

MERSEY GATEWAY EXECUTIVE BOARD

*At a meeting of the Mersey Gateway Executive Board on Thursday, 20 September 2012
in The Board Room - Municipal Building, Widnes*

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

Apologies for Absence: Councillor Wharton

Absence declared on Council business: None

Officers present: R. Barnett, E. Dawson, L. Derbyshire, S. Nicholson, M. Noone
and D. Parr

Other Apologies: Councillor McDermott (Observer)

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

Action

MGEB5 MINUTES

The Minutes of the meeting held on 14 June 2012 were taken as read and signed as a correct record.

MGEB6 MERSEY GATEWAY BRIDGE - PROCUREMENT PROGRESS

The Board considered a report of the Chief Executive which gave Members advice on the progress of the Mersey Gateway procurement process.

The Board was advised that since the last report to the Mersey Gateway Executive Board, a significant number of Dialogue Meetings (split between Technical and Commercial elements) had taken place (supported by Bidder Submissions made in advance). Several meetings had taken place with each Bidder on a range of matters such as:-

Technical

- Proposals on dealing with various structures;
- Departures from Standard;

- Asset Management;
- Conceptual designs;
- Drainage;
- Landscaping;
- Traffic management;
- Contamination and remediation; and
- Construction methods.

Commercial

- Revenue Collection Service and Revenue Collection Business Plan;
- Proposals on the ways in which the bidders would finance the project;
- Commentary on the draft contracts - Project Agreement (PA) and Demand Management Participation Agreement (DMPA);
- Proposals on how bidders would deal with contamination;
- Proposals on approach to insurance; and
- Employment and Skills Delivery Plans.

The Board was further advised that the project team remained on target to deliver Financial Close in the Autumn of 2013.

It was reported that bidders had also proactively engaged with the Halton Employment Partnership (HEP) in connection with developing their plans for the community engagement and social responsibility requirements. The HEP had been impressed with these Bidders' understanding of the various initiatives and the commitment to engagement. These Bidders were also exploring the possibility of various supply chain activities being provided by local businesses (with the assistance of the development and investment HEP partners).

It was also reported that in parallel with the Dialogue Meetings, the land acquisition programme continued to ensure the delivery of the required land, or necessary rights that the Project Company required in order to construct the Mersey Gateway. The programme was on schedule, and continued to acquire land both through agreement and by exercising of its Compulsory Purchase powers through the

serving of General Vesting Declarations, of which five had been made to date. Negotiations also continued with a number of affected parties, with the ability to use Compulsory Purchase powers should it be necessary. In addition, it was reported that a significant number of affected businesses had now identified relocation premises and the team were working with them to ensure they had relocated and vacated their existing premises by April 2013.

RESOLVED: That the Board noted that the Competitive Dialogue process is progressing to programme and that all bidders are engaged with the process and continue to develop their draft Final Submissions.

MGEB7 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 item 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 item 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.

MGEB8 GOVERNANCE, OCIP PROCUREMENT AND ADVANCE WORKS

The Board considered a report of the Chief Executive which outlined recent actions that had been taken by the Mersey Gateway Team in conjunction with senior officers in respect of Advance Works and Governance Arrangements.

The report also advised of the approach to the procurement of Owner-Controlled Insurance (OCIP) and sought approval of the commencement of procurement of advance works and various Standing Order waivers.

RESOLVED: That

- (1) In respect of carrying out of the Mersey Gateway advance works by National Grid, for the purposes of Standing Order 1.8.3 (a) (on the basis that compliance with tendering Standing Orders is not on this occasion possible), the waiver of the Tendering requirements of Procurement Standing Orders be approved;
- (2) The Board authorise the Chief Executive to award the contract for these advance works as outlined in the report within a sum for which there is a budgetary provision and that the Preliminary Report aspects of this report be approved;
- (3) The Chief Executive's action in appointing Infrastructure UK Ltd / Local Partnership to provide commercial advice to the Mersey Gateway Team at the estimated cost detailed in the report be noted;
- (4) In respect of the action set out at (3) above in light of the exceptional circumstances (namely joint and partnership working arrangements) waiver of the Tendering requirements of Procurement Standing Orders for the purposes of Standing Order 1.8.3 (e) be approved; and
- (5) the intention to undertake the procurement of the Owner Controlled Insurance Programme in line with the Public Contracts Regulations 2006 be noted.

Chief Executive

MINUTES ISSUED: 24 September 2012

CALL-IN: 1 October 2012

Any matter decided by the Mersey Gateway Executive Board may be called in no later than 5.00pm 1 October 2012

Meeting ended at 3.35 p.m.