



**Executive Board**

**Thursday, 7 September 2006 2.00 p.m.  
Marketing Suite, Municipal Building**

A handwritten signature in black ink, appearing to read 'David W. R.'

**Chief Executive**

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**PART 1**

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<b>1. MINUTES</b>	
<b>2. DECLARATIONS OF INTEREST</b>	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
<b>3. CORPORATE SERVICES PORTFOLIO</b>	
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**Please contact Lynn Cairns on 0151 471 7529 or e-mail [lynn.cairns@halton.gov.uk](mailto:lynn.cairns@halton.gov.uk) for further information.**  
**The next meeting of the Committee is on Thursday, 21 September 2006**

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*In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.*

**REPORT TO:** Executive Board

**DATE:** 7th September 2006

**REPORTING OFFICER:** Council Solicitor

**SUBJECT:** Gambling Act 2005 Statement of Gambling Policy

**WARDS:** Boroughwide

## 1. PURPOSE OF REPORT

To endorse the draft statement of gambling policy attached to this report.

## 2. RECOMMENDED: That

- (1) the draft statement of gambling policy attached to this report be the Council's consultation draft;**
- (2) the Council Solicitor determine all matters relating to the consultation process; and**
- (3) the matter be reported back to the Executive Board following the consultation process.**

## 3. SUPPORTING INFORMATION

- 3.1 On 20<sup>th</sup> June 2005 the Regulatory Committee received a report on the Gambling Act 2005 (Minute REG9). The structure of the Gambling Act 2005 is similar to the structure of the Licensing Act 2003. In particular there is a requirement for the Council to adopt a statement of gambling policy which is analogous to the Statement of Licensing Policy adopted under the Licensing Act 2003.
- 3.2 The Government has recently announced that statements of gambling policy must be in force by the end of January 2007. A statement of gambling policy must be adopted by the Council at least a month before that date. A meeting of the Council is programmed for 13<sup>th</sup> December 2006 and that would be a suitable date for adopting the statement. A consultation draft statement of gambling policy is attached as appendix 1 to this agenda.
- 3.3 The Council can only adopt the statement after a formal consultation in accordance with the 2005 Act. It is suggested that the consultation period begin on or about 8<sup>th</sup> September 2006 and end by week

commencing 23<sup>rd</sup> October 2006. This will allow a reasonable time for consideration of comments from consultees.

3.4 The consultation draft is self explanatory and complies with the statutory guidance issued by the Government under the 2005 Act.

#### **4. POLICY IMPLICATIONS**

As previously reported to the Regulatory Committee there are major policy implications for the Council brought about by the 2005 Act. The Council must adopt a statement of gambling policy which will inform the way that licence applications are dealt with in future. The Council will receive reports on the full implications of the Act as and when they become clear.

#### **5. OTHER IMPLICATIONS**

There are no other implications arising out of this report.

#### **6. LIST OF BACKGROUND PAPERS UNDER SECTION 100D LOCAL GOVERNMENT ACT 1972**

This report is based on the Gambling Act 2005 and statutory registers held by the Council. In addition the DCMS and LACORS web-sites have provided background information.

**Halton Borough Council**  
**STATEMENT OF**  
**GAMBLING POLICY**  
**Gambling Act 2005**

**Approved by Halton Borough  
 Council on 2006 (Minute )**

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## **PART A**

### **1. The Licensing Objectives**

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

### **2. Introduction**

Halton Borough Council ("the Council") is situated in the County of Halton and is a Unitary Authority. Halton Borough comprises the towns of Widnes and Runcorn and surrounding villages of Hale, Daresbury, Moore, and Preston Brook. It is predominantly an urban area with a population of 118,208 (2001 Census).

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and the any amended parts re-consulted upon. The statement must be then re-published.

The Council consulted upon this policy statement before finalising and publishing it. A list of the persons we consulted is provided below. It should

be noted that comments were also received from a number of other persons who were not individually consulted but we have not listed all of these.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005

List of persons this authority consulted:

- The police
- Halton Borough Council Children & Young People Directorate
- Halton Borough Council Health & Community Directorate
- The Bingo Association
- Association of British Bookmakers
- British Amusement Catering Association
- Responsibility in Gambling Trust (U.K.)
- GamCare
- The general public through local advertisement and the Council's website
- Showboat Unit 29-33a Forest Walk Halton Lea Runcorn

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

### **3. Declaration**

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In producing this licensing policy statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

### 4. Responsible Authorities

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc

The Council designates the Halton Borough Council Children & Young People Directorate for this purpose.

The contact details of all the Responsible Bodies under the Gambling Act 2005 are available from Legal Services Licensing Section

### 5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person-

- a) lives sufficiently close to the premises to be likely to be

affected by the authorities activities,

- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities. Note that decisions though on Premises Licences must be "in accordance" with Gambling Commission Guidance.

The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

Interested parties can be persons who are democratically elected such as Councillors and MP's. Other than these persons, this authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorities activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent

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their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department (*insert contact details*).

## 6. Exchange of Information

Licensing authorities are required to include in their policy statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to Guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

## 7. Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and as per the Gambling Commission's Guidance for local authorities, it will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects

This licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

This licensing authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme.

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which is authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission. This authority also understands from LACORS that the Gambling Commission will be responsible for compliance as regards unlicensed premises.

This licensing authority will also keep itself informed of developments as

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regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

licensing remote gambling at all. This will fall to the Gambling Commission via Operator Licences.

## 8. Licensing Authority functions

Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines
- Grant *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities will not be involved in

## PART B PREMISES LICENCES

### 1. General Principles

Premises Licences will be subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

*Definition of "premises"* - Premises is defined in the Act as "any place". It is for the licensing authority to decide whether different parts of a building can be properly regarded as being separate premises and as the Gambling Commission states in its Guidance for local authorities, it will always be a question of fact in the circumstances. The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

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This licensing authority takes particular note of the Gambling Commission's Guidance for local authorities which states that in considering applications for multiple licences for a building or those for a specific part of the building to be licensed, entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

This licensing authority will also take note of the Gambling Commission's Guidance to local authorities that: Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

**Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this policy statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how the concerns can be overcome.

**Duplication with other regulatory regimes** - This authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be

awarded planning or building consent, in its consideration of it. This authority will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

**Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

**Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** – This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it.

**Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission in its Guidance for local authorities has stated that generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. This licensing authority also notes, however, that the Gambling Commission also states in relating to the licensing tracks the licensing authorities' role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the

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premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. This licensing authority understands that there may be further guidance from the Gambling Commission on this issue which it will have regard to, when available.

**Protecting children and other vulnerable persons from being harmed or exploited by gambling -**

This licensing authority has noted the Gambling Commission Guidance to local authorities states that the objective talks of protecting children from being "harmed or exploited by gambling, but in practice that often means preventing them from taking part in or being in close proximity to gambling.

This licensing authority will pay particular attention to any Codes of Practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos. It is understood that a Code for casinos must:

- specify steps that the premises licence-holder must take to ensure that children and young persons (that is those under the age of 18) do not enter casino premises, or in the case of the regional casino do not enter the gambling area;
- amongst those specified steps, ensure that each entrance to the casino or gambling area is supervised by at least one person ("the supervisor") who is responsible for compliance with the code of practice; and
- require that, unless the supervisor is certain that a person seeking admittance is an adult, evidence of age must be required of all those seeking to enter the casino or gambling area.

