careful management of the work programme could reduce these risks.
3	Political Delay	Medium	<ul style="list-style-type: none"> • Committee cycle dates • Last minute changes and amendments • Change in National or Sub-Regional Government Reporting procedures and long lead in times may lead to slippage in the programme.	Ensuring involvement of members throughout the process and regular reviews of the programmed should help to reduce this risk.
4	Change in National / Local Government Policy	High	All stages of Local Plan preparation are influenced by government policy. Changing policies/priorities and uncertainty for the Local Plan.	Ensure that policy team is abreast of changes in policy.
5	The Planning Inspectorate (PINS) Capacity	Unknown	PINS have an important influence on the Local Plan timetable, particularly at Examination stage. Inability of PINS to meet deadlines due to nationwide demand will lead to delays in adoption.	Regular liaison with PINS re. Intended Submission date to assist them in allocation of Inspector..
6	Team undertaking other work	High	Resources are finite (3 FTE). If the project team is required to input in to other priority areas of the Authority or Combined Authority, this is likely to cause slippage in the programme.	Local Plan to be a corporate priority ensuring team remain focused on delivery.

	Risk	Likelihood	Issue	Mitigation
7	Volume of work greater than anticipated	Medium	This may include a higher number of representations than expected, new work areas, or additional evidence base requirements leading to slippage in the programme.	Ensure timetable is realistic and has a degree of built-in flexibility.
8	Duty to Co-operate	Medium	<ul style="list-style-type: none"> • Joint Working • Negotiation When working to differing timelines, priorities for joint working may differ and lead to delays in evidence or discussion taking place.	Ensure that timetables are realistic and reflect partner authorities' / organisations' ability to contribute to joint working.
9	Consultation Fatigue	Medium	<ul style="list-style-type: none"> • Lack of responses • Lack of understanding with regard to the purpose/content of the plan. 	Ensure approach set out in the SCI is used, where possible adopt new ideas to improve consultation. Use plain English.
10	Local Plan is found unsound	Low	The Local Plan cannot be adopted without additional work leading to delay in adopting the plan.	Work closely with PINS to ensure risk is minimised. Utilise the PAS Soundness Toolkit. Keep up to date with best practice and ensure that staff receive appropriate training.
11	Need for further consultation	Medium	It can be hard to predict where and when extra consultation may be required, but may be as a result of the Hearing or due to the levels of comments received.	Ensure timetable is realistic, reviewed regularly and has a degree of built in flexibility.
12	Need for specialist Input	High	It is normally possible to foresee where there is a need for specialist involvement therefore reducing the risk associated with this issue. However, on occasions e.g. where new Government guidance is created, it may be necessary to use specialists without additional time being built into the programme, therefore causing delays.	Ensure that policy team is abreast of changes in policy and allow for some flexibility in the AMR.

Acronyms

AMR	Authority Monitoring Report
CIL	Community Infrastructure Levy
CLG	Department of Communities and Local Government
DPD	Development Plan Document
LDO	Local Development Order
LDS	Local Development Scheme
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework
PPG	National Planning Policy Guidance
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SPD	Supplementary Planning Document
UDP	Unitary Development Plan

Appendix A:

Local Development Scheme Details

Delivery and Allocations Local Plan (incorporating Revised Core Strategy Policies) (including Policies Map)		
Document Details		
Title	Halton Delivery and Allocations Local Plan (incorporating Revised Core Strategy Policies) (including Policies Map)	
Role and Content	Sets out the vision, objectives and strategy for the development of Halton, including site allocations and development management policies.	
Status	Development Plan Document	
Geographical coverage	Borough wide	
Chain of Conformity	Conforms with the National Planning Policy Framework	
Timetable and Milestones		
Start	Begin collation of evidence and start engaging stakeholders in the early preparation of the document	Commenced
SA Scoping	Consultation on the scope of the Sustainability Appraisal	Jan 2016
Initial Consultation (Regulation 18)	Iterative process – identifying issues and options, developing preferred options and taking account of the evidence base	Jan 2014 and Jan 2016
Publication (Regulation 19/20)	Publish the final draft document and consult for 6 weeks on the content prior to submission	Aug / Sept 2019
Submission (Regulation 22)	Submit the document to the Secretary of State for examination	Mar 2020
Pre-exam meeting	To discuss the format of the Examination. (circa 8 weeks after submission)	
Examination hearings	Examination ‘sitting days’ to hear evidence into the soundness of the Plan. (circa 14weeks after submission)	Mar / Jun 2021
Main Modification Consultation	Publish the final draft document and consult for 6 weeks on the main modifications content.	Sept / Oct 2021
Receipt of the Inspectors Report	When the Council receives the report of the Examination from the Inspectorate	Feb / Mar 2022
Adoption	Document adopted and published	May / Jun 2022
Arrangements for Production		
Lead Department	Planning Policy	
Management arrangements	Executive Board approval will be required for public consultation on draft Plan(s). Full Council approval will be required for Submission to the Secretary of State and subsequent stages up to and including adoption.	
Resources	To be provided within the Planning Policy budget.	
Involving Stakeholders and Community	Consultation will be undertaken in line with the Regulations and the Statement of Community Involvement (SCI 2020).	
Post Production		
Monitoring	Monitored by the Authority Monitoring Report (AMR).	

