

## MERSEY GATEWAY EXECUTIVE BOARD

*At a meeting of the Mersey Gateway Executive Board on Thursday, 27 January 2011 in the Marketing Suite, Municipal Building*

Present: Councillors Polhill (Chairman), Stockton and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: D. Parr, D. Tregoe, M. Noone and L. Derbyshire

Also in Attendance: Councillor Redhead

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

*Action*

MGEB10MINUTES

The Minutes of the meeting held on 18 November 2010 were taken as read and signed as a correct record.

MGEB11 THE SECRETARY OF STATE'S DECISION ON THE PLANNING APPLICATIONS AND ORDERS AND PROGRESS TOWARDS COMMENCING PROCUREMENT

The Board considered a report of the Strategic Director – Environment and Economy which informed Members that the Government had announced the decision for Mersey Gateway on 20th December and published the Secretary of State's Decision Letters along with the Public Inquiry Report and Supplementary Report produced by the Inspector Alan Grey. The report provided Members with a summary of the conclusions reached and the statutory powers either made, or confirmed, as a consequence of this decision. Members were also advised of the action now being taken to secure the land required for the scheme and to prepare for the procurement process now planned to commence in the spring.

The Board was advised that the report gave details of the summary conclusions which were consistent with the

findings expressed in the reports of the Inspector Mr Alan Grey relating to the applications and orders made by the Council back in spring 2008 and considered at the Public Local Inquiry that sat for twenty days between May and July 2009. The report plus all the documents relating to the planning decision, were available on the Mersey Gateway website and hard copies had been placed on deposit at the Kingsway and Halton Lea Libraries and at Direct Link offices in Widnes and Runcorn.

The report advised of the key factors emerging from the Inspector's conclusions. It was noted that the decisions made by Government on 20<sup>th</sup> December had triggered a number of statutory processes including the exercise of the compulsory purchase powers enabled by the Compulsory Purchase Orders and the made Order under the Transport and Work Act 1992. These powers allowed the project team to acquire the land which was necessary for the construction and maintenance of the Project. However, commencing the CPO process did not require any further Council resolutions because such resolutions were established at previous Council meetings.

It was reported that the Council had served the preliminary notices in the CPO process on the parties affected by these Orders in two stages. A press release explaining that the Council was commencing the CPO process had been issued. The notices issued covered all the known interests in the land required for the scheme. The actual programme for taking possession of the sites would be phased over the next 18 months. In addition, details of the programme for taking possession of specific sites would be reported to the Board at future meetings.

During the discussion, the Members noted the approval process for the funding. It was also noted that the objections had been fully dealt with and rejected during the Public Inquiry and the focus now would be on delivering the project.

RESOLVED: That

- (1) the substance of the decisions announced by Government on 20<sup>th</sup> December, which either made or confirmed all the statutory powers requested for Mersey Gateway be noted; and
- (2) The action now being taken by the project team to secure the land through exercising the compulsory purchase powers confirmed in

the Transport and Works Act Order and the two Compulsory Purchase Orders and to prepare the procurement process be noted.

MGEB12SCHEDULE 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 Sub-Section 4 of Section 100A 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 outweighs the public interest 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 Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraphs 1, 3 and 5 of Schedule 12A of the Local Government Act 1972.

*(Note: Mr Nicholson declared a Personal and Prejudicial Interest in the following item of business recommendation 2 (iii) due to it relating to the extension of his contract as the Mersey Gateway Bridge Project Director and left the room during consideration of this recommendation).*

MGEB13APPOINTMENT OF CONSULTANTS

The Board considered a report of the Strategic Director

Environment and Economy which informed Members of the decision of the Secretary of State for Transport to grant the necessary consents for the construction of the Mersey Gateway Bridge. It was reported that the project now moves into the detailed procurement phase and to complete this work in accordance with the agreed timetable, it was necessary to appoint or re-appoint consultants. The report set out the various contracts required and sought authority for the Chief Executive to determine the detailed terms and contractual arrangements.

RESOLVED: That

- (1) Consultants to the Mersey Gateway Project, KPMG, Gifford, EC Harris, Halcrow, GVA Grimley and DLA Piper be retained and the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements;
- (2) The Framework Contract for Mott MacDonald be extended to 30<sup>th</sup> April 2013 and that the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements;
- (3) Steve Nicholson's contract as Mersey Gateway Bridge Project Director be extended to 30<sup>th</sup> April 2013 and that the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements for that contract extension;
- (4) The Chief Executive and Strategic Directors be authorised to redeploy staff as necessary to ensure that the Mersey Gateway Project Team has sufficient capacity to ensure the delivery of the Mersey Gateway Bridge Project in a timely fashion;
- (5) The contracts for Mr Scarisbrick and Mr Coulson as consultants within the Project Team be renewed and that the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements; and

- (6) The award of a consultancy contract by the Strategic Director Environment & Economy to Ian Draycott be noted.

**MINUTES ISSUED: 28 January 2011**

**CALL-IN: 7 February 2011**

**Any matter decided by the Mersey Gateway Executive Board may be called in no later than 5.00pm on 7 February 2011**

*Meeting ended at 3.50 p.m.*