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a

definition but states that it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

*Conditions* - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises: and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of control measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition

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- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated and
- conditions in relation to stakes, fees, winning or prizes

*Door Supervisors* - The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Security Industry Act and that door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority. This licensing authority may therefore have specific requirements for door supervisors working at casinos or bingo premises.

### 2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry

- Notices / signage
- Specific opening hours

This list is not exhaustive.

As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.

### 3. (Licensed) Family Entertainment Centres:

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

This list is not exhaustive.

As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or

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default conditions on these premises licences, when they have been published.

#### 4. Casinos

The Council did not make an application for new casinos under the Gaming Act 1968 (prior to the deadline of 26<sup>th</sup> April 2006). Consequently 'Section 4. Casinos' is not directly relevant to this Statement but is included for the sake of completeness.

No Casinos resolution - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.

Casinos and competitive bidding - This licensing authority is aware that where a licensing authority area is enabled to grant a Premises Licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations issued under the Gambling Act 2005 by the Secretary of State.

Betting machines - This licensing authority is aware that, as explained in the Gambling Commission's Guidance for local authorities: Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the

number of betting machines in particular premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons.

Credit - This licensing authority has noted that the Gambling Commission has stated in its Guidance for Local Authorities that section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, not make any payment in connection with the machines. Guidance on the further conditions that may apply in relation to such machines will be included in the next version of this guidance

#### 5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

- Licensing authorities will be able to find information about the restrictions that apply in the codes of practice that will be published on the Commission's website.
- Further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises.

Once this information is available, this licensing authority will consider its application to premises licences for bingo premises.

## 6. Betting premises

*Betting machines* - It is noted that the Gambling Commission's Guidance for local authorities states: "Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons."

*Credit* - It has also been noted that the Gambling Commission Guidance states: section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, nor make any payment in connection with the machines. It is also understood that the Gambling Commission will be placing restrictions and requirements on Operating Licences for betting premises as regards credit and this licensing authority will consider the guidance when it is available.

## 7. Tracks

This licensing authority is aware that the Gambling Commission may provide further specific guidance as

regards tracks. We have taken note of the Guidance from the Gambling Commission which highlights that tracks are different from other premises in that there may be more than one premises licence in effect and that the track operator may not be required to hold an operator licence as there may be several premises licence holders at the track which will need to hold their own operator licences.

There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and this authority would expect the premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

Appropriate licence conditions may be:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- The location of gaming machines

This list is not exhaustive.

As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.

*Betting machines* - Licensing authorities have a power under the

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Gambling Act 2005, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. The Gambling Commission's Guidance will be noted in that it states: In relation to betting premises away from tracks, the Commission is proposing that licensing authorities should take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. Licensing authorities will want to consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

This licensing authority also notes that, In the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

*Condition on rules being displayed -* The Gambling Commission has advised in its Guidance for local authorities that licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures

are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

### 8. Travelling Fairs

It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

### 9. Provisional Statements

This licensing authority notes the Guidance for the Gambling Commission which states that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence and that requiring the building to be complete ensures that the authority could, if necessary, inspect it fully.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account

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unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which is in the authority's opinion reflect a change in the operator's circumstances.

This authority has noted the Gambling Commission's Guidance on not taking into account irrelevant matter: one example of an irrelevant matter would be the likelihood of the applicant obtaining planning or building regulations approval for the proposal.

### **10. Reviews:**

Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

### **PART C**

#### **Permits / Temporary & Occasional Use Notice**

##### **1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 para 7)**

Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance for local authorities also states: In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities will want to give weight to child protection issues. Further guidance on the information that should be obtained from the applicant and others will be provided in the next version of this guidance.

The Guidance also states: An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used

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as an unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application. Relevant considerations to take into account would include the applicant's suitability, such as any convictions that they may have that would make them unsuitably to operate a family entertainment centre; and the suitability of the premises in relation to their location and issues about disorder.

It should be noted that a licensing authority cannot attach conditions to this type of permit and that the statement of principles only applies to initial applications and not to renewals.

**Statement of Principles** = This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include BRC checks for staff, training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

With regard to renewals of these permits, a licensing authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

**2. (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))**

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming

machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "*such matters as they think relevant.*" This licensing authority considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in site of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the

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protection of vulnerable persons this applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an Adult Entertainment Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### **3. Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))**

The Gambling Act 2005 states that a Licensing Authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

This licensing authority has not prepared a statement of principles. Should it decide to do so it will include details in a revised version of the policy statement.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

### **4. Club Gaming and Club Machines Permits**

Members Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

Gambling Commission Guidance for local authorities states: Members clubs must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is

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permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

The Guidance also makes it clear that before granting the permit the authority will need to satisfy itself that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18.

This Licensing Authority is aware that: Licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

It should be noted that there is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. As the Gambling Commission's Guidance for local authorities states: Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced and that

the grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

### 5. Temporary Use Notices

There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the licensing authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building / site.

### 6. Occasional Use Notices:

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

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**AGENDA ITEM NO.**

**REPORT TO:** Executive Board

**DATE:** 7<sup>th</sup> September 2006

**REPORTING OFFICER:** Strategic Director - Corporate and Policy

**SUBJECT:** 2006/07 Budget Savings

**WARD(S):** Borough-wide

**1.0 PURPOSE OF REPORT**

1.1 To provide details of how budget savings are to be achieved by each Directorate, the implementation of which was not specified at the time of setting the 2006/07 revenue budget.

**2.0 RECOMMENDED: That the savings proposals presented in Appendix 1, be approved.**

**3.0 BACKGROUND**

3.1 The Council set its 2006/07 revenue budget on 1<sup>st</sup> March 2006 and in doing so approved the inclusion of a savings reduction of £250,000 for each Directorate. The detailed implementation of these items was to be considered further before being reported to Executive Board. Details of how the savings are to be implemented by each Directorate are presented in the Appendix.

**4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS**

4.1 None.

**5.0 RISK ANALYSIS**

5.1 The savings proposals detailed in the Appendix have where possible been designed to minimise the impact upon front-line service delivery, however, it is likely that there will be some impact in certain service areas.

**6.0 EQUALITY AND DIVERSITY ISSUES**

6.1 None.

**7.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1072**

7.1 There are no background papers under the meaning of the Act.

## APPENDIX

**Health & Community Directorate**

Item	Value £'000
Physical Disability Services: Increased efficiency in provision of equipment.	18
Health and Partnerships: Staffing reductions.	8
Culture and Leisure: Reduced energy costs/staffing reduction.	68
Older People Services: Fees and placements.	66
Consumer Protection: Staffing reductions.	8
Learning Disabilities, Adults, and Mental Health: Staff cost reductions within the Supported Housing Network (following a restructure) and reduced transport costs.	82
<b>Total</b>	<b>250</b>

**Environment Directorate**

Item	Value £'000
Increased Planning fee income.	36
Increased Building Control plan checking and inspection income.	14
Rationalisation of Neighbourhood Services.	50
Reduced busway maintenance.	5
Reduced expenditure on operational support and supplies.	10
Increased Highways fee income.	35
Recharge of staff time to capital allocation for Ditton Strategic Rail Freight Park.	50

Reduced expenditure on Adult Learning salaries and increased income.	20
Increased Business Development contract income.	22
Income from Information Pillars.	7
Increased income generation by Tourism Section.	1
<b>Total</b>	<b>250</b>

