

APPENDIX F

THE HALTON BOROUGH COUNCIL

**WIDNES WATERFRONT ECONOMIC DEVELOPMENT
ZONE (EDZ)**

COMPULSORY PURCHASE ORDER 2007

SECTION 226(1) (A) OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS AMENDED BY THE PLANNING AND COMPULSORY PURCHASE ACT 2004.

THIS STATEMENT OF REASONS HAS BEEN PREPARED IN COMPLIANCE WITH PARAGRAPHS 35 AND 36 AND APPENDIX R OF DCLG CIRCULAR 06/2004

DRAFT STATEMENT OF REASONS

HALTON BOROUGH COUNCIL

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WIDNES WATERFRONT ECONOMIC DEVELOPMENT ZONE(EDZ)

COMPULSORY PURCHASE ORDER 2007

STATEMENT OF REASONS

FEBRUARY '07

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2 INTRODUCTION

2.1 This document is the Statement of Reasons of Halton Borough Council (“the Acquiring Authority”) for the making of a Compulsory Purchase Order entitled the Halton Borough Council Widnes Waterfront EDZ Compulsory Purchase Order 2007 (“the Order”). The land included within the Order is referred to as “the Order Land”. The Order has been made under section 226(1) (a) of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004. This Statement of Reasons has been prepared in compliance with paragraphs 35 and 36 and Appendix R of DCLG Circular 06/2004 - Compulsory Purchase.

2.2 The Order has been made by the Acquiring Authority to effect the compulsory acquisition of the Order Land for the purposes of land assembly to facilitate the comprehensive redevelopment of a rundown zone in an area of deprivation and deliver the identified regeneration outputs as specified in the Widnes Waterfront EDZ Masterplan and Supplementary Planning Document (SPD) plus a number of EU, national, regional and other local policy documents.

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2.3 Widnes Waterfront has been designated as a regeneration site of high priority by the EU, Central Government, North West Regional Development Agency (NWDA) and Halton Borough Council. Funding to bring this land back into full economic use is available until March 31st 2009 using European Funding under Priority 3 of the North West England Objective 2 Programme, Regional Development Agency (RDA) Funds plus Halton Borough Council monies.

2.4 The redevelopment proposals by the Acquiring Authority are to assemble and secure land for a mixed use development, primarily the construction of new commercial floor space to create significant employment generation in the industrial, commercial, technological and tourism/leisure sectors without undue delay. It will also enable the reclamation and improvement of rundown land, provide substantial infrastructure improvements to service the area with roads, cycle and pathways, new utilities, new auxiliary facilities, improved landscaping, provision of a linear park and general enhancements to the public realm (“The Scheme”).

2.5 Council ownership is required to enable redevelopment to proceed and use ERDF, NWDA and Halton Council funds to carry out as much development and improvement to the sites before the already committed monies expire in 2009. Compulsory purchase will enable redevelopment to take place at an earlier date by providing certainty for programming and will contribute to enabling the Council, the NWDA and EU to achieve their combined objectives which have the public interest at heart. The Order will secure approximately 34.6 hectares of land for improvement, reclamation and redevelopment of this land, helping to provide some 2700 new jobs in an area high on the Government’s Index of Deprivation –IMD. (21st out of 354 in the IMD 2004). It will also assist the Authority to meet its other EDZ regeneration outputs, relating to new floorspace created, land reclaimed, improved and serviced, training outputs and the creation of a new boulevard and new waterside park.

2.6 The Acquiring Authority believes the Scheme is critical to the regeneration of Widnes Waterfront. The regeneration of the Widnes Waterfront has been widely consulted on since the late 1990’s both locally and regionally, receiving widespread support. The Acquiring Authority is fully satisfied that the Scheme will contribute to the promotion or improvement of the economic, social and environmental well-being of the administrative area of the Acquiring Authority.

2.7 The Order Land has been divided into 27 different plots within the Schedule to the Order and on the Order Plan. The Order seeks the acquisition of all interests in the Order Land.

2.8 Although the Acquiring Authority currently holds the freehold interest in a small section of the Order Land, there remain a large number of interests in other ownership which are required to successfully carry out the comprehensive redevelopment proposals and which the Acquiring Authority does not foresee being able to acquire by way of private agreement. In addition, covenant and title clarifications need resolving on the small section of the land currently owned by the Acquiring Authority in order to dispose of the site for an agreed mixed leisure /tourism scheme. The current owners of the remaining sites covered in the Compulsory Purchase Order have either been unable to bring the land back into economic use since the EDZ was designated in 2001 and/or the uses do not conform to the Widnes Waterfront EDZ Masterplan and/or SPD and/or the uses affect the comprehensive redevelopment of the area.

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2.9 The Acquiring Authority, its joint venture partner and/or other development interests have attempted to purchase land covered in the Order by agreement. Discussions will continue with those affected by the proposals.

2.10 As the Acquiring Authority is the freeholder of only a small proportion of the EDZ, it is not in a position to ensure that it can otherwise obtain possession of all the land required. A joint venture agreement is in place with St Modwen Properties PLC, namely Widnes Regeneration Limited, which has created a risk limited partnership with the Authority. This Company will manage the post CPO development, secure the implementation of mixed development schemes and achieve the regeneration goals outlined in this Document.

3 DESCRIPTION OF THE LAND

3.1 The Order covers a site of about 34.62 hectares (85.55 acres) situated in the Widnes Waterfront Economic Development Zone (EDZ), adjacent to the Mersey Estuary and within close proximity to Widnes Town Centre. The majority of the site is flat, derelict brownfield land, formerly used by the chemical industry in Widnes, Cheshire. Various plant closures have taken place leaving behind a legacy of contaminated land, forming a large and wide band of vacant land. The area has suffered declining employment over the last 30 years and most of it has been vacant and available for development since the early 1980s.

3.2. The Order covers ca.43% of the entire EDZ which is 80 hectares (200 acres). The area covered by the Order for acquisition of the land is enclosed by a red line on the Plan attached. It consists of 27 individual plots and is detailed in the Table 1 -The Halton Borough Council (Widnes Waterfront) Compulsory Purchase Order 2007. Details of other qualifying persons under Section 12 (2A) (a) of the Acquisition of Land Act 1981 (5). Most of the land covered by the Order is vacant and unused. However, there are six commercial operations (numbers 5, 6, 7,8,9,10,11,12,14,15 and 26? within the Order land in six different ownerships.

3.3 EDZ land outside the Order includes sites with existing industrial and commercial use, primarily Use Classes B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) of the Town and Country (Use Classes) Order 1987.

3.4 The Order land can be subdivided into eight discrete areas. These are referred to in Document 5 (also cross referenced to Overlay D: Potential CPO Coverage for Future Development, illustrating the plot numbers and are:

Area I (individual plot number 1)

This site of 37,966 square metres, owned by the Acquiring Authority, is vacant land to the west of Earle Road and is known as Venture Fields. It is available for a proposed leisure, tourism and retail scheme but requires title and covenant clarification. Over the last two years, attempts to clarify these have been abortive and unless resolved could stifle the proposed leisure development for this area plus the adjacent small parcel of land on the southern side of the Earle Road roundabout.

Area II (individual plot numbers 2, 3, 4, 13, 16 and 25)

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These sites totalling 12,191 square metres), are required for landscaping purposes, provision of cycle and pedestrian routes and for the development of a linear park. These are proposed on parts of Earle Road and Tanhouse Lane, two major gateways in the EDZ which require upgrading and completion of the landscaping, cycle and pedestrian paths. The land required is owned by UK Land Estates Ltd (subject to registered leases held by Focus DIY Ltd and Anduff Car Wash Ltd), Halton Borough Council (one plot (13) is unoccupied and the second plot (plot 4) is subject to a registered lease held by Mitchell and Butlers Retail Ltd) and Forward Chemicals Ltd. There is a protected rail line, known as the Shell Green Line that dissects the EDZ. The Masterplan has retained this corridor but it requires landscaping and creating into a linear park to provide environmental enhancements, cycle and pedestrian routes. This area is owned by Network Rail and attempts to acquire this site have been unsuccessful to date.

