

REPORT TO: Council

DATE: 13 August 2008

REPORTING OFFICER: Strategic Director Environment

SUBJECT: Mersey Gateway Transport and Works Act Order

WARDS: All

1.0 PURPOSE OF THE REPORT

- 1.1 This report relates to the order under section 3 of the Transport and Works Act 1992 (the "TWA Order") that is being promoted by the Council in order to secure powers to promote the elements of the Mersey Gateway Project (the "Project") that relate to the Mersey Gateway Bridge, in particular to authorise interference with public rights of navigation by the construction of a new bridge over the River Mersey comprised in the Project.
- 1.2 In accordance with the provisions of section 239 of the Local Government Act 1972 as applied by section 20 of the Transport and Works Act 1992, the Council resolved on 23 April 2008 to promote the TWA Order. A copy of the report to Council is attached at Annex 1. A copy of the minutes of the meeting of the Council on 23 April is attached at Annex 2.
- 1.3 On 30 May 2008 the Council made an application under section 6 of the Transport and Works Act 1992 to the Secretary of State for Transport for the TWA Order. A copy of the application letter is attached at Annex 3.
- 1.4 Now that the application for the TWA Order has been made, in accordance with the provisions of section 239 of the Local Government Act 1972, the Council is required to confirm its decision to promote the application for the TWA Order.
- 1.5 This report seeks the Council's confirmation of its decision to promote the TWA Order in accordance with the requirements of section 239 of the Local Government Act 1972.

2.0 RECOMMENDATION:

- 2.1 That the Council note the content of this report and its annexes and have regard to it in considering whether to confirm the resolution of the Council made on 23 April 2008 to promote the TWA Order; and

2.2 That in accordance with section 239 of the Local Government Act 1972 as applied by the Transport and Works Act 1992 the Council resolves to confirm the resolution of the Council made on 23 April 2008 to promote the TWA Order.

3.0 SUPPORTING INFORMATION

3.1 Details of the Project and the reasons why the Council is promoting this major transport initiative were reported to the Council on 23 April 2008, and a copy of this report is attached at Annex 1. There have been no changes to the Project since 23 April.

4.0 POLICY IMPLICATIONS

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

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 The implementation of Mersey Gateway will have significant benefits for all Council priorities.

6.0 RISK ANALYSIS

6.1 The specific risks are reported in a detailed project risk register linked to the Council's corporate risk management regime.

7.0 EQUALITY AND DIVERSITY ISSUES

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

8.0 REASON(S) FOR DECISION

8.1 The recommended decisions are required to support the delivery of Mersey Gateway.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9.1 Alternative options for securing the powers to construct, maintain and operate, including tolling, the MG project have been assessed and rejected.

10.0 IMPLEMENTATION DATE

10.1 The recommended decisions are required to be made as soon as possible after the application for the TWA Order was made, in accordance with the provisions of section 239 of the Local Government Act 1972.

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

11.1 Files maintained by the Mersey Gateway Project Team and by the Highways and Transportation Department.