### **Corporate and Policy Directorate**

Item	Value £'000
Customer Services.	15
Revenues and Benefits	15
Financial Support Section.	8
Payroll Section.	5
Re-negotiation to achieve reduction in insurance premiums.	72
Reduction of half time Best Value Improvement Officer post.	12
Reduce policy development budget by a third.	5
Reduce twinning grant budget.	5
Reduce budget for communication improvements.	2
Additional income from preparation of Emergency Planning pipeline plans.	2
Reduce census budget.	1
Removal of 24-hour security provision at Municipal Building and rescheduling of repairs and maintenance works.	84
Increased licensing income within Legal Services Department.	24
<b>Total</b>	<b>250</b>

**Children and Young People Directorate**

Item	Value £'000
Reduction in Childrens Boarded Out budget	50
Deletion of Childrens Services Filing Clerk post	15
Deletion of a half time Community Social Worker post within the Young Peoples Team.	12
Reduction in the Schools contingency	113
Reduction in the Education Development Fund	29
Reductions in various Directorate budgets.	20
Reductions in various Advisory Service budgets	11
<b>Total</b>	<b>250</b>

**REPORT TO:** Executive Board

**DATE:** 7<sup>th</sup> September 2006

**REPORTING OFFICER:** Strategic Director - Environment

**SUBJECT:** Waste Management – The Next Steps

**WARDS:** All

## 1.0 PURPOSE OF THE REPORT

To inform the Executive Board of progress with the development of potential waste management partnership working the Merseyside Waste Disposal Authority (MWDA).

## 2.0 RECOMMENDATION: That

1. The Council agree, in principle, to work in partnership with the MWDA to secure appropriate waste treatment & disposal services and facilities.
2. A Memorandum of Understanding (MoU) containing partnership principles between Halton BC and MWDA be drawn up and signed by both parties, and approval be given for officers to work through the detail of a formal Inter Authority Agreement (IAA) with the MWDA.
3. Halton's Municipal Waste Management Strategy be updated and aligned with the strategic approaches contained within the Merseyside Waste Management Strategy.
4. The Strategic Director for Environment in consultation with Executive Board Member for Environment be authorised to commission work, as needed, from the external consultants appointed by the MWDA.
5. A further report be presented to the Executive Board on 21<sup>st</sup> September 2006.

## 3.0 BACKGROUND

- 3.1 At its meeting of 22<sup>nd</sup> June 2006, the Executive Board agreed to formally request that HBC be accepted as a partner by the Merseyside Waste Disposal Authority to work towards securing appropriate waste treatment & disposal services and facilities.
- 3.2 The Council's intentions were declared in a letter to the Merseyside Waste Disposal Authority and at their Annual Meeting held on 28<sup>th</sup> June 2006 MWDA Members resolved that:

1. *the Authority agrees in principle to the acceptance of Halton Borough Council as a partner; and*
2. *officers be instructed to consider the implications of this proposal and produce a risk / benefit analysis for consideration by Members at a future meeting of the Authority.*

3.3 Warrington Borough Council was formally advised of Halton's intentions to work with Merseyside, and as a result it was jointly agreed that the Joint Halton and Warrington Waste Management Board should be disbanded.

#### **4.0 SUPPORTING INFORMATION**

- 4.1 Discussions have continued with the MWDA and good progress has been made to date, as demonstrated in Appendix 1, which also shows the future landmark timetable and key decisions required as we work towards a formal agreement to work in partnership with the MWDA.
- 4.2 The next key dates for Halton are to reach an 'In Principle' agreement to work in partnership by 13<sup>th</sup> September 2006, and for a firm and binding decision to be reached by all parties by early October 2006. Without this agreement, after this date, the opportunity to participate will not be available to the Council, as the Government's Project Review Group will consider the MWDA Outline Business Case (OBC) for PFI credits in mid October.

#### **5.0 CONSEQUENCES OF HALTON/MWDA PARTNERSHIP**

##### **5.1 Waste Management Strategy**

- 5.1.1 Following a preliminary analysis of Halton's and Merseyside's Waste Strategies, there does not at this stage seem to be a conflict between the two, and there appears to be no technical reason why the Council may not participate within the proposed waste management solution for Merseyside.
- 5.1.2 Although Halton would be required to update its Municipal Waste Management Strategy and align our strategic approaches with those of Merseyside, the 2 current Strategies are broadly comparable and whilst this would lead to changes and impacts on current collection services, such changes would have been required to meet the targets and pledges contained within the Council's current Strategy.
- 5.1.3 Subject to Member approval, it is expected that work on updating our Strategy will commence by the end of September. An update of our Strategy would not constitute a full revision, and therefore will not require the extensive consultation attached to such an exercise, however, a consultation exercise is planned for no later than November

and should be completed by Spring 2007 to support the update. It is anticipated that the updated Strategy would be produced by no later than the end of March 2007.

## **5.2 Partnership Arrangements**

- 5.2.1 In developing a formal partnership, it is considered that an Inter Authority Agreement (IAA) between the Council and the MWDA is the best option. This will form a binding agreement between Halton and MWDA and has been the mechanism used by other Unitary and Waste Disposal Authorities.
- 5.2.2 Prior to the IAA, a Memorandum of Understanding (MoU) is required and it is therefore recommended that such a document is drawn up and that Officers begin to work through the detail of an IAA.
- 5.2.3 The IAA will also contain a charging mechanism, however, as Halton is a Waste Disposal Authority in its own right, the MWDA cannot legally apply a 'Levy' to Halton as it does with the Merseyside District Authorities. Therefore an arrangement for charging would need to be in place, which would need to be carefully developed.

## **5.3 District Council Action Plans**

- 5.3.1 The District Council Action Plans (DCAP) form part of the IAA and will represent a legal commitment from the authority to deliver future performance targets. Halton, like the other District Authorities in Merseyside, will be required to produce an Action Plan as part of any partnership arrangement with the MWDA.

## **5.4 Contractual Arrangements**

- 5.4.1 In line with our existing preferred approach, the Merseyside project is based upon a 3 contract strategy;
  - Landfill Contract
  - Recycling Contract
    - RHHWC's
    - MRF
    - In-vessel composting
    - Windrow Composting
    - Waste Transport
    - Transfer Stations
  - Recovery Contract (PFI)
    - Mechanical Bio-Logical Treatment Facilities x 2
    - Thermal Recovery Facilities x2
- 5.4.2 A primary factor in Halton's pursuit of the Merseyside option has been to seek greater surety of deliverability of future waste treatment facilities and services within the required timescale. Whilst there are

some minor issues surrounding the Landfill Contract that will require consideration, it is anticipated that the scope of the Recycling and Recovery Contracts can be extended to include Halton, which would offer us that surety. The MWDA contract procurement timetable is attached as Appendix 2.

### **5.5 Planning**

- 5.5.4 Halton will need to integrate its planning policies with those of Merseyside through the Local Development Framework. This work is due for completion by 2010 and will be the subject of separate reports to Members.
- 5.5.5 As previously reported, Halton would be included with all 5 Merseyside Authorities in any search for the identification of suitable sites for the location of waste treatment facilities procured through this project.