Area III (individual plot number 22)

The southern (bottom) part of Tanhouse Lane, a site of approximately 649 square metres, has been subjected to fly tipping and is in a very poor condition and needs to be adopted and upgraded by the Highway Authority. Clarification of ownership is required. This section of the road will link into a new Boulevard connecting the western and eastern sections of the EDZ. It also provides a route into the Widnes Warth area, a Site for Nature Conservation (Halton UDP), overlooking the River Mersey.

Area IV (individual plot numbers 5, 6,7,8,9,10,11,12, 14, 15 and 26)

These sites total 49,125 square metres and land assembly is required in this central part of the EDZ, close to Dennis Road, to allow comprehensive redevelopment to be undertaken. The area is currently owned by a number of different interests, British Gypsum Isover Ltd, Clark Transport Ltd, Steve Alun Jones, Project Properties Ltd, Biffa Waste Services Ltd and Robert Charles and Brenda Frances McLauchlan. There are 14 different commercial operations within this area of six different ownerships. Their buildings are either semi-derelict, and/or their uses do not conform to those stated in the EDZ Masterplan/ Supplementary Planning Document, and/or their uses are affecting the comprehensive regeneration of this central core area and its adjacent sites.

Area V (individual plot numbers 18, 19, 20 and 21).

This site of 75,592 square metres, which overlooks the River Mersey, is owned by P and R Routledge and James Hay Pension Trustees Ltd. It is mostly vacant land in the centre of the EDZ, although plot 19 has a small building known as Routledge Building on the west side of Tan House Lane with a short term tenancy to Saffil Ltd. At the moment the entire site is only accessible via Tan House Lane. The Acquiring Authority believes this area is critical to the overall success of the Zone due to its central position in the EDZ. It requires the construction of a new Boulevard linking Earle Road to Tan House Lane to improve its connectivity. In 2005 there was a Halton Borough Council Resolution to approve the Routledge Outline Planning Applications 05/00057/OUTEIA & 05/00109/OUTEIA on Area V primarily for housing, plus a small employment development, subject to a Section 106 Agreement and other conditions being met (see Para 13.2). To date the Decision Notice has not been issued as the Section 106/other conditions have not been agreed. Therefore, the Acquiring Authority is concerned that this scheme may falter and thereby impede development of this critical EDZ heartland.

Area VI (individual plot number 23)

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This land is owned by Broadthorn Developments Ltd. It is a site of 75,986 square metres of vacant land, a significant proportion overlooking the River Mersey. The westerly section is currently only accessible via the southern section of Tan House Lane. The northerly part will only be accessible either via Area VII below or via the south side of Moss Bank Road if a new access is created close to the area known as “the Blue Gate”. A number of developers have attempted to acquire this land for employment generation for either speculative or owner occupier development, but over the five years since Broadthorn bought the site, no developers have been able to complete its acquisition from the owners for any **substantive** development.

Area VII (individual plot number 24)

This is a site of approximately 37,145 square metres of vacant land overlooking the River Mersey and is owned by Cuedley Estates Ltd, leased to Broadthorn Developments Ltd on a 999 year lease. This site is the most remote from the Widnes town centre, located on the east of the EDZ, with a high profile riverside perspective. Access is currently not directly available into the site, so a new access road and additional emergency vehicle entry will need to be constructed.

Area VIII (individual plot numbers 17 and 27)

This area is known as “Muspratt Site” and is owned by Cheshire Land Ltd and Broadthorn Construction Ltd. It is a site of 39,419 square metres of vacant land overlooking the River Mersey and is currently only accessible underneath a narrow rail bridge at the end of Earle Road, which is shared with the adjoining chemical plant, Thermphos, resulting in poor access. Part of the Order includes the acquisition of access to this site via a parcel of land beneath the railway bridge, Plot 27

4 SITE INVESTIGATION INFORMATION

4.1 The Acquiring Authority identified at an early stage that detailed site investigations would be required so that a comprehensive remediation strategy could be developed in partnership with the Environment Agency plus landowners to facilitate regeneration. The Authority secured £520k of funding (from ERDF and NWDA) to conduct intrusive site investigations and chemical testing at various sites and premises within the Widnes Waterfront area, in particular the derelict former chemical industry sites. This has enabled the Authority and some landowners to ascertain the extent and levels of soil and groundwater contamination in many areas. Owing to limited funding, investigation priority has been given to those sites the Authority believed could be developed more quickly and it is proposed that information gathered would be used to assist in the design of individual projects and also used in discussions with the Environment Agency.

4.2 The Authority has employed AMEC Earth & Environmental UK Limited as its environmental term consultant to advise on specialist matters relating to environmental issues and contamination. Generally this takes the form of detailed technical reports including risk assessment and recommendations for further work relating to each site as well as advising the Authority at meetings. Site investigations have been carried out at a number of sites indicated in Document Reference no.9 (B). In general, the results from the investigations have highlighted that levels of contamination are highest at the eastern end of the Waterfront where there has been no recent remediation carried out and less at the western side of the zone where a remediation exercise was undertaken in the 1980’s. In addition, the Authority and the Environment Agency

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(EA) have formed a partnership with the shared objective of the successful regeneration of the brownfield sites within the EDZ. The Agency's role is to support the Authority in their decision making with regard to controlled waters and sets out how the Agency will respond to planning consultations within the Waterfront.

4.3 AMEC has also advised the Acquiring Authority regarding flood risk and has worked with the Environment Agency (EA) to assess any potential risks. In 2005 the EA confirmed that following topographical survey information provided, development plans within the EDZ which follow the specifications outlined below will not be subject to further flood mitigation measures:

- As the 1:200 tidal return elevation for the River Mersey in the Widnes area is 7.4m above ordnance datum (AOD), the EA recommends the floor levels in areas targeted for redevelopment are established at 800mm above the 1:200 tidal return elevation at 8.2m AOD. The 800mm increase allows for 600mm of freeboard and 200mm to account for climate change.

Most of the sites topographical surveyed by AMEC at that time are above the recommended floor level. Sections of Area V (individual plot number 18) and Area V1 (individual plot number 23) may have sections below the 1:200 tidal return elevation at 7.4m AOD and below the recommended floor level of 8.2m AOD. Hence consideration of flood risk needs to be given during development of these sites.

5 THE PROPOSED DEVELOPMENT

5.1 As outlined in Para. 2.6, the regeneration of the Widnes Waterfront has been widely consulted on since the late 1990's, receiving widespread support from the EU, the Government Office for the North West (GONW), NWDA, Halton Local Strategic Partnership and the local resident and business community. Through this input and involvement the Widnes Waterfront Masterplan and SPD were created to provide the regeneration and planning framework for the future of this regionally significant employment opportunity.

5.2 The purpose of the Authority in making the Order is to achieve within the empowering legislation the overall strategic objectives set out in the Masterplan for the EDZ in May 2003 and reviewed in June 2004, namely:

- a) To generate new sustainable employment in sectors identified as sub-regional priorities, such as financial and business services, ICT and the Creative Sectors;
- b) To improve the competitiveness of existing employers in the area, retaining and sustaining employment;
- c) To open up the untapped amenity of the canal and river frontage;
- d) To improve the environmental quality of the whole project area;
- e) To provide public transport options;
- f) To improve access to and from Widnes Town Centre, and between the new Widnes Waterfront and the town's population, particularly those in the deprived wards of Riverside and Kingsway;
- g) To bring significant areas of brownfield land back into beneficial use;
- h) To create a contemporary, high quality business and industrial park of truly regional significance.

Halton Borough Council and its partners are committed to the creation of built form developments of the highest quality. All new development in the EDZ is expected to comply

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with the relevant built environment and quality of design policies of the Halton Unitary Development Plan (UDP) and Widnes Waterfront SPD. Additionally the high expectations of quality design and environment are spelled out in the Masterplan, produced for the Council by award-winning urban designers Building Design Partnership, the Widnes Waterfront Landscape Strategy, the Widnes Waterfront Design Guide and the Widnes Waterfront Arts Strategy. Indeed, achieving this high quality is a requirement of NWDA support funding. The area currently has little by way of built heritage and does not contain any listed buildings or conservation areas. The main heritage asset of the site is the Sankey Canal. The relationship to the Mersey estuary, views of the existing bridge and proposed Mersey Gateway Crossing and the canal side environment are important assets of the site and features that should define its future character.

