

MERSEY GATEWAY EXECUTIVE BOARD

*At a meeting of the Mersey Gateway Executive Board on Thursday, 7 November 2013
in The Boardroom - Municipal Building, Widnes*

Present: Councillors Polhill (Chairman), R. Hignett, Jones, J. Stockton and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: E. Dawson, L. Derbyshire, S. Nicholson, M. Noone, P. Oldfield M. Reaney and D. Parr

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

Action

MGEB11 MINUTES

The Minutes of the meeting held on 19 September 2013 were taken as read and signed as a correct record.

MGEB12 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) Whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- 2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and

exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A(4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

MGEB13 PROGRESS TOWARDS ACHIEVING FINANCIAL CLOSE WITH THE PREFERRED BIDDER

The Board received a verbal update on the progress towards achieving Financial close with the Preferred Bidder.

The Board was advised that significant progress was being made with the confirmation of the project finance as laid out in the Preferred Bidder appointment letter.

RESOLVED: That the verbal update be noted.

MGEB14 MERSEY GATEWAY ENVIRONMENTAL TRUST: PROGRESS REPORT AND BUDGET SETTING

The Board considered a report of the Chief Executive which informed the Members that the Mersey Gateway Environmental Trust (MGET) had been specifically created by the Council, and supported through the Public Inquiry process by the Planning Inspectorate, to assist the Project Company to manage its long term environmental planning commitments and its ecological assets.

The Board was advised that the last 12 months had seen an increase in activity. The report included details of the financial arrangements between the Trust and the Crossings Board through a comprehensive Third Party Agreement to manage the environmental assets of the Project and by adding value to the wider Mersey Gateway objectives associated with long term and sub-regional environmental improvements.

RESOLVED: That

- (1) the progress during the last 12 months be noted;

- (2) approval be given to develop a schedule of services between the Crossings Board and the Mersey Gateway Environmental Trust during the construction period; and
- (3) the signing of the contract covering the long term financial arrangements for the operation period between the Crossings Board and the Mersey Gateway Environmental Trust be supported.

Chief Executive

MGEB15 THE DRAFT FINAL BUSINESS CASE SUBMISSION TO THE DEPARTMENT FOR TRANSPORT- KEY DECISION

The Board considered a report of the Chief Executive which advised Members that prior to achieving Financial Close, the Council was required to submit the Final Business Case, which included the Final Funding Submission. Ministers (Department for Transport and Treasury Ministers) would then be required to approve these submissions. The report explained the key aspects of the draft submission now made to Government and the current draft Final Funding Approval letter that had been received from Department officials.

The Board also received a presentation from the Chief Executive and the Project Director Mersey Gateway setting out proposals explaining how a Local User Discount could be applied to the proposed tolling arrangements on Mersey Gateway and Silver Jubilee Bridge.

The Board considered a number of options to implement the Local User Discount and noted any proposal must be fundable, affordable, and comply with the legal powers granted in the Tolling Orders considered and approved by the Inspector at the Public Inquiry and subsequently approved by Government.

The recommended proposal set out in the presentation was considered to be deliverable and capable of meeting all these conditions and, after due consideration, the Board were satisfied it was likely to be the most appropriate means of providing discounts to those least able to afford the full cost of tolls.

RESOLVED: That

- (1) the Board recommend that Council approve the Mersey Gateway:

Chief Executive

- Final Business Case;
 - Final Funding Submission; and
 - Final Funding Letter;
- (2) the Board support the recommended Local User Discount Scheme proposal as set out in the presentation; and
- (3) the recommended Local User Discount Scheme supported by the Board be presented to the Council for consideration and approval.

MGEB16MERSEY GATEWAY LAND ACQUISITION PROGRAMME

The Board considered a report of the Chief Executive which provided Members with an update on the progress of the Land Acquisition Programme, and sought approval to retain the necessary internal and external staffing resources (including the appointment of consultants) to conclude the Land Acquisition Programme following Financial Close.

RESOLVED: That

- (1) the staffing and resource allocations (including the recruitment of consultants) as identified in the report be approved; and
- (2) the Chief Executive be granted delegated authority to make all necessary appointments and commissions, and agree terms and conditions, in respect of the completion of the Land Acquisition Programme, identified within the report.

Chief Executive

Meeting ended at 4.20 p.m.

MINUTES ISSUED: 11 November 2013

CALL-IN: 18 November 2013

Any matter decided by the Mersey Gateway Executive Board may be called in no later than 5.00 pm on 18 November 2013