### **5.6 Financial Implications**

- 5.6.1 Halton will be required to demonstrate a commitment to meeting the affordability of the procurement project and, whilst the financial implications for Halton remain uncertain at this stage, the current overall waste disposal costs for municipal waste for Halton and the MWDA are comparable.
- 5.6.2 The MWDA expect a contribution from Halton towards their Procurement costs, though the level of this contribution has yet to be established.

### **5.7 Consultancy Support**

- 5.7.1 At its meeting of the 12<sup>th</sup> February 2004 (minute Exb29/2004 refers), the Executive Board approved the waiving of standing orders and the appointment of AEA Technology to provide advice to support the Council's waste management procurement process. It is now proposed to engage the technical, legal, financial and other external Consultants appointed through open competition by the MWDA to advise us and to support the development of the Council's Plans and Strategies.

## **6.0 THE NEXT STEPS**

- 6.1 This report has been produced to allow Members to consider approving an 'In Principle' agreement to work in partnership with the MWDA. Halton will continue discussions with the MWDA to establish in more detail the financial and policy impacts for the authority, and a fuller report will be presented to the next meeting of the Executive Board on 21<sup>st</sup> September 2006.

## **7.0 FINANCIAL, POLICY AND OTHER IMPLICATIONS**

- 7.1 There are financial, policy and other implications as a result of this report.
- 7.2 Work continues to precisely identify the financial consequences of working in partnership with the Merseyside Authorities. However, it will be recalled that the route being followed had identified a very significant increase in disposal costs, but it is not anticipated that working with Merseyside will increase those costs further.
- 7.3 An updated Municipal Waste Management Strategy will be produced and presented to Members for approval in early 2007.

## **8.0 RISK ANALYSIS**

- 8.1 A strategic risk analysis has been carried out in relation to the Council's Municipal Waste Management Strategy. Subject to the outcome of the recommendations contained within this report, a review of the analysis contained within the Directorate Risk Register will be carried out.
- 8.2 A paramount requirement is for the Council to secure a new waste disposal/treatment contract at the earliest opportunity. Deliverability of the procurement project is a principle factor, and working with Merseyside continues to appear to significantly reduce the risks to the Council.
- 8.3 Halton would have to be included in any search for the identification of suitable sites for the location of Merseyside's waste treatment facilities. This could leave Halton exposed to the potential development of a regional facility, in or close to its border. Control measures to reduce Halton's risk will be in place through the planning process.
- 8.4 The MWDA have identified that the key risks to the Merseyside Partnership are that;
  - (a) *Defra defer MWDA OBC decision leading to MWDA incurring additional LATS exposure;*
  - (b) *HBC delay formal decision to participate leading to delays in MWDA procurement programme.*
- 8.5 In order to mitigate these risks the MWDA have indicated that they require assurance from Halton in the form of an MoU and IAA within the timescales contained within this report.

## **9.0 EQUALITY AND DIVERSITY ISSUES**

- 9.1 There are no specific equality or diversity issues as a result of this report.

## APPENDIX 1

## HALTON/MWDA PARTNERSHIP DEVELOPMENT TASK ALLOCATOR

Ref.	Task	Organisation	Lead Officer	Date for comp	Progress/Comment
1	Initial Officer Meeting to general set the scene and agree joint approach	MWDA	Carl Beer	18th July	
2	Obtain and collate base information from Halton	MWDA	Kerry Harvey	20th July	Requirements confirmed to Halton BC by MWDA
3	Produce Halton 'Fact File' summarising existing arrangements, contracts, facilities and future waste plans.	Enviros	Innes Deans	28th July	Fact File submitted by Halton but requires to be further progressed in line with DCAP for 50% recycling
4	Initial evaluation of Halton's Waste Strategy with MWDA	Enviros	Phil Butler	1st August	Included in briefing note produced for MWDA officers
5	Initial review of legal implications	MWDA	Richard Abbott	28th July	Advice being sought by MWDA from Eversheds
6	Briefing note to MWDA Officers on initial findings	Enviros	Phil Butler	3rd August	Note submitted to Procurement Project Board.
7	Run waste flow model with inclusion of Halton data	Enviros	Innes Deans	11th August	Deferred at present due to impact being considered nominal. Model to be rerun once DCAP fully developed etc.
8	Detail review of legal implications	MWDA	Richard Abbott	18th August	Advice provided to MWDA by Eversheds
9	Review of financial implications	MWDA	John Webster	18th August	Potential implications identified but not yet quantified.
10	Establish any potential impacts on MWDA Procurement Programme	Enviros	Phil Butler	18th August	Fully covered in Interim Briefing Note
11	Halton BC's initial review of impacts of MWDA's requirements upon themselves	Halton BC	TBA	18th August	Jimmy Unsworth verbally reported to meeting 22nd August
12	Evaluate Principle risks and sensitivities	Enviros	Phil Butler	18th August	Risks identified in Interim Briefing Note
13	Establish DEFRA issues in respect to current OBC Submission	MWDA	Carl Beer	18th August	Issue raised with Defra, awaiting response

14	Consultation with existing partners to MWDA	MWDA	Carl Beer	21st August	Existing partnering authorities advised of request, further discussions to take place following joint meeting on 22nd August
15	Develop Joint Communication Protocol	MWDA	Colette Gill	21st August	Outstanding
16	Joint meeting/workshop to receive preliminary report, agree and develop key issues, agree priorities, actions and timescales	MWDA/Halton BC	Carl Beer	22nd August	Meeting jointly reviewed position of both Authorities and agreed to progress Option 3 - to develop an IAA whereby Halton undertake to act as a Partner Authority.
17	GIS data re planning study to be provided to Mouchel Parkman	Halton BC	Andy Horrocks	25th August	
18	MWDA to provide copies of IAA and associated Board paper to John Tradewell	MWDA	Carl Beer	25th August	
19	MWDA to assess likely magnitude of charges.	MWDA	John Webster	1st September	Requires output from Halton BC on cut cost base etc.
20	Halton to submit interim report to Members	Halton BC	Jimmy Unsworth	7th September	
21	Confirmation required of acceptance in principle of MWDA OBC financial implications and affordability	Halton BC	Jimmy Unsworth	8th September	
22	Develop interim MoU and draft Inter Authority Agreement	MWDA/Halton BC	Richard Abbott/John Tradewell	14th September	
23	Initial development of payment mechanisms	MWDA/Halton BC	John Webster	14th September	
24	Initial outcome of planning review	MWDA	Mouchel Parkman	14th September	
25	MWDA to provide all required and supporting information to Halton by 14 Sept	MWDA	Carl Beer	14th September	Halton to advise precise requirements by 1st September
26	Halton to review position for landfill capacity post 2008	Halton BC	Andy Horrocks	21st September	

27	Halton to review contract position post 2008 and develop strategy to manage any likely consequences/gaps	Halton BC	Andy Horrocks	21st September	
28	Halton to develop DCAP and review fact file data	Halton BC	Andy Horrocks	21st September	
29	Halton present final recommendation to Members	Halton BC	Jimmy Unsworth	21st September	
30	Formal commitment from Halton (MoU) to participate	Halton BC	John Tradewell/ Richard Abbott	22nd September	
31	Develop integration programme as a consequence of Halton's participation with MWDA	MWDA/Enviro s	Carl Beer	29th September	
32	Formal recommendation to MWDA Board	MWDA	Carl Beer	6th October	
33	Inter Authority Agreement Signed	MWDA/Halton BC	Carl Beer	1st December	