5.3 The proposed Scheme will assist the Authority meet its EDZ regeneration outputs for the entire Widnes Waterfront. These are:

- 2700 new jobs to be created;
- 104 000m² of new industrial/commercial floorspace;
- 44 hectares of land reclaimed;
- 27 hectares improved;
- 28 hectares serviced;
- 3400 people trained;
- 3kms of new boulevard;
- 38 000m² of new waterside park.

5.4 The Scheme will require that an extensive area of underused, derelict and vacant land at the edge of Widnes town centre is regenerated to significantly help towards the creation of a high quality built environment and the regeneration outputs outlined above. It complies with Policy RG3 concerning 'development that could be detrimental to the future regeneration prospects of the area'. It will also require the clearance of the buildings and structures of the five commercial properties covered within the Order as it is felt these existing businesses cannot be incorporated into the redevelopment of the area. The Scheme will secure a predominately employment based proposal incorporating commerce, industry, technology, leisure, tourism and retail with associated car parking and other necessary auxiliary facilities. It will also secure land required to provide the necessary infrastructure for roads, landscaping, cycle/pathways and services to ensure this mixed use development can take place without undue delay. Some residential uses may be considered if the conditions are appropriate and the employment outputs highlighted above can be achieved. All uses will be entirely in accordance with the frameworks established in the Widnes Waterfront Masterplan and SPD.

5.5 In meeting the Council's objectives the scheme will include:-

- (a) The upgrading of Earle Road and the adoption of the southern part of Tanhouse Lane;
- (b) The construction of new Boulevard, new pedestrian footpaths and cycle ways and high quality landscaping throughout;
- (c) The procurement of high quality and environmentally sustainable development and services;
- (d) Meeting all current requirements for the provision for the disabled;
- (e) Taking into account the human rights as outlined in the Human Rights Act of 1998. (See Section 11.)

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5.6 The joint venture agreement in place with St Modwen Properties PLC., namely Widnes Regeneration Limited (WRL), will manage the post CPO development, secure the implementation of mixed development schemes and achieve the regeneration goals outlined above. WRL is a successful partnership created in 1999 between the Acquiring Authority and St Modwen Properties PLC. It has a track record of achieving regeneration in the community and has a strong financial base to ensure regeneration is achieved effectively. The Authority has a Development Agreement in place through WRL to finance redevelopment pre and post 2009. In addition, a CPO Indemnity Agreement is in place between the Authority and St Modwens (Details of both Agreements are in Document Reference no. 7 and 8.) Details of the proposed mixed development schemes planned by Widnes Regeneration Limited within the Order Land, its phasing and linked infrastructure developments are all outlined in Document Reference numbers 9-14. In addition to Overlay G, which explains the mixed development schemes planned by Widnes Regeneration Limited, there is an Explanatory Document with details of WRL's proposals, information relating to the particular area such as current use, environmental investigation/interpretive reports, details of constraints, most appropriate planning uses identified in the Widnes Waterfront SPD and proposed redevelopment timing details. The Proposed Development is outlined below:

5.7 Area I (individual plot number 1)

Venture Fields. The Acquiring Authority, through its joint venture WRL, is proposing to construct a mixed tourism/leisure scheme to cover this entire site plus an adjoining site the Authority owns to the south of the Earle Road roundabout which is not included in the Order. The proposal consists a 100 bed hotel plus 100 car park spaces, a five screen Cinema (a facility the town centre currently lacks), an Ice Rink of 2,323 sq.m./25,000 sq ft, Climbing Wall, Bowling Facility with Bingo at the upper level (2,323 sq.m./25,000sq ft per floor), Associated A3 Retailing of 557 sq.m./6000sq. ft., 354 car parking spaces and related landscaping/ public realm enhancements. On the adjacent site, outside the CPO, an area dissected by major services, a Family Pub of 650 sq.m./7000sq. ft. and 50 car parking spaces is proposed. Covenant and title restrictions need resolving to ensure the leisure scheme in Area I can proceed quickly.

5.8 Area II (individual plot numbers 2, 3, 4, 13, 16 and 25)

These sites are required for environmental and infrastructure enhancements that include landscaping provision, cycle/ pedestrian routes and the development of a linear park. As outlined on the Document F, Halton Borough Council Infrastructure Projects from January 2008 (Document 13), these are required to continue the substantial investment already made in improving the public realm and thereby lifting the Waterfront's image to both businesses and the wider public. As outlined in section 3.4, the linear park is part of the Shell Green Protected Rail Route. All of the enhancements are related to better signage and improved access schemes. They should also be seen as part of the Authority's desire to see overall improvements to the area, which is assisted by small grants to existing EDZ businesses to improve the boundary treatments through the Business Improvement Scheme, funded by the Acquiring Authority. The envisaged start date is CPO + 0.25 years and completion CPO + 1.25 years and will be financed by ERDF, NWDA and the Acquiring Authority.

5.9 Area III (individual plot number 22)

The southern part of Tanhouse Lane needs to be adopted and upgraded by the Authority as this section of the road will link into a new Boulevard connecting the western and eastern sections of

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the EDZ. It also provides a vital route into the Widnes Warth area, a Site of Special Scientific Interest, overlooking the River Mersey. The envisaged start date is CPO + 0.25 years and completion CPO + 1 year and the will be financed by the Acquiring Authority.

5.10 **Area IV** (individual plot numbers 5, 6,7,8,9,10,11,12, 14, 15 and 26)

This site in this central part of the EDZ requires comprehensive land assembly to allow complete redevelopment to be undertaken. It complies with Policy RG3 concerning 'development that could be detrimental to the future regeneration prospects of the area'. The Masterplan indicates new industrial and commercial development in this area as an integral part of the Widnes Waterfront development. The clearance of the buildings and structures of the six commercial properties covered is required within the Order as it is felt these existing businesses cannot be incorporated into a development in keeping with the proposals outlined in the Masterplan. The businesses will need to be relocated. (See Section 7.3.) A mix of new B1 office space fronting Dennis Road and new industrial development to the rear adjacent to Tan House Lane and Cornubia Road is proposed. New industrial development and also landscaping is proposed for site 26 on Tan House Lane. The development will total in the order of 9,290 sq.m./100,000 sq.ft. and comprise industrial units of 279 – 743 sq.m/3,000 – 8,000 sq.ft. and office buildings of 465 – 929 sq.m./5,000 – 10,000 sq.ft. There will be 2,787 sq.m/30,000 sq.ft. of office space and 6,503 sq.m./70,000 sq.ft. of industrial units. The envisaged start date is CPO + 0.25 years and completion CPO + 1.5 years and the development will be a three phase scheme financed by WRL.

5.11 **Area V** (individual plot numbers 18, 19, 20 and 21).

This site is vacant land in the centre of the EDZ and is currently only accessible via Tan House Lane. As stated earlier in section 3.4, the Acquiring Authority believes this area is critical to the overall success of the EDZ and needs the construction of a new Boulevard linking Earle Road to Tan House Lane. Although the existing landowners could have received outline planning permission for primarily residential with some employment/retail uses in 2005 if a Section 106 and other conditions had been met in accordance with prevailing planning policy at the time, the Authority believes the environmental conditions are not yet conducive for residential and associated auxiliary uses. (Section 13.2 states that these constraints relate primarily to site conditions, access and adjacent poor environmental issues.) The Acquiring Authority believes that the Order is required to achieve a comprehensive scheme for high quality employment development. This will help to remove the constraints and ensure the construction of the boulevard and linear park through the site. WRL proposes to develop this site into a mixed development scheme consisting primarily of Office, Technology and Light Industry to target the high growth sectors (Use Class B1), Leisure (Use Class D2) – compliant with UDP policy TC01 and Food/Drink (Use Class A3).

5.12 **Area VI** (individual plot number 23)

A large proportion of this vacant land overlooks the River Mersey. The westerly section is currently only accessible via the southern section of Tanhouse Lane. The northerly part will only be accessible either via Area VII below or via the south side of Moss Bank Road if a new access is created close to the area known as “the Blue Gate”. WRL propose a single phased development to provide medium sized industrial units of between 10 – 30,000 sq.ft totalling approximately 85,000 sq.ft. The envisaged start date is CPO + 2 years, during which time there will need to be liaison with the EA regarding the monitoring of groundwater in order to agree the

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land remediation strategy for this area. Subject to the monitoring results, completion is anticipated as CPO + 4.5 years.

