

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 8 February 2007 at the Marketing Suite, Municipal Building*

Present: Councillors McDermott MBE (Chairman), D. Cargill, Gerrard, Harris, Massey, McInerney, Polhill, Nelson, Wright and Wharton

Apologies for Absence: (none)

Absence declared on Council business: (none)

Officers present: D. Parr, D. Johnson, I. Leivesley, D Tregea, D. Sutton, J. Tradewell, L. Cairns and G. Cook

Also in attendance: 3 Members of Public

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

*Action*

#### EXB80 MINUTES

The minutes of the meeting held on 25<sup>th</sup> January 2007 were taken as read and signed as a correct record.

#### EUROPEAN AFFAIRS PORTFOLIO

#### EXB81 NORTH WEST OPERATIONAL PROGRAMME

The Board considered a report of the Strategic Director – Corporate and Policy providing an update on the development of the North West Operational Programme (NWOP) for 2007-2013 and identifying issues for Halton.

It was noted that the NWOP presented key priorities and actions in regard to how European Funding would be allocated and spent in the Region during the period 2007-2013. Regional allocations had been set and, as expected, there was a 60:40 ERDF:ESF split, with Merseyside gaining £213m over the 7 year period and the rest of the North West being allocated £310m.

Consultation for the NWOP had been ongoing since September 2006 and Halton Borough Council had been

active in lobbying for a fair share of resources, highlighting Halton's unique position as well as supporting the wider Merseyside view. The official response from the North West region was being collated by the North West Regional Assembly and would be submitted by the deadline of 19<sup>th</sup> February 2007.

The impact on Halton was outlined for the Board's consideration. It was noted that the end of the 2000-2006 funding programme would mean that Halton could no longer access ERDF monies in the same way as before; however, the Head of External Funding was working to maximise future funding opportunities from European sources. In addition, it was proposed that the Leader of the Council and the European Affairs Portfolio Holder follow up the discussions that had taken place at a study visit in Brussels in Spring 2006.

RESOLVED: That

- (1) the report be noted;
- (2) the proposed actions outlined in the report be approved; and
- (3) dialogue be maintained with colleagues in the Objective 1 area and other areas across the North West Region.

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## **PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO**

### **EXB82 LOCAL TRANSPORT EXPENDITURE SETTLEMENT 2007/08 AND LOCAL TRANSPORT PLAN IMPLEMENTATION PROGRAMME 2007/08**

The Board considered a report of the Strategic Director – Environment advising of the announcement made by the Secretary of State for Transport on 18<sup>th</sup> December 2006, giving details of the 2007/8 Local Transport Capital Expenditure Settlement and the classifications awarded to the Council's second Local Transport Plan 2006/07-2010/11 (LTP2) and the first Local Transport Plan 2001/02-2005/06 (LTP1) Delivery Report.

It was noted that, due to the high performance achieved in both these reports, the settlement had included an additional £392,000. In addition, the Board was advised that the DfT performance assessments had placed Halton in the top quartile of the 82 local transport authorities in

England.

Appendix A to the report provided details of the proposed LTP2 capital expenditure programme for 2007/08. The total settlement for 2007/08 was £4.15 million; this covered all items of transport capital expenditure apart from major schemes such as the Mersey Gateway and major maintenance on the Silver Jubilee Bridge.

It was noted that an additional 25% of performance funding had been allocated to the integrated transport block; 12.5% had been achieved by gaining "Excellent" for the LTP2 grading and 12.5% for gaining "Excellent" for the LTP1 Delivery Report. The Board congratulated officers on their outstanding achievement in this area.

RESOLVED: That

- (1) the 2007/08 Local Transport Capital Expenditure Settlement, and the classifications awarded to the Council's second Local Transport Plan, be welcomed; and
- (2) the implementation programme for 2007/08 at Appendix A be recommended to Council for inclusion in the Council's Capital programme.

*(NB Councillors McDermott and Polhill declared a personal interest in the following item of business due to being Board Members of Widnes Regeneration Ltd (WRL).)*

EXB83 HALTON BOROUGH COUNCIL (WIDNES WATERFRONT ECONOMIC DEVELOPMENT ZONE) COMPULSORY PURCHASE ORDER 2006

The Board considered a report of the Strategic Director – Environment and the Strategic Director – Corporate and Policy seeking approval to use the Council's statutory powers of compulsory purchase to assist with the comprehensive land assembly needed to achieve the successful development of the Widnes Waterfront Economic Development Zone (EDZ).

It was noted that the EDZ comprised 80 hectares of low quality former industrial land located on the banks of the River Mersey to the south of Widnes Town Centre, which had been designated as a regeneration site of high priority. Funding to bring this land back into full economic use was available until 31<sup>st</sup> March 2009 using European Funding under Priority 3 of the North West England Objective 2

Programme, Northwest Development Agency Funds and Halton Borough Council monies. The redevelopment proposals were described in the report and outline plans were contained in Appendix D.

Detailed land referencing had taken place to identify the interests to be acquired for the development, and this schedule would form part of a proposed Compulsory Purchase Order (CPO). Despite lengthy discussions, it was unlikely that agreement would be reached with all interested parties within a reasonable timescale; therefore the Acquiring Authority had legitimate, deep-seated concerns that it would be unable to comply with the timetable set for the delivery of the scheme unless it pursued a CPO to assemble the land required.

It was considered that there was a compelling case for making the Order in the public interest and this was outlined for Members' information; however, negotiations would continue with a view to acquiring the properties voluntarily even after the CPO had been made.

The Board was advised that there were two small amendments to the boundaries shown on the plan:

- (a) there was an addition of site 17(b) which had been disclosed by the ongoing site referencing; and
- (b) the boundary around Tan House Garage on Tan House Lane needed to be revised to reflect the actual ownership.

An amended schedule was tabled outlining these changes.

In addition, it was noted that, following the publishing of the agenda, further comments had been received from Mr Routledge of White Moss Landfill, and Mr Adam Gilson, Company Secretary of British Gypsum-Isover Ltd. These were read out for the Board's consideration. Officers advised that discussions had been ongoing with both parties for some time and it was hoped that a mutually acceptable solution could be found in order that those properties could be withdrawn from the CPO; this could be done at any time, including after the start of the Public Inquiry.

#### Reason for Decision

The draft Statement of Reasons (Appendix F) outlined the case and detailed the reasons for making the

CPO. In summary, this was to facilitate the comprehensive redevelopment of the area.

### Alternative Options Considered and Rejected

The Council and/or its joint venture partner had contacted and sought to commence negotiations with all the known freeholders and leaseholders to purchase land covered in the Order by agreement. These discussions were ongoing but it was unlikely that agreement would be reached with all parties within a reasonable timescale unless a CPO, to assemble the land required, was made.

### Implementation Date

It was anticipated that the CPO would be made within 3 months of the Executive Board decision.

RESOLVED: That with the inclusion of the amendments tabled at the meeting

- (1) the Council makes a Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990 for the acquisition of all interests in the land (the Order Land) shown edged red on the plan attached to the report, Appendix E, for the purposes of facilitating its development, redevelopment or improvement to secure a comprehensive and integrated scheme thereby achieving the promotion and improvement of the economic, social and environmental well-being of the area;
- (2) the Council makes a Compulsory Purchase Order under section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to acquire new rights over the land shown edged blue on the plan attached to the report, Appendix E, in order to secure the comprehensive redevelopment of this run down zone;
- (3) authority be given to the Strategic Director - Environment and the Strategic Director - Corporate and Policy, in consultation with the Portfolio Holder for Planning, Transportation, Regeneration and Renewal, the Portfolio Holder for Corporate Services, and the