**APPENDIX 2****MWDA 3 CONTRACT PROCUREMENT TIMETABLE****Landfill Contract**

	<b>Stage</b>	<b>Timetable Date</b>
1	Notice in the Official Journal of European Union ("OJEU") published	July 2006
2	PQQ Evaluation	August 2006
3	Draft ITT	August 2006
4	Issue Tender	August 2006
5	Tender Return	September 2006
6	Complete Evaluation of Tender	October 2006
7	Short Listing and Tender Approval	October 2006
8	Authority Approval	November 2006
9	Contact Award Notice	December 2006

**Recycling Contract**

	<b>Stage</b>	<b>Timetable Date</b>
1	OJEU Notice Issued	November 2006
2	Descriptive Document and PQQ issued on receipt of EoI	November 2006
3	Bidders Conference and Completed PQQ returned	December 2006
4	PQQ Evaluation and Pre-qualified List of Bidders	January 2007
5	Open CD and Invitation to Submit Outline Solutions	March 2007
6	Outline Solutions Completed	April 2007
7	Evaluation and dialogue on Outline Solutions	May 07 – Oct 08
8	Evaluation report and approval of short list	May 2007
9	Refinement of key documents to reflect issues raised	June 2007
10	Issue Invitation to Submit Detailed Solutions	June 2007
11	Bidders complete Detailed Solutions and on-going Dialogue	September 2007
12	Evaluation, Clarification and Dialogue on Detailed Solutions	November 2007
13	Assess readiness to close dialogue	December 2007
14	Potential further dialogue and Refinement of Solutions	December 2007
15	Close Competitive Dialogue and Call for Final Tenders	December 2007
16	Final Tender Completed	February 2008
17	Fine Tuning and Final Evaluation. Preferred Bidder selected	April 2008
18	Final Clarifications, Due Diligence and Approvals	July 2008
19	Financial Close	July 2008

**Recovery Contract**

	<b>Stage</b>	<b>Timetable Date</b>
1	OJEU Notice Issued	November 2006
2	Descriptive Document and PQQ issued on receipt of EoI	November 2006
3	Bidders Conference and Completed PQQ returned	December 2006
4	PQQ Evaluation and Prequalified List of Bidders	December 2006
5	Open CD and Invitation to Submit Outline Solutions	February 2007
6	Outline Solutions Completed	April 2007
7	Evaluation and dialogue on Outline Solutions	May 07 – Nov 07
8	Evaluation report and approval of short list	May 2007
9	Refinement of key documents to reflect issues raised	June 2007
10	Issue Invitation to Submit Detailed Solutions	July 2007
11	Bidders complete Detailed Solutions and on-going Dialogue	July 07 – Oct 07
12	Evaluation, Clarification and Dialogue on Detailed Solutions	October 2007
13	Assess readiness to close dialogue	October 2007
14	Potential further dialogue and Refinement of Solutions	Oct 07 – Jan 08
15	Close Competitive Dialogue and Call for Final Tenders	February 2008
16	Final Tender Completed	April 2008
17	Fine Tuning and Final Evaluation. Preferred Bidder selected	July 2008
18	Final Clarifications, Due Diligence and Approvals	August 2008
19	Financial Close	November 2008

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**REPORT TO:** Executive Board

**DATE:** 7<sup>th</sup> September 2006

**REPORTING OFFICER:** Strategic Director - Environment

**SUBJECT:** Liverpool John Lennon Airport – Draft Masterplan Consultation

**WARDS:** Borough-wide

## 1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to respond to the invitation from Peel Airports Ltd for the Council to comment on the Liverpool John Lennon Airport Draft Masterplan that has now been published for public consultation. Responses are required by 15<sup>th</sup> September.
- 2.0 RECOMMENDATION: That the Recommended Response to the Draft Masterplan consultation as set out on this report be agreed and conveyed to Peel Airports Ltd.**

## 3.0 SUPPORTING INFORMATION

### The Government's White paper 'The Future of Air Transport'

- 3.1 Government policy, set out in the White Paper published in 2003, endorses the long-term continued growth of LJLA, including the expansion of its passenger and cargo facilities and the extension of the runway. The Department for Transport (DfT) has asked airports to prepare Masterplans to 2030 showing how the proposals for airport expansion can be achieved.
- 3.2 Forecasts prepared for the airport show that by 2015, passenger numbers will reach 8.3 million from the currently level of 4.4 million passengers in 2005, and by 2030 it will reach 12.3 million passengers. In the same years, the amount of cargo handled is forecast to increase from 40,000 to 220,000 tonnes per annum respectively.
- 3.3 It is the ambition of the airport to capture the opportunity to serve new routes including long haul destinations, and capture synergies with the Port of Liverpool by developing an enhanced world cargo market.

### The Masterplan Proposals

- 3.4 The main components of the Masterplan with implications for Halton are as follows:

### 3.5 Runway Extension

The Masterplan states that if LJLA is to develop long haul passenger services and its freight capability in the longer term, it needs to invest in the infrastructure to take larger aircraft with the tonnage and fuel loads necessary to reach the range of destinations indicated.

This will mean that the runway must be extended to the east in the direction of Hale by 314 m plus two additional 150 m starter strips at both ends. Most of the runway extension and eastern starter strip will be within Halton Borough.

This will require the diversion of Dungeon Lane, which forms part of the Borough boundary from its current route from Hale Road to a new route further east towards Hale linking the proposed Eastern Access Corridor with the proposed World Cargo Centre south of the existing runway.

- the option of extending the runway to the west was considered but there is insufficient land without development being beyond the current cliff into the Estuary. Such development would have an adverse impact on the special environmental and nature conservation interest of the Estuary and as such would not accord with the Government White Paper on Airports.
- The Masterplan states that a disadvantage of an eastern extension is that it would bring the runway closer to Hale Village. However as a result of providing a starter strip at the western end of the runway, the majority of aircraft would be able to take off earlier and fly over Hale at greater heights than at present. Additionally, the landing threshold would only be displaced 120m further to the east rather than the full length of the extension. As a result aircraft landing over Hale would only be slightly lower than at present.

### 3.6 New Road Link

To improve vehicular access, the Masterplan proposes that a new road be built to link the airport with the A561 Speke Road. Three routes have been considered including a junction with the southern end of the Knowsley Expressway, but the shortest route joining Speke Boulevard near the Jaguar factory is preferred by the Masterplan. It is anticipated that the construction of the road is unlikely to start before the end of the decade, with completion in the period leading up to 2015.

### 3.7 World Cargo Centre

To accommodate the forecast increases in cargo throughput, the airport has plans to upgrade facilities in two areas. The earlier of the developments will be to enhance cargo-handling facilities north of the

runway for mail and express parcels. Post 2015, the larger of the planned cargo developments, is the construction of the World Cargo Centre comprising airport parking and warehouses south of the runway on land that is currently undeveloped and in the Mersey Green Belt. This will be accessed by road via a diverted Dungeon lane to the proposed eastern access road.

### 3.8 Terminal Development

The existing terminal building will be extended including new piers and aircraft stands to accommodate the forecast numbers of passengers. A public transport interchange is also proposed to improve services for buses and coaches, which also allows for a future light rapid transport route. (This will presumably be based on any resurrection of the Merseyside tram system).

It is also proposed that a multi-storey car park and hotel will be built close to the terminal. (A planning application for this has now been made and Halton consulted as an adjoining authority).