5.13 Area VII (individual plot number 24)

This site is the most remote from the Widnes town centre, located on the east of the EDZ, with a high profile riverside perspective. Access is currently not directly available into the site, so a new access road and additional emergency vehicle entry will need to be constructed. WRL propose a development that will be aimed at larger industrial users, providing units of 50-80,000 sq.ft. The scheme will be a multi-phased development totalling in the order of 150,000 sq.ft. In due course, subject to prevailing market conditions, a large leisure use will also be considered. The envisaged start date is CPO + 2.5years and completion CPO + 4.5 years.

5.14 Area VIII (individual plot number 17 and 27)

This area known as “Muspratt Site” is complicated because of contamination and access issues. This site was used as a waste transfer station and since it’s license has expired it has not been reinstated so the area suffers from considerable amounts of debris in situ. Short term, WRL propose using the vacant land as landscaped open space or for other community leisure uses which require an extensive site. In the longer-term this site depends largely on the future of the adjoining factory currently operated by Thermphos. This is because of its proximity and the problem of a shared poor access. As noted earlier, part of the Order is to acquire access to this site via a parcel of land beneath the railway bridge Plot 27. If the Thermphos factory were to relocate, and subject to ground contamination issues, the site may potentially be suitable for residential and leisure uses, taking advantage of the canal side location, links to Spike Island and views overlooking the River Mersey. In accordance with UDP policy RG3, no planning permission will be given for any temporary or permanent uses, that are unsightly, nor a source of noise, dust, odour or pollution that is considered to be detrimental to the future regeneration prospects of the area as set out in the SPD but WRL believe unlike its current owners the site could be brought into immediate community leisure use. The envisaged start date is CPO + 0.5years during which time there will need to be liaison with the EA regarding the monitoring of groundwater in order to agree the long term land remediation strategy for this area. Subject to the monitoring results, completion is anticipated CPO + 1+ year.

6 REASONS WHY THE ORDER LAND SHOULD BE DEVELOPED

There are overwhelming reasons why the site should be redeveloped:

- It is generally vacant underused land, and of poor environmental quality;
- Much of the land has remained vacant and underused for nearly thirty years;
- It should create significant employment and regeneration outputs for the local and regional economy;
- At present the Order land is widely perceived as an eyesore; its redevelopment will greatly enhance the physical and environmental aspects of the Borough;
- The negative and uncaring characteristics of the Order land adds to the perception and reality of economic and social deprivation of the Widnes area;
- The existing land owners have been unable to date to bring the Order land into productive economic use;
- Without the Order the required regeneration outputs are unlikely to be achieved. This would jeopardise funding and administrative provisions made with the EU and NWDA;
- The Order land suffers from soil contamination which is particularly marked in the eastern sector. The contamination and remediation strategy increases the cost of

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development for the private sector. Without the present proposed funding it is thus conceivable that the land will remain undeveloped for many years;

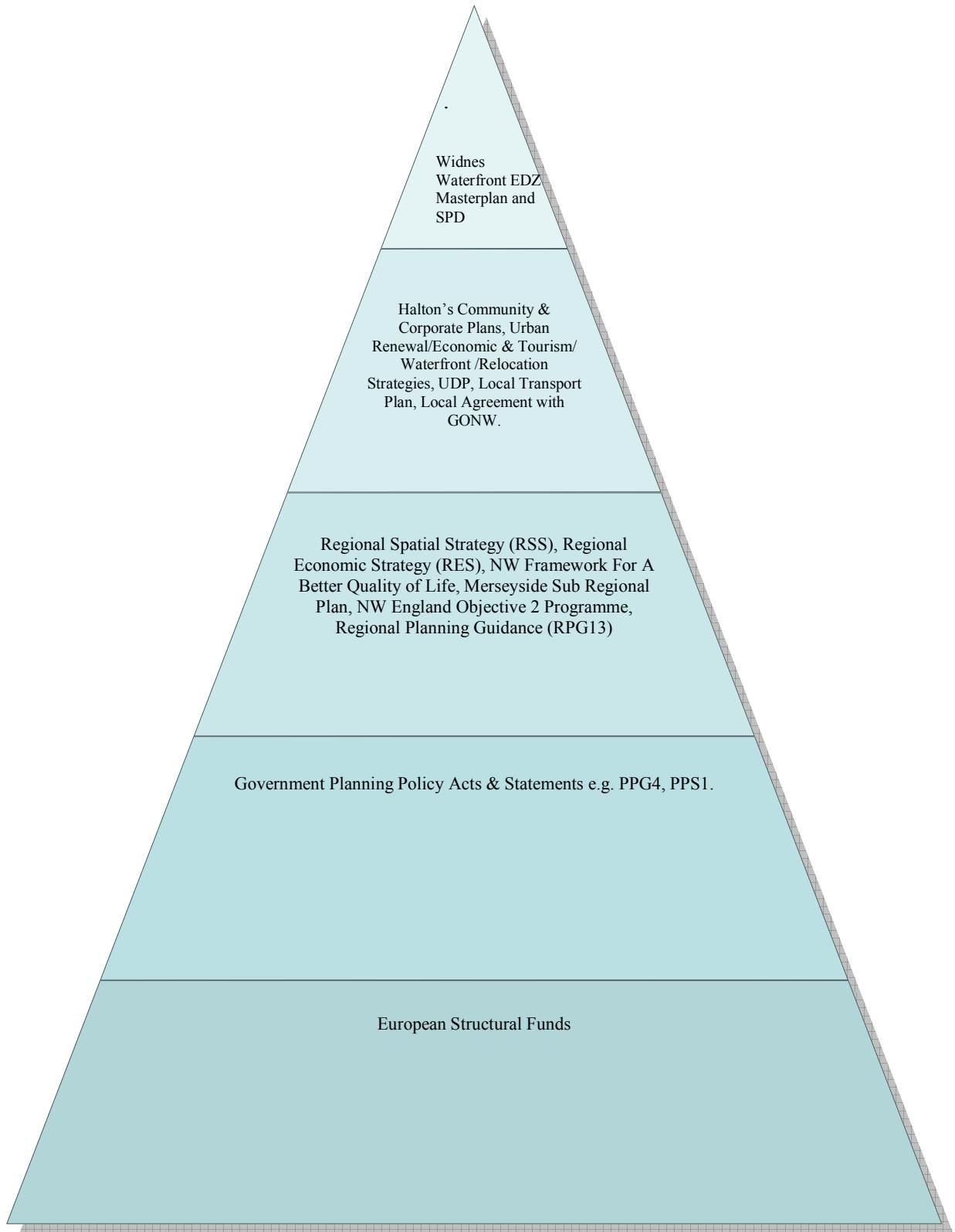
- The funding regimes to assist the regeneration of the Widnes Waterfront expire in March 2009;
- Post 2009, the Acquiring Authority and its partner developer will be better placed than the present owners to replace the current funding arrangements with new sources of money and matched funding;
- The Acquiring Authority, as part of its Constitution, Corporate and Community Plans has a mandate to transform the urban fabric and infrastructure of the Borough to make it economically prosperous. The success of the Widnes Waterfront is critical to the Authority and its partner's current strategic objectives;
- Finally, there is consensus demonstrated by numerous strategic policy documents that the Order land is a priority for redevelopment.

7 THE POLICY CONTEXT FOR THE ORDER

7.1 As outlined in the diagram overleaf, a robust and detailed framework exists in EU, national, regional, sub-regional and local policies and plans which provide a strong basis for this CPO Order under S226 1a. The aims of the Order are fully in line with the priorities of key strategic documents such as the North West Regional Economic Strategy and North West England Objective 2 Funding Programme, Halton Community/Corporate Plans, Halton Unitary Development Plan and Halton Urban Renewal Strategy. These, plus other important strategic framework documents, are outlined in Sections 7.2 A) -C) below. All these documents, plus others referred to in the Sections below relating to the Policy, Planning and Transport Contexts, have influenced the contents of the EDZ Masterplan and SPD. As demonstrated in the sections to follow, the Order is in full accordance with local, regional and national **planning** policies (outlined in great detail in the Planning Context in Section 8) and in full accord with the local, regional and national **transport** policies outlined in Section 9. The Order has also taken into account the requirements of the Human Rights Act 1998, public consultation and feedback in the planning of the Waterfront, best consideration issues, probity and procurement matters plus strategic environmental aspects. The Order has also sought to achieve an effective balance between public and private interests.

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Framework to illustrate the relationships between key EU, National, Regional and Local strategies/policies and the Widnes Waterfront EDZ



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7.2 A) Halton Community Plan 2006-2011 (A Statutory Plan produced by the Authority in partnership with other agencies in the Borough.)

The Plan identifies five strategic priorities-good health, high quality modern urban environment, opportunity for all to fulfill their potential, greater wealth and equality and finally safe and attractive neighbourhoods. The success of the EDZ is paramount in helping to achieve these five priorities by:

- promoting sustainable development;
- encouraging the diversification and modernisation of the local economy;
- creating new jobs for the local, sub-regional, and national economy;
- enhancing adjacent areas to the town centres;
- improving, rationalizing and modernising older industrial areas and eradicating visible dereliction;
- removing contamination and creating a safer environment;
- reconnecting Widnes town centre and its waterfront;
- maximizing the attractiveness of the waterfront areas and canals;
- improving the overall image of the Borough to attract regenerative investment;
- ensuring a high quality public realm, especially along strategic routes;
- ensuring high quality design and landscaping throughout the Borough;
- enabling local residents to ensure they have the skills and means to access a range of good quality local job opportunities, and encouraging residents to seek employment. (Unemployment in Riverside and Kingsway Wards are 4.6 and 3.8 % respectively August '06);
- reducing the unemployment rate in Halton (3.6% August '06) and increasing the economic activity rate;
- supporting businesses to become more competitive by providing the right built environment;
- supporting the development of a thriving entrepreneurial culture;
- pursuing the development of growth clusters;
- maximising an individual's potential to increase his/her income;
- assisting environmental improvements in all areas of the Borough;
- promoting improvements in Halton's cultural, leisure and sporting amenities and services.

7.2 B) The Halton Unitary Development Plan (UDP) (A Statutory Planning Document):

This document is referred to in greater detail in Section 8 –The Planning Context- but it is important to refer to this document at this stage because of its influence and links to sections 7.2A) and C) and 7.4 below .

The UDP identifies the Widnes Waterfront EDZ as one of six Action Areas in Halton which require comprehensive development or redevelopment in order to achieve their regeneration. To support the Widnes Waterfront Masterplan approved in May 2003, an Action Area Plan (Supplementary Planning Document-SPD) for the Widnes Waterfront EDZ was produced in spring'04. It went out for consultation in autumn '04 and was adopted in April '05. (Notice of Adoption published on 21/7/05). The opportunity exists to take advantage of the EDZ's waterside location to regenerate the area. This requires reclamation of the contaminated land and the vision is a high quality environmental setting for sustainable regeneration. As outlined in the SPD this will be achieved by:

- Redeveloping unsightly areas and buildings;
- Remediating and re-using contaminated land;

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- Creating a high quality link between the attractive waterside environments and the town centre;
- Ensuring that new development is of a high quality and creates a sense of place;
- Ensuring strict control of development at existing businesses to ensure improved environmental quality;
- Creating new, high quality employment, tourism/leisure facilities, open space uses;
- Implementing a comprehensive and consistent landscape strategy for the Area.

Regional Planning Spatial Strategy calls (in Policy SD2) for “wide-ranging regeneration and environmental enhancements” to be secured “most especially in the older parts of the metropolitan settlements” including Widnes and goes on to require that this area should achieve “very significant enhancements, in terms of image and opportunities for a higher quality of life overall”.

7.2 C) North West England’s Framework for a Better Quality of Life, The North West Regional Economic Strategy 2006, The Merseyside Sub Regional Plan 2006, Halton’s Local Area Agreement with the Government Office in the region (GONW) 2006, Halton Council’s Corporate Strategy 2006, Halton’s Economic and Tourism Strategy 2005-8, Halton’s Waterfront Development Strategy 2005 and Halton’s Urban Renewal Strategy 2004 – all non statutory documents: All these documents, recognised by Government, set the framework for the sustainable economic regeneration of the area and as outlined below this Order will facilitate the achievement of the strategic objectives in each of these documents.

North West England’s Framework for a Better Quality of Life, conceived by the Government Office for the North West and later developed and adopted by the North West Regional Assembly, sets out a series of ‘Headline Objectives’, the most significant of which, in an economic development context, are to reduce poverty in the region, reclaim dereliction, accelerate regeneration, and optimise the beneficial use of brownfield sites in the region. This Order aims to facilitate the achievement of this objective.

The North West Regional Economic Strategy (RES) is the rolling 20 year strategy to shape the future economic direction of the North West with a particular focus on activities in the three years 2006 to 2009. The NWDA led the development of the strategy to ensure its ownership by everyone seeking to develop the economy. The collective effort of key partners is essential if the transformation of the economy is to be achieved. At the heart of the RES lies the concept of achieving sustainable development. The RES is of central importance to a range of other policies influencing, for example, housing, planning and transport policies via the Regional Housing, Spatial and Transport strategies. The RES aims to create "A dynamic, sustainable, international economy which competes on the basis of knowledge, advanced technology and an excellent quality of life “. It has three key drivers: to improve productivity and grow the market; to grow the size and capability of the workforce; to create and maintain conditions for sustainable growth. This Order will facilitate the achievement of these objectives as the RES particularly highlights securing new use for brownfield land, developing employment in areas with low employment such as Widnes and assisting deprived areas.

The Merseyside Sub Regional Plan 2006 & Halton Council’s Local Area Agreement with GONW 2006 highlight the importance of employability, physical and economic urban renewal

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and the importance of the success of Widnes Waterfront EDZ in assisting meeting these overall objectives.

Halton's vision in its latest Economic & Tourism Strategy is "The development of a thriving and sustainable economy". It has four key aims:-

Enterprise and Performance, Employment and Skills, Property and Infrastructure (including improving infrastructure and enabling investment in land/property to create a supply of quality business premises) and Environment and Image.

Again, this Order should facilitate the achievement of all these objectives.

Halton Council's Corporate Strategy 2006 and its Urban Renewal Strategy 2004 are concerned with 'Transforming the physical fabric and infrastructure, restoring derelict sites and creating a vibrant Borough. Their key objectives are to -

- promote sustainable development
- develop and modernise the local economy and create new jobs for the sub-regional area
- commission works to remould and enhance the town centres
- commission work to improve, rationalise and modernise the older industrial areas
- commission works to improve the overall image of the Borough aimed at attracting investment, focusing specifically on the waterfront areas and canals.

Once again, the Order is in full accord with all of the above.

Halton Council's Waterside Development Strategy 2005

Its vision is "High quality, attractive and accessible waterfronts where people choose to come to live, work, invest and visit, and enjoy the environmental assets of the waterways."

This Order will facilitate the achievement of this vision.

7.3 Other Policies affecting the Order.

Some of the land identified in the CPO Plan lies within consultation zones set by the Health and Safety Executive (HSE) where the local planning authority is required to obtain HSE's advice on certain planning applications made within Zone. (This is because of the presence within the vicinity of toxic, highly reactive, explosive or flammable substances.) Part of the Order also covers land that lies within 200 metres of the centre line of Acquiring Authority's preferred route (3A) for the new Mersey Crossing which was granted programme entry by the Secretary of State for Transport on 29/3/06.

The Acquiring Authority also has a Relocation Strategy (September '06) in place for any businesses affected by the CPO Order. The need to relocate certain activities and occupiers from the area to enable it to realise its full regeneration potential has been recognised as a fundamental component of the project. As a result this Relocation Strategy has been prepared to detail the approach to relocation that will be undertaken by the Authority. The primary objective of this strategy is to ensure that the benefits of the Widnes Waterfront can be delivered whilst minimising the extent of the impact upon those businesses. Discussions with business occupiers have taken place and a number of businesses are discussing relocation. In some cases the Council is seeking to agree relocation arrangements. The Council is committed to assist those seeking relocation and discussions continue. Further information on the Relocation Strategy can be obtained from the Council's Economic Development Unit via the Municipal Building, Kingsway, Widnes WA8 7QF.

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7.4 Funding Policies.

Widnes Waterfront has been designated as one of 14 Economic Development Zones for European funding under Priority 3 of the North West England Objective 2 Programme. This funding is dependant on particular outputs to create significant numbers of jobs in key industrial sectors and make a major contribution to the economic diversification of the sub-regional economy by realising the economic potential of its natural, built, cultural and industrial heritage assets. It is also necessary that the employment benefits created by the EDZ flow to residents from 'communities in need' (identified here as the Halton Wards of Riverside and Kingsway which both exhibit high levels of deprivation.)

Although current EDZ funding ceases in March 2009, it is expected that development of the Order land will be ongoing for several years thereafter. The Acquiring Authority believes that it is in a better position than the private sector to access any new funding regimes post 2009 partly because of its expertise in this arena and partly because of the need for public sector match.

8 THE PLANNING CONTEXT

8.1 As referred to earlier in Section 7 the relevant planning documents for the proposed CPO are: Regional Spatial Strategy for the North West, the adopted Halton Unitary Development Plan and the Widnes Waterfront Supplementary Planning Document. These are outlined below in detail to illustrate the supportive planning context for this Order.

8.2 Regional Spatial Strategy (RSS)

The Regional Spatial Strategy for the North West (RGP13) was published by the Secretary of State in March 2003. (A new draft RSS is currently out for consultation during the first part of 2006 but is not expected to be formally adopted until the end of 2007.) The RSS forms part of the statutory planning framework.

Core Development Principles

The Widnes Waterfront EDZ proposals for re-development are entirely consistent with the core development principles of RSS and its overriding aim to promote sustainable patterns of development.

In particular it complies with Policy DP1 'Economy in the Use of Land and Buildings' as it makes effective use of previously developed land and existing infrastructure within the urban area of Widnes and is accessible by public transport, walking and cycling. It is also well located in relation to existing residential areas and other services within Widnes Town Centre.

The Waterfront EDZ proposals will comply with Policy DP2 'Enhancing the Quality of Life' through enhancement of the economic, social and environmental 'capital' of the area. It will achieve this by:

- adding new jobs, prosperity and improving the quality of life of local people employed in these jobs;
- adding to the recreational and amenity value of the area through new commercial leisure facilities and open air recreation opportunities;
- adding to the cultural and environmental assets of the community by improving access to the Sankey Canal and Mersey Estuary;
- protecting and enhancing nature conservation assets of the area through conservation of existing natural areas and new landscaping and open space proposals.

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The proposals will also contribute to implementing Policy DP3 ‘Quality in New Development’ and DP4 ‘Promoting Sustainable Economic Growth and Competitiveness and Social Inclusion.’

The Spatial Development Framework

The Widnes Waterfront EDZ development lies within the North West Metropolitan Area as defined by Policy SD1 where a significant proportion of development and urban renaissance resources should be focused.

The Widnes Waterfront EDZ development will also help achieve Policy SD2 because Widnes is listed in Policy SD2 ‘Other Settlements within the North West Metropolitan Area’ where wide-ranging regeneration and environmental enhancement should be secured, and most especially in the older parts of the metropolitan settlements listed. The policy states that ‘very significant enhancement, in terms of image (improved townscape and landscape quality) and opportunities for a higher quality of life overall, is required in Runcorn, Widnes and Ellesmere Port. Developments within these three areas should be sustainable and complementary to the development required in order to fulfill Policy SD1 above.’

Economic Growth and Competitiveness with Social Progress

The Widnes Waterfront EDZ development is fully in accordance with policies to increase the competitiveness of the North West economy whilst promoting wider social benefits particularly social inclusion, through targeting key sectors and promoting sustainable development patterns. In particular the EDZ proposals will help to achieve Policy EC6 ‘The Regeneration Challenge: Bringing the Benefits of Economic Growth to Areas of Acute Need’. This policy aims to encourage and deliver co-ordinated and coherent efforts to enhance the attractiveness to potential investors of locations in more needy areas (primarily by improvements in image; visual attractiveness and better environmental quality, including advance ‘structure planting’; improved skill levels and business support, especially within the North West Metropolitan Area).

8.3 The Widnes Waterfront EDZ is within a ‘Regeneration Priority Area’ identified by the North West Development Agency and shown on the RSS Key Diagram 3. This encompasses the whole of the North West Metropolitan Area.

The Widnes Waterfront EDZ proposals fully comply with the objectives of Regional Spatial Strategy for sustainable regeneration of the urban parts of the region’s Regeneration Priority Areas. As such it complies with the following RSS policies:

- Policy UR1 ‘Urban Renaissance’ – by reviving the local economy and contributing to industrial restructuring in the sub-region and by reviving communities through the provision of new local jobs.
- Policy UR4 ‘Setting Targets for the Recycling of Land and Buildings’ – the Widnes Waterfront EDZ proposals complies with this policy which states that ‘the re-development and re-use of vacant sites and buildings within urban areas should be a priority’ and ‘local authorities should make full use of their extensive powers to ensure that any existing or emerging areas of derelict and abandoned buildings are immediately identified and swiftly addressed’.

Environmental Quality

The Widnes Waterfront EDZ proposals are firmly in line with the RSS objectives regarding raising the environmental quality of the region by tackling the pressing derelict land and contamination problems of the region. As such it accords with Policy EQ1 ‘Tackling Derelict Land and Contamination Issues’. This states that wherever possible, priority should be given to those sites which present the best opportunities to support urban renaissance and reduce sources

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of pollution and environmental impact in the North West in line with the Core Development Principles and in a manner that will support the Spatial Development Framework.

8.4 The Halton Unitary Development Plan (UDP) was adopted as the new statutory development plan on 7th April 2005.

Part 1 of the UDP: The 'main strategic aim' of the UDP is 'to transform the quality of Halton's environment and improve economic prosperity and social progress through sustainable development'. The aims for regeneration are as follows:

- to regenerate and revitalise Halton's older industrial areas and encourage new uses for the benefit of the community;
- to regenerate and revitalise the waterside environment in Halton;
- to return previously used land to beneficial use;
- to regenerate run down housing areas through new development;
- to increase the vitality, viability and prosperity of Halton's town centres;

The first three aims above are particularly relevant to development within the Widnes Waterfront Action Area and will be achieved by the implementation of these objectives.

The Spatial Strategy

The Spatial Strategy of the UDP Part 1 describes how the UDP policies reflect the Core Strategy and Spatial Strategy of RSS. It also describes the role and purpose of regeneration as part of a linked strategy of development. This combines new sustainable development on the edges of Widnes and Runcorn with regeneration of unsuitable industrial areas and deprived housing areas designated as Action Areas, as a means of improving economic prosperity and reversing population decline.

Strategic policies (Part 1 policies). The most relevant policy in part 1 of the UDP to the Widnes Waterfront EDZ is policy S1 Regeneration to prepare Action Area plans as supplementary planning documents. Development within the Widnes Waterfront Action Area, like other Action Areas in the Borough will be expected to improve quality of life for the residents of Halton by:

- Stimulating economic development and create jobs for local people;
- Providing housing to meet local needs;
- Providing local facilities for the community;
- Reclaiming derelict/contaminated land and bringing such land back into beneficial use;
- Protecting and enhancing the local environment.

The Widnes Waterfront Action Area, like other Action Areas, is the subject of Part 2 policies in the Regeneration Chapter that set out the uses that would be acceptable in each area and the principles of development. However, it is recognised that the regeneration of Halton raises much wider issues than can be provided for just by the land use policies of the UDP and the Regeneration Strategy for Halton (1998) provides for regeneration in its wider context.

Part 2 of the UDP Regeneration chapter: Action Areas. In Part 2 of the UDP, the Regeneration Chapter describes the purpose and status of Action Areas. These are areas within which wider Council enabled regeneration efforts will be aided by flexible land use policies, allowing opportunities for old redundant land uses (particularly industry) to be replaced by new uses such as open space and to allow for more mixed-use development. The Action Area plans are being

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prepared as 'Supplementary Planning Documents' (SPDs) Policy RG3 is of most relevance to the Widnes Waterfront EDZ area. Within the Waterfront Action Area the following uses will be acceptable: -

- Employment uses (B1, B2 & B8);
- Residential uses (C2 & C3);
- Leisure uses (D2) where they comply with Policy TC1(2);
- Open space;
- Food and Drink (A3); and
- Bulky goods retail warehousing within Class A1, where it complies with Policy TC1 (2).

The Principles of Development are:

- The nature and design of new development should take advantage of the waterside location beside the St. Helens Canal and Mersey Estuary;
- A significant improvement should be made to the waterside environment;
- Provision should be made for increased public access to the waterside;
- Access into the area should be improved particularly in relation to public transport access;
- The visual quality of the built and natural environment should be enhanced including along routes into the area;
- Development should not prejudice the overall objective of securing a further crossing of the Mersey east of the existing bridge;
- Development should follow existing design standards and landscaping strategy;
- Development should not be unsightly nor a source of noise, dust, odour or pollution that is considered to be detrimental to the future regeneration prospects of the area as set out in the Action Area Plan;
- Provision should be made for improved pedestrian links from the Action Area to Widnes Town Centre.

The justification for these principles has already been outlined previously. The opportunity exists to take advantage of the waterside location and regenerate the area.

8.5 Widnes Waterfront Supplementary Planning Document (SPD). This document is supplementary to the 'saved' policies of the adopted Halton Unitary Development Plan as described above and forms part of the Halton Local Development Framework. The Widnes Waterfront SPD does not have statutory development plan status as defined by Section 38(b) of the Act but is used by the local planning authority as a material consideration in respect of decision making.

8.6 Government Planning Policy Statements

The Widnes Waterfront CPO proposals are in conformity with national planning guidance as set out in PPS3, PPG4 and PPS1. There are no other relevant policy statements applicable to the Order. Policies relevant to the Widnes Waterfront are outlined below and have been incorporated in the Widnes Waterfront SPD and EDZ Masterplan.

PPS3 (Housing)

This PPG is relevant in so far as policy RG3 (Widnes Waterfront Action Area) of the Halton Unitary Development Plan lists residential uses as an acceptable use within the Regeneration Action Area. This is in accordance with PPS3 (Housing) that states (Para. 40) "the government's key objective is that Local Planning Authorities should continue to make effective use of land by

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re-using land that has been previously developed." This will promote regeneration and minimise the amount of greenfield land being taken for development.' Any sites identified as suitable for housing within the Action Area will be classed as 'windfall' sites in accordance with PPS3, as these would not have been identified in advance in the Halton UDP. The reasons for this are stated in the Widnes Waterfront SPD (paras 5.11 & 5.12) where it is recognised that in the longer term, as the renaissance of the area progresses there may be scope for an element of residential development to be brought forward. However no sites for residential development were identified in the SPD due to the uncertainty as to their suitability at the time of its preparation.

PPG4 Industrial, Commercial Development and Small Firms. Re-Use Of Urban Land.

This states that many urban areas contain large amounts of land, once used for industrial purposes but now under-used or vacant. Getting this land back into beneficial use is important to the regeneration of towns and cities. Optimum use should be made of potential sites and existing premises in inner cities and other urban areas, taking into account such factors as accessibility by public transport, particularly in the case of labour-intensive uses. Local planning authorities should identify such areas and indicate their appropriate alternative uses, including industrial and commercial uses, in their development plans, keep up-to-date details on available sites, and provide information about them to potential developers. The Widnes Waterfront proposals are entirely on previously developed land and are predominantly for employment generating proposals, although as outlined in section 5, some residential development may be considered when the conditions are conducive.

PPS1 Delivering Sustainable Development. This sets out the overarching planning policies on the delivery of sustainable development through the planning system (paragraph 27). Policies that are relevant to the Widnes Waterfront proposals are as follows: (vii) Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges; (viii) Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set for development on previously developed land. The Widnes Waterfront SPD and EDZ Masterplan have incorporated and addressed all these issues and the Order aims to facilitate these sustainable development principles.

Sustainable economic development. The Government is committed to promoting a strong, stable, and productive economy that aims to bring jobs and prosperity for all. The Widnes Waterfront proposals will meet these policies by the following:

- Promoting economic development that can deliver environmental and social benefits;
- Contributing to the wider sub-regional, regional and national benefits of economic development;
- Actively promoting and facilitates good quality development, which is sustainable and consistent with the Unitary Development Plan;
- Identifying opportunities for future investment to deliver economic objectives;

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- Reducing the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development;
- Promoting the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings.

Halton Borough Council recognises the significance of the issues and believes the CPO Order for the EDZ will facilitate their implementation.

9 TRANSPORT POLICY CONTEXT AND PROPOSED ACCESS SCHEMES

9.1 The Order will facilitate an integrated approach to be taken in the provision of infrastructure both on and off site to provide inclusive, sustainable access to the site for local people, particularly in deprived areas, and assist meeting the EDZ regeneration objectives of economic growth.

9.2 The overarching objective of Halton's second Local Transport Plan 2006 is: "The delivery of smart, sustainable, inclusive and accessible transport systems and infrastructure that seeks to improve the quality of life for people living in Halton by encouraging economic growth and regeneration, and the protection and enhancement of the historic, natural and human environment." The long term transport strategy and vision is: "To achieve sustainable, inclusive, accessible and fuel efficient transport systems that improve the quality of life for people living in Halton by sustaining economic growth and regeneration, whilst minimising their impact on the historic, natural and human environments" The EDZ aims to deliver on this objective and vision, and a framework travel plan has been developed which assists with this. An essential part of the delivery is the development of physical infrastructure, enabled by the CPO, allowing access to all of the opportunity sites by a variety of modes, through walking, cycling or use of bus or car.

9.3 Transport access schemes linking the EDZ to the Widnes town centre as well as linking the development sites to the existing industrial areas through a public transport, cycleway and footway 'Access Ring' will be completed as complementary to the Scheme. This will be achieved by:

- The improvement of existing roads (Earle Road and Tan House Lane) and the construction of a new link between Earle Road and Moss Bank Road/Gorsey Lane to provide access to the new employment opportunities for local residents.
- Access infrastructure is, and will continue to be, designed to a high standard for employees and visitors to the site by:
 - Foot and cycle, by providing new 3 metre wide combined paths throughout the site. In addition three new cycle ways into the site have already been completed (except at the new gyratory near Earle Road) and cycle stands are to be installed in 2007 at the Railway Station and also at Green Oaks;
 - Public transport, by allowing good bus penetration. An existing bus service will be diverted into the EDZ taking in Green Oaks and the Railway Station improving connections to the site every hour post 2007;
 - Car, by upgrading existing roads and the provision of a new connecting "boulevard" from Earle Road to Tan House Lane.

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- Road layout design for the safe and appropriate movement of HGVs and individual sites will allow HGVs to turn within the service yard and have additional space for those waiting to be loaded/unloaded as necessary
- Car parking to maximum standards will be encouraged on all development sites, to ensure sustainable travel choice, and the safety of highway users. 10% of this will be to disabled standard, and cycle/motorcycle parking will also be required.

9.4 This 'Access Ring' around the site complements works that have already taken place, and will continue to take place off site, to improve access particularly from deprived areas of the borough by walking, cycling, public transport, and car. These works, using European, NRF and NWDA funding, will be spearheaded by the new post of Mobility Coordinator within the Acquiring Authority from 2007 onwards and will include:

- provision of "greenway" walking and cycling links particularly from deprived areas;
- quality transport corridors along Liverpool Road/Deacon Road/Halton View Road – enhancing facilities for walking, cycling, public transport and improving road safety;
- public transport service connections to the town centre and railway station;
- road safety and traffic capacity improvements at the main Fiddlers Ferry Road and Widnes Eastern Relief Road junction, which provides the main connection between the EDZ and Widnes town centre.

10 THE VIEWS OF GOVERNMENT DEPARTMENTS

10.1 Ongoing liaison has taken place with GONW about the regeneration of the Widnes Waterfront EDZ and GONW has endorsed the Council's key objectives for Widnes Waterfront EDZ as set out in Sections 1, 4,5,7,8 and 9.

10.2 No specific views have been expressed relating to this Order.

11 THE HUMAN RIGHTS ACT 1998

11.1 The Human Rights Act 1998 requires (amongst other things) that every public authority must act in a manner, which is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention"). Relevant parts of Article 1 of First Protocol of the Convention provide: -

"Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "[no] one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law ..."

Relevant parts of Article 8 of the Convention provide:

(1) Everyone has the right to respect for his private and family life, his home and his correspondence. (2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interest of ...the economic well-being of the country..."

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11.2 The Order has been made pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 which authorises the Acquiring Authority to acquire land compulsorily subject to following the procedures laid down by the Acquisition of Land Act 1981. The Acquiring Authority considers that there is a compelling case in the public interest that the Order lands be acquired in order to achieve the purposes described in this Statement. If the First Secretary of State agrees with the Acquiring Authority that there is a compelling case in the public interest, he may confirm the Order. If the Order is confirmed, compensation may be claimed by persons whose interests in land have been acquired or whose possession of land has been disturbed. In the circumstances, if the Order is confirmed, the compulsory acquisition of the Order Lands will not conflict with Article 1 of the First Protocol or Article 8 of the Convention. Relevant parts of Article 6 provide that: -

“In determining his civil rights and obligations ... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”

12 ALTERNATIVE DISPUTE RESOLUTION

12.1 As stated above in section 7.3, negotiations for the purchase of the interests of owners and occupiers are being carried out on by the Acquiring Authority and/or its development partner. The Acquiring Authority remains committed to agreeing the voluntary acquisition of all outstanding interests in the Order Land and, in the interests of speed and goodwill, will consider the use of Alternative Dispute Resolution techniques, wherever appropriate, to settle any disputes which might arise. Should anyone affected by the Order have any queries with regard to the acquisition of their interest or any other aspect arising out of the making of the Order they may find it useful to contact the Council's Economic Regeneration Service via the Municipal Building, Kingsway, Widnes WA8 7QF.

13. RELATED APPLICATIONS, APPEALS, AND ORDERS ETC.

13.1 There are three planning applications on land affected by this Order; to date there are no appeals.

13.2 There has been a Halton Borough Council Resolution to approve the Routledge Outline Planning Applications 05/00057/OUTEIA & 05/00109/OUTEIA on Area V. These applications are primarily for housing, plus a small employment development. 05/00057/OUTEIA is for 603 residential units & 05/00109/OUTEIA is for 632 residential units, Retail A1, A2 and A4 uses of 372 sq.m. (4000 sq.ft.) and B1 offices of 2,323 sq.m. (25,000 sq.ft.) subject to:

i) Conditions: including a Grampian condition requiring the building of a secondary access after the occupation of the 300th dwelling, shop and an agreement to provide and support public transport arrangements and implementation before development commences; standard outline conditions; amended plan in relation to those already submitted and those required for the revised internal highways layout; public art; ground investigations including remediation strategy; foul and surface water disposal; amphibian survey and conservation scheme; oil interceptors; vehicle wash drainage; wheel wash; drainage on a separate system; construction hours for work audible at the site boundary; noise mitigation scheme; class A1, A2 and A4 opening hours restricted to 07.00 to 23.30 hours; no deliveries to A1, A2 and A4 uses between 19.00 and 07.00 hours; travel plan; and,

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ii) A Section 106 requiring installation of secondary access, contributions in lieu of the shortfall of open space within the site, gyratory improvements, public transport provision and measures towards a travel plan.

The decision has not been issued as the Section 106 has not been agreed.

13.3 Application 06/00694/OUT Land at Tan House Lane, Widnes for Area VI received in September '06 for a Business Centre and Technology Park for B1, B2 and B8 and provision for trade counters on Tan House Lane from Broadthorn Developments. The application is for 19,428 sq.m. (209,123 sq.ft.) of B1 and 37,470 sq.m.(403,327 sq.ft.) of B2/B8. The applicant's have been asked for an Environmental Impact Assessment to be submitted. Once this is received the application will be readvertised and advertised under the Environmental Impact Assessment Regulations.

13.4 Application 06/00742/OUT Former Muspratt Works, Earle Road. (Area VIII.) The outline planning application by Cheshire Land Ltd and Broadthorn Construction Ltd., submitted on 29 September 2006, was for a Golf Driving Range, with all matters reserved for future consideration. The application was refused by the Halton Borough Council Planning Authority in December '06 because of highway access and land contamination issues.

13.5 In addition, Road Adoption Orders under Section 247, Town & Country Planning Act 1990, will be sought in respect of Earle Road, the new Boulevard and the southern section of Tan House Lane.

14 CONCLUSION

14.1 There are overwhelming reasons why the site covered by the CPO Order should be redeveloped. Numerous strategic documents, of both a statutory and non statutory nature, highlight the problems of Widnes Waterfront, and although the documents may have differing emphasis, their core requirements, which underpins the need for the Order, are universal, manifest and compelling- that is that the Widnes Waterfront requires regeneration quickly and effectively. The Order has been made for the purposes of land assembly, to facilitate the comprehensive redevelopment of this rundown zone in an area of deprivation and ensure the delivery of the identified regeneration outputs. The Acquiring Authority believes that it is only through the Order that redevelopment will take place sooner than left to market forces. This will provide the certainty for programme funding, enabling the Acquiring Authority, and its partners, the NWDA and EU, to achieve their combined objectives which have the public interest at heart.

14.2 The current owners of the sites covered in the Order have either been unable to bring the land back into economic use since the EDZ was designated in 2001 and/or the uses do not conform to the Widnes Waterfront EDZ Masterplan and/or Supplementary Planning Document (SPD) and/or the uses affect the comprehensive redevelopment of the site. In reaching its decision to make this Compulsory Purchase Order the Council has carried out an extensive informal consultation process with owners and occupiers of properties within the area subject to the Order. The Acquiring Authority and its joint venture partner will continue to attempt to purchase land covered in the Order by agreement and discussions will continue with those affected by the proposals.

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15 DOCUMENTS, MAPS OR PLANS

15.1 A list of Documents, Maps and Plans are listed below and arrangements will be made for them to be available for public inspection Halton Direct Link, 7 Brook Street, Widnes, Cheshire WA8 6NB and they can be contacted on 0151 907 8300. Their opening hours are: Mondays to Wednesdays 9:00am to 5:30pm; Thursdays to Fridays 9:00am to 7:00pm; Saturdays 9:00am to 1:00pm.

| Document No. | Document Title |
|---------------------|--|
| 1 | Schedule Part 1-Land |
| 2 | Land Ownership Details |
| 3 | EDZ Masterplan |
| 4 | Widnes Waterfront Supplementary Planning Document |
| 5 | Description of Order Land: Areas I-VIII |
| 6 | Development Arrangements between Halton Borough Council and St Modwen Properties PLC |
| 7 | CPO Indemnity Agreement between Halton Borough Council and St Modwens Properties PLC |
| 8-14 | The Proposed Scheme and related plans, including EDZ boundary, site investigations, related infrastructure, type and phasing of the redevelopment. |
| 15 | NW Regional Economic Strategy |
| 16 | Regional Spatial Strategy RSS |
| 17 | Merseyside Sub Regional Plan |
| 18 | Halton Community Plan 2006-2011 |
| 19 | Halton Borough Councils Corporate Strategy |
| 20 | Halton Borough Councils Economic and Tourism Strategy |
| 21 | Halton Borough Councils Urban Renewal Strategy |
| 22 | Halton Borough Councils Waterside Development Strategy |
| 23 | Halton Borough Councils Relocation Strategy |
| 24 | PPS1 |
| 25 | PPG4 |
| 26 | RPG13 |
| 27 | EDZ ERDF Bid and Offer Letter |
| 28 | NWDA Offer letter and Boundary |

Name and Title of Officer: Derek Sutton, Operational Director, Major Projects.

Name of Council: The Borough of Halton, Municipal Building, Kingsway, Widnes WA8 7QF

Date: February '07