Review

The effectiveness of this Local Plan will be reviewed through the data collected within the AMR.

REPORT TO: Council

DATE: 13 October 2021

REPORTING OFFICER: Operational Director – Finance

PORTFOLIO: Corporate Services

SUBJECT: 2021/22 Revised Capital Programme

WARD(S): Borough-wide

1.0 PURPOSE OF REPORT

1.1 To seek approval to a number of revisions to the Council's 2021/22 capital programme.

2.0 RECOMMENDED: That;

(i) **The revisions to the Council's 2021/22 capital programme set out in paragraph 3.2 below, be approved;**

3.0 SUPPORTING INFORMATION

3.1 On 16 September 2021 Executive Board received a report of spending against the Council's revenue budget and capital programme as at the end of June 2021. A number of revisions to the 2021/22 capital programme were recommended for approval by Council as outlined below.

3.2 It is proposed to revise the Council's 2021/22 capital programme, to reflect a number of changes in spending profiles and funding as schemes have developed. These are reflected in the revised capital programme presented in Appendix 1. The schemes which have been revised within the programme are as follows:

1. Grants – Disabled Facilities
2. Stair Lifts
3. Joint Funding RSL Adaptations
4. ALD Bungalows
5. Millbrow Care Home
6. Madeline McKenna
7. St Lukes
8. St Patricks
9. Orchard House
10. Kingsway Learning Centre Equipment
11. Astmoor Regeneration

- 12. Runcorn Town Centre Fund
- 13. Bridge and Highway Maintenance
- 14. Silver Jubilee Bridge - Major Maintenance Scheme

3.3 Capital spending at 30 June 2021 totalled £2.990m, which is 97% of the planned spending of £3.071m at this stage. This represents 8% of the total Capital Programme of £35.118m (which assumes a 20% slippage between years).

4.0 POLICY AND OTHER IMPLICATIONS

4.1 None.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 There are no direct implications; however, the capital programme supports the delivery and achievement of all the Council's priorities.

6.0 RISK ANALYSIS

6.1 There are a number of financial risks within the capital programme. However, the Council has internal controls and processes in place to ensure that spending remains in line with budget.

6.2 In preparing the 2021/22 budget and capital programme, a register of significant financial risks was prepared which has been updated as at 30 June 2021.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1072

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

Capital Programme as at 30 June 2021

Directorate/Department	2021/22 Capital Allocation	Allocation to Date	Actual Spend to 30 June 2021	Total Allocation Remaining	2022/23 Capital Allocation	2023/24 Capital Allocation
	£'000	£'000	£'000	£'000	£'000	£'000
PEOPLE DIRECTORATE						
Asset Management Data	25	0	0	25	0	0
Capital Repairs	1,111	50	52	1,059	0	0
Asbestos Management	12	7	1	11	0	0
Schools Access Initiative	50	2	3	47	0	0
Basic Needs Projects	606	0	0	606	0	0
Fairfield Primary School	6	0	0	6	0	0
Kitchen Gas Safety	0	0	0	0	0	0
Small Capital Works	7	15	7	0	0	0
SEND allocation	77	7	10	67	0	0
Healthy Pupil Capital Fund	753	0	0	753	0	0
Chesnut Lodge	986	0	0	986	0	0
Ashley at The Heath	0	0	10	-10	0	0
Woodside KS2 Resource Base	4	0	0	4	0	0
Grants – Disabled Facilities	650	160	114	536	600	600
Stair Lifts	250	60	49	201	270	270
Joint Funding RSL Adaptations	200	50	47	153	270	270
ALD Bungalows	0	0	0	0	0	0
Millbrow Care Home	1,450	10	2	1,448	0	0
Madeline McKenna	100	10	11	89	0	0
St Lukes	240	10	2	238	0	0
St Patricks	50	10	0	50	0	0
Orchard House	30	27	27	3	0	0
TOTAL PEOPLE DIRECTORATE	6,607	418	335	6,272	1,140	1,140