### 3.9 Coastal Park Extension

A major expansion of the regional coastal park to make a further 50 hectares available for public use would be combined with the World Cargo Centre development. Part of this extension would be eastwards into Halton and would link up with the Mersey Way footpath.

### 3.10 New Jobs

The Masterplan states that the airport has the potential to increase direct on-site employment numbers to between 4,000 and 5,900 by 2015, and to between 4,500 and 6,700 by 2030. Including off-site employment, the total job growth from airport growth could reach 9,400 jobs by 2030, and could be as high as 11,300.

### 3.11 Environmental and Safety Implications

The environmental and safety implications of the proposed airport expansion have also been well researched and the results set out in the Masterplan.

### 3.12 Noise

Probably the biggest environmental impact of the airport expansion proposals will be the rise in noise levels caused by the greater number, frequency and size of aircraft using the airport.

The total 'air noise' (noise from aircraft that are airborne or on a runway during take off or after landing) to which local communities are exposed over a given time period depends on the noise emitted by individual

aircraft and the total number of aircraft movements. An overall measure of 'air noise' exposure is depicted by noise contours that show lines of equal noise exposure over a given time.

Current 'air noise' contours in 2005 shows the contour representing the high levels of annoyance, (69 dB LA eq lbh) is largely contained within the boundaries of the airport.

The contour representing moderate levels of annoyance (63 dB LA eq lbh) affects a number of properties in Hale Heath and Hale.

The contour representing the onset of low community annoyance (57 dB LA eq lbh) extends right over Hale but not as far as Runcorn (see Figure 11.2 of the Masterplan).

The forecast contours for 2015 are similar in shape to those for 2005, but cover a greater area. The contour representing 'high levels of annoyance' is almost completely contained within the expanded airport site. However, one property in Hale Heath, in addition to those that the airport has offered to purchase, would become subject to the high annoyance level. The airport will offer to purchase this property once it appears that this level of noise will arise.

The contour representing 'moderate levels of annoyance' in 2015 includes a number of properties which fall within Hale, Hale Heath or Speke, including Hale Village Primary School.

In the Government White Paper, mitigation measures are suggested for properties exposed to 'moderate levels' of annoyance. The airport already operates a Sound Insulation Grant scheme for secondary and acoustic double-glazing for those exposed to these noise levels.

The contour representing the onset of 'low community annoyance' in 2015 extends to parts of Runcorn in the east and affects a number of properties off Picow Farm Road and Greenway Road.

These additional properties within the contours for 2015 are already exposed to aircraft noise, but at a level slightly below the contour values.

The Masterplan also considers the perceptibility and significance of changes in airborne aircraft noise exposure. However, it points out that in these future contour predictions, no allowance has been made for any reduction in aircraft noise resulting from technology improvements and therefore the increase in noise that occurs in practice may be less than predicted.

In summary, the Masterplan states that the development in 2015 would cause perceptible, and in one area (the south east corner of Speke) a noticeable increase in overall noise, assuming no effect from improving

aircraft technology and lead to a relatively small increase in the population exposed to 'low community annoyance'.

No significant impact is predicted on either local schools or hospitals, with the exception of the primary school in Hale for which mitigation measures would be developed and implemented as found necessary.

The Masterplan also considered noise impacts in 2030, based on the predicted increase in passenger and cargo traffic. It concludes that assuming that no improvement occurs in the noise reduction of individual aircraft, a small increase of around 2dB would be expected from 2015 to 2030. However, in light of the expected reduction in noise from individual passenger aircraft, this theoretical increase may not occur in practice.

Night noise is also considered, although no night noise contours have been produced. Night noise is controlled by a quota system with a corresponding 'noise budget' and the ban on operations of the noisiest aircraft at night. The predicted growth in night-time activity will be carefully monitored, but the quota count usage is not expected to approach the 'noise target'.

### 3.13 Air Quality

Air quality assessments indicate that concentrations of nitrogen dioxide and air particle concentrations close to the airport will be similar to those currently being experienced. This is because the increase in air and ground movements are predicted to be offset by improvements in vehicle and aircraft technology. It is also predicted that the expansion proposals are unlikely to lead to a breach of the limits determined by Government.

### 3.14 Risk Assessment and Public Safety Zones

The Masterplan states that the preliminary risk assessment shows that the planned expansion of the airport can be accommodated without exceeding established measures of risk.

Currently the airport has a Public Safety Zone (PSZ) extending from each runway end. In Halton, this is shown on the Halton Unitary Development Plan and is subject to a policy (PR9) that complies with Government advice. It aims to control development so that there is no increase in the number of people working, living or congregating in or at the property or land. This effectively blights part of Hale Village for much new development. There is a concern that if the PSZ is extended as a result of the runway extension and increased flights, that the area of development restriction will also be extended to a larger part of Hale Village.

The Masterplan states that the airport will use the 1 in 100,000 per annum risk contour to determine the size and shape of the PSZ for 2030.

It is considered essential that this work is carried out as soon as possible in order to determine the potential impact on Hale Village of more extensive development restrictions.

The risk posed to hazardous installations in the vicinity of the airport due to aircraft accidents will also be carefully considered with reference to detailed scheduling information, and compared to the existing level of risk and Health and Safety Criteria.

Again, given the existence of chemical works qualifying as hazardous installations in Halton, close to the flight paths of the airport, this risk assessment should be carried out as soon as possible so that any increased risk to the population living close to these installations can be assessed.

### 3.15 Transport Implications

The transport implications of the airport expansion are covered by the Masterplan as 'Surface Access'. It states that there is a high standard road network that provides access to the airport with dual carriageway linkage to the strategic and trunk roads.

### 3.16 Public Transport

The airport has a comprehensive 'Surface Access Strategy' (the latest of which was published in May 2006) overseen by the Airport Transport Forum of which Halton Borough Council is a member. The aim of the Strategy is to seek improvements in public transport access to and from the airport, and reduce the reliance on unaccompanied private motor vehicle use for passengers and airport employees.

Public transport accessibility has recently been boosted by the opening in June 2006 of the Liverpool South Parkway railway station only three miles away, with a seven bus per hour shuttle link to the airport. The station provides passenger access to the West Coast Main Line, Trans-Pennine and West Midlands services. There are also frequent bus services to surrounding towns including the 82A to Runcorn.

A study has recently been undertaken to consider the feasibility of a bus link between the airport and Runcorn Railway Station. This showed that there is currently little demand for a dedicated link, particularly as a result of the opening of Liverpool South Parkway.

Public transport accessibility to the airport could also be improved in the future with the proposed re-opening of the 'Halton Curve' railway connecting with Cheshire and North Wales, and improve the general accessibility of this area to the airport by public transport. This project is being promoted through the Halton and Merseyside Local Transport Plan documents and Cheshire County Council along with the North Wales Authorities

The Masterplan states that although passenger public transport percentage is high compared to airports of comparable passenger numbers, it wants to achieve increasingly higher targets of passengers using public transport from 10% current to 12% by 2015 and 24% by 2030.

### **3.17 Parking Strategy**

In order to achieve these targets of public transport usage, the Masterplan describes a parking strategy that has already been endorsed by the Merseyside and Halton Local Transport Plans. This strategy is designed to ensure that unauthorised car parking advertised as serving the airport is restricted. Recent enforcement actions to prevent unauthorised airport parking facilities in Halton have been successful. A planning policy to underpin this strategy can be incorporated into the Halton Local Development Framework now under preparation.

### **3.18 Highway Network Capacity**

The capacity of the eastern approach to the airport will be greatly improved by the proposed Mersey Gateway bridge over the Mersey which the DfT has recently announced in principle approval for funding. This will be the sign-posted route to the airport from both the M6 (South) and M56.

In the vicinity of the airport, Speke Boulevard is currently the main highway access. The existing network can accommodate more activity at the airport given that most traffic is generated outside of commuter periods. However, the Masterplan considers that there will come a time in the medium term when more capacity within the 'Southern Corridor' (which includes Speke Boulevard) will be needed. Consequently the Airport and Liverpool City Council are doing a study to assess whether additional capacity within the 'Southern Corridor' is needed within the Airport Masterplan period. This study includes an evaluation of the need for the proposed Eastern Access Transport Corridor, referred to above, that would connect the airport directly with the A561/A562 to the east of Speke.

The three options for this route have direct implications for Halton. These are the environmental impacts including increased traffic noise and visual and transport implications in terms of the local road network and the possibility of a direct link with the proposed Mersey Multi Modal Gateway (proposed rail freight park at Ditton).

The first option (SA1) is to optimise the capacity of the existing highway network, particularly by increasing the capacity of existing junctions. However, beyond 2011 it becomes difficult to see how additional capacity can be provided, hence the proposal to evaluate new road routes to the east.

Option SA2. This route of about 1.2 miles would pass to the east of Speke Estate and join Speke Boulevard (A561) to the east of Mill Wood adjacent to the Jaguar plant. This option would have the smallest land take and have the least environmental impact of the three routes.

Option SA3. This is a significantly longer route than Option SA2, as it would provide direct access to the A5300 Knowsley Expressway and potentially provide a link road to serve the proposed Ditton rail freight interchange on the Liverpool-Manchester railway line. However it would also have greater environmental impact as it would pass closer to residential properties at Halebank and the Halebank Conservation Area. It would need a new bridge over the railway line and three existing roads, and consequently have greater construction and visual impact, and be considerably more expensive to build.

Option SA4. This would follow a longer route south and east of Option SA3 and would have similar disadvantages to Option SA3 with no material advantages. Although it would connect with the proposed Ditton rail freight interchange, its impact would be to restrict development by cutting across land allocated for a rail connected warehouse in the Halton Unitary Development Plan.

### 3.19 Sustainability Appraisal

A sustainability appraisal of the Masterplan proposals to assess its social, economic and environmental effects has been undertaken by independent consultants. It has been published alongside the draft Masterplan and is itself the subject of public consultation.

This appraisal identifies some of the negative effects of the Masterplan proposals, particularly on the environment although opportunities for mitigation of these effects and enhancement of natural assets will reduce these. The potential negative effects of climate change are being addressed at national level. However the Masterplan proposals achieved the majority of sustainability objectives as a result of the overriding social and economic benefits that the proposals will bring to one of the most deprived areas in the UK.

### 3.20 Next Steps

Following public consultation, comments made will be considered and a revised Masterplan will be prepared later in 2006. This will be submitted to the Department for Transport, the local authorities and other interested parties. The final Masterplans of the airports featured in the Government's White Paper 'The Future of Air Transport' will establish a clear, long term framework for the development of the UK's air transport systems and will be important in shaping local and regional economic, transport and planning policies.

### 3.21 Recommended Response

It is recommended that the following response is made by Halton Borough Council to the Liverpool John Lennon Airport Masterplan Consultation:

1. The airport expansion proposals are supported by the Council in general, particularly because of the increased job opportunities and business development opportunities that it will bring to the wider sub region and consequently to Halton.
2. If highway capacity studies show a need for the construction of an Eastern Access Transport Corridor, and this is essential to the expansion of the airport, then such a solution is supported in principle. However, although the shortest (and cheapest) Option SA2 is supported, Option SA3 would be preferred as it has advantages for creating a direct link between the proposed Mersey Multi Modal Gateway (rail freight park at Ditton) and the strategic road networks. Option SA4, although also creating such a link to the strategic road network is opposed on the basis that the route would severely restrict development of the rail freight park by cutting across land allocated for it in the Halton Unitary Development Plan.
3. The Council is concerned about the predicted increase in noise levels shown by the 'low community annoyance' noise contour extending over parts of Runcorn, and the 'moderate levels of annoyance' contour extending over Hale Village and the Primary School, and would wish to discuss how this can be mitigated against with the Airport Company before the final Masterplan is produced.
4. The Council is also concerned about the potential for increased night-time air noise, and the airport is urged to calculate night-time noise contours and shared with this Authority so that the impact of aircraft movements at night can be measured before the final Masterplan is produced.
5. The airport is urged to do all it can to ensure that the operation of aircraft using the airport during approach, take off and landing minimises the noise levels expected and to offer noise mitigation grants to a wider number of affected properties including those affected by 'low community annoyance'.
6. The Council accepts the case for an extension to the runway on land within Halton in the direction of Hale as necessary for the expansion of the airport to encourage more routes and cargo business. It also accepts that Dungeon Lane will have to be diverted to allow for this extension. As this is currently open

countryside and protected by Green Belt policy, then the boundary treatment and landscaping will have to be carefully considered to minimise visual impact, reduce noise and ensure airport security.

7. The Council welcomes the extension of the coastal park into Halton, but wishes to ensure that the airport contributes to an enhancement of the Mersey Way and Trans-Pennine Trail onwards around the coast of Widnes, to complement the coastal park works.
8. The Council is concerned about the possible extension of the Public Safety Zone (PSZ) over Hale, as a result of the runway extension and increase in flights, as it would restrict development and thereby blight parts of the village. It is also concerned about any increase in risk to businesses that are classified as 'hazardous installations' from increased aircraft movements. The airport is therefore urged to complete the full risk assessments as soon as possible so that the impact on the PSZ extent and any increased risk to hazardous installations can be assessed, before the final Masterplan is produced.
9. The Council supports the proposals to increase public transport trips to the airport, and the parking strategy that would prevent privately operated airport car parks in order to encourage public transport use. However, the bus links to both Widnes and Runcorn must be considered for improvement, not just for passengers but for new employees as a result of the forecast expanded job opportunities.
10. The recognition in the Masterplan that rail passenger services using the Halton Curve should be re-introduced to enable direct rail connections to Chester and North Wales is also supported.
11. The Masterplan's acknowledgment of the benefits of improved road linkages which will arise as a consequence of the construction of the Mersey Gateway is supported.
12. The Airport Company should enter into a legal agreement with the Council to ensure that any adverse impacts upon the Borough's environment, is adequately mitigated against.

#### **4.0 POLICY IMPLICATIONS**

The elements of the Masterplan proposals that are within Halton will require planning permission, and these applications will be considered against current development plan proposals and other Council policies.

Currently the Halton Unitary Development Plan has several policies that are relevant.

Policy TP20 Liverpool Airport states that proposals arising from the Local Transport Plan's Airport Surface Access strategy that would improve surface access to and from Liverpool Airport will be permitted.

This policy would therefore lend support to the proposals for the Eastern Access Transport Corridor as it reflects the Halton Local Transport Plan's (2006-2011) support for the continued expansion of the airport through the implementation of key public transport access schemes to improve access to the airport by bus, coach and rail along with a strategy to support the EATC.

Any planning applications associated with the airport expansion proposals will also have to be judged against other specific policies concerned with Air Quality (TP18), Noise (PR8), the Airport Public Safety Zone (PR9) and the Airport Height Restriction Zone (PR10), and more general policies concerned with other planning matters.

The Mersey Gateway Crossing will have a major beneficial effect of reducing congestion for trips to the airport for passengers and staff travelling to and from Halton, North Cheshire, North Wales and other key urban centres along the M56 Corridor. The Airport Masterplan recognises its importance, and the expansion proposals help to underpin the justification for the new bridge.

Once the Masterplan has been approved by the Department for Transport, then its proposals will also have to be considered through the process of preparing development plans. In Halton, these may require land to be safeguarded for the chosen route of the Eastern Transport Corridor, and the diversion of Dungeon lane. It will also have to reserve land for the runway extension and security areas. The implications for any extended Public Safety Zone over Hale and the impact of extended noise contours for sensitive land uses will also have to be considered.

The economic and transport policy implications will also have to be considered so that Halton residents can take full advantage of increased job opportunities through training, business development and better public transport links.

## **5.0 OTHER IMPLICATIONS**

None.

## **6.0 RISK ANALYSIS**

The main risks associated with the Masterplan proposals concerning public safety, noise and environmental impact have been described in this report, together with the mitigation measures that are necessary.

The economic risks of limited new development at the airport are also described in the Masterplan. It considers that failing to invest to support

this growth would eventually result in the decline of the airport over the longer term, as infrastructure fails to meet the demands of the airlines and passengers, such that business moves elsewhere. The most significant consequence of this would be the loss of jobs at the airport and in related businesses in the area.

## **7.0 EQUALITY AND DIVERSITY ISSUES**

There are no such issues arising from the Masterplan proposals that are apparent at this stage in the process.

## **8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Liverpool John Lennon Airport – Draft	Planning & Policy Division	Andrew Pannell
Airport Masterplan to 2030, July 2006	Rutland House	Andrew Pannell
Liverpool John Lennon Airport Surface Access Strategy, May 2006	Rutland House	Andrew Pannell

**REPORT TO:** Executive Board

**DATE:** 7<sup>th</sup> September 2006

**REPORTING OFFICER:** Strategic Director Corporate & Policy

**SUBJECT:** Local Enterprise Growth Initiative  
Round 2 Halton Submission

## 1. PURPOSE OF REPORT

- 1.1 To inform members of Halton's Local Enterprise Growth Initiative (LEGI) Submission
2. **RECOMMENDED: that the signing off of the final submission be delegated to the Chief Executive in consultation with the portfolio holder.**

## 3. SUPPORTING INFORMATION

- 3.1 In 2005 Government launched the LEGI Programme. This is a competitive bidding process aimed at providing additional financial support to promote enterprise in deprived areas. It is only open to the 81 Neighbourhood Renewal Areas.

In round 1 only 10 bids were approved nationally and only one programme in the North West has been supported (St. Helens). Although 3 bidding rounds have been announced, it is anticipated that 30 awards in total will be made.

Halton received feedback in respect of our unsuccessful round 1 application. Our strengths included: well established partnership arrangements, a good track record in delivery, and a robust evidence base. However, areas for improvement included a need to emphasise the added value of LEGI funding i.e. the additional benefits LEGI funding would bring to the borough. The appraisers did not support our borough-wide approach to tackling enterprise and have emphasised preference for bids which focus on targeting small and very deprived areas.

There were also technical points raised in respect of funding sources, leverage, and sustainability once the programme had finished.

It was felt that the bid also needed to be bolder and more ambitious. Consequently, Halton's round 2 bid references Halton's economic opportunities as providing the catalyst for transformational change.

Halton's industrial legacy and Halton's positive role in driving world changing events and respective industrial revolutions is emphasised. It is proposed that this past experience can be used to contribute towards generating and sustaining an entrepreneurial culture in the future. It is acknowledged that recent announcements concerning the New Mersey Gateway and Daresbury serve to demonstrate that the future for Halton is extremely positive.

Emphasis is also placed on the borough's location as a significant unique selling point (USP), and the strong connectivity that Halton has within the region and beyond.

Halton's LEGI bid is likely to be £15 million over 3 years. It comprises 3 work streams:

- 1) Creating and embedding an enterprise culture.
- 2) Supporting and growing strong businesses.
- 3) Attracting and Retaining Inward Investment is relevant to the needs of business.

The first workstream "creating and embedding an enterprise culture", recognises the role of schools in developing a sustainable entrepreneurial culture. The work stream also reflects the relationship between high levels of worklessness, and low levels of self-employment in the borough.

The second workstream "supporting and growing strong business" recognises the role entrepreneurship and enterprise play in driving productivity and acknowledges that entrepreneurial activity in the borough is low. The workstream aims to complement the work of business link in helping business to develop and expand.

The third workstream "attracting inward investment" recognises the importance of encouraging companies to relocate to Halton whilst ensuring that the borough's commercial property portfolio reflects the needs of business.

Halton's strategic partners are currently preparing some 30 project proposals to feed into these workstreams.

Taking into account the need to focus on specific geographic areas Halton's LEGI application concentrates primarily on Windmill Hill, Castlefields, Halton Lea, Riverside and Kingsway Wards. The Wards chosen reflect the Department of Work and Pensions City Strategy as areas with the highest levels of worklessness in the borough. Clearly however, the programme will have benefits for the borough as a whole.

If successful Halton's LEGI programme would also give specific targeted support to:

“Silver Entrepreneurs”.

People in receipt of incapacity benefit

Women.

Young People

Although Halton has a relatively small Black and Minority Ethnic Community, scoping work will also be carried out to ascertain the level of support to encourage entrepreneurship and self-employment within this target group.

#### **4. POLICY IMPLICATIONS**

The borough has low levels of enterprise and high levels of worklessness. There is a high proportion of residents on benefits and a low proportion of people actually in employment. If the bid is successful it will enable the Council and its Partners to take a truly transformational approach to tackling low entrepreneurial activity in the borough.

The workstreams described above reflect the three national LEGI outcomes.

- Increasing total entrepreneurial activity among the population in deprived local areas.
- Supporting the sustainable growth and reducing the failure of locally owned business in deprived areas.
- Attracting appropriate investment and franchising into deprived areas, making use of local labour resources.

#### **5. OTHER IMPLICATIONS**

The programme is being developed through the LSP’s Employment Learning and Skills SSP. However, if successful, it is proposed that Halton Borough Council will become the Accountable Body for the programme.

This role has previously been adopted for the management of SRB, ERDF and NRF programmes.

It is anticipated that no additional resources will be required from the Council, although existing Council mainstream resources will be called upon to complement LEGI investment. This would need to form the basis of a future report to Members, should the LEGI bid be successful.

The deadline for receipt of applications is 14<sup>th</sup> September. Within this framework, Members are requested to authorise the final signing off of the bid to the portfolio holder and Chief Executive.

**6. RISK ANALYSIS**

A risk analysis has been undertaken and forms part of the bid submission.

**7. EQUAL OPPORTUNITIES**

The LEGI bid focuses on the most disadvantaged residents in the most deprived parts of the borough. In addition, specific support will be targeted at target group; for example, women, older people (over 50) people on incapacity benefit and the Black and Minority Ethnic Community.

**8. LIST OF BACKGROUND PAPERS**

The current draft LEGI application is available for inspection from W. Rourke, 3<sup>rd</sup> Floor, Municipal Building.