Directorate/Department	2021/22 Capital Allocation	Allocation to Date	Actual Spend to 30 June 2021	Total Allocation Remaining		2022/23 Capital Allocation	2023/24 Capital Allocation
	£'000	£'000	£'000	£'000		£'000	£'000
ENTERPRISE, COMMUNITY & RESOURCES DIRECTORATE							
Stadium Minor Works	30	5	4	26		30	30
Stadium Decarbonisation Scheme	1,200	70	67	1,133		0	0
Open Spaces Schemes	650	115	113	537		600	600
Upton Improvements	13	0	0	13		0	0
Crow Wood Park	50	0	0	50		5	0
Brookvale Pitch Refurbishment	500	0	0	500		0	0
Leisure Centre	10,897	50	16	10,881		8,000	0
Children's Playground Equipment	65	5	1	64		65	65
Landfill Tax Credit Schemes	340	0	0	340		340	340
Runcorn Town Park	280	5	5	275		300	300
Peelhouse Lane Cemetery	20	3	3	17		0	0
Litter Bins	20	0	0	20		20	20
IT Rolling Programme	700	193	193	507		700	700
Covid IT Capital Costs	0	0	46	-46		0	0
3MG	199	8	8	191		0	0
Murdishaw redevelopment	38	0	0	38		0	0
Equality Act Improvement Works	390	60	60	330		300	300
Widnes Market Refurbishment	44	0	0	44		0	0
Broseley House	389	2	2	387		15	0
Solar Farm Extension	146	35	35	111		0	0
Foundary Lane Residential Area	1,682	28	28	1,654		0	0

Directorate/Department	2021/22 Capital Allocation	Allocation to Date	Actual Spend to 30 June 2021	Total Allocation Remaining	2022/23 Capital Allocation	2023/24 Capital Allocation
	£'000	£'000	£'000	£'000	£'000	£'000
Kingsway Learning Centre Improved Facilities	37	0	0	37	0	0
Kingsway Learning Centre Equipment	8	8	8	0	0	0
Halton Lea TCF	1,062	6	6	1,056	0	0
Property Improvements	200	0	0	200	200	200
Astmoor Regeneration	110	22	22	88	0	0
Runcorn Town Centre Fund	1,050	0	0	1,050	0	0
Bridge and Highway Maintenance	4,910	613	613	4,297	0	0
Integrated Transport	3,119	102	102	3,017	0	0
Street Lighting - Structural Maintenance	710	21	21	689	200	200
Street Lighting - Upgrades	2,745	13	13	2,732	0	0
Widnes Loops	2,792	43	43	2,749	0	0
SUD Green Cycle / Walk Corridors	282	4	4	278	0	0
Windmill Hill flood Risk Management Scheme	212	25	25	187	0	0
Risk Management	404	0	0	404	120	120
Fleet Replacements	3,817	84	84	3,733	2,590	1,207
Silver Jubilee Bridge - Major Maintenance Scheme	320	0	0	320	0	0
Silver Jubilee Bridge - Decoupling / Runcorn Station Quarter	1,114	1,114	1,114	0	0	0
Silver Jubilee Bridge - Lighting	493	19	19	474	0	0
TOTAL ENTERPRISE, COMMUNITY & RESOURCES DIRECTORATE	41,038	2,653	2,655	38,383	13,485	4,082

Directorate/Department	2021/22 Capital Allocation	Allocation to Date	Actual Spend to 30 June 2021	Total Allocation Remaining		2022/23 Capital Allocation	2023/24 Capital Allocation
	£'000	£'000	£'000	£'000		£'000	£'000
TOTAL CAPITAL PROGRAMME	47,644	3,071	2,990	44,654		14,625	5,222
Slippage (20%) Carried Forward	-9,529					-2,925	-1,044
Slippage Brought Forward						9,529	2,925
TOTAL	38,115	3,071	2,990	35,125		21,229	7,103

NOTICE OF MOTION

To be submitted to the meeting of Full Council to be held on:

Wednesday 13th October 2021

in accordance with Standing Order Number 6.

	Name (in capitals)	Signature
Proposer:	Cllr S Hill	
Seconder:	Cllr Harris	

NOTICE OF MOTION – PLANNING REFORMS

Council notes that the Government has published highly controversial proposals to reform the planning system. One aspect that has raised particular concern is the proposal to remove local residents' right to object to individual planning applications in their own neighbourhood if the area is zoned for growth or renewal.

The House of Commons has called on the Government to protect residents' rights to retain a voice over planning applications, recognizing that the best way to get necessary new homes built is to support communities, councils and developers to work in partnership.

This Council believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore calls on the Government to protect the right of communities to object to individual planning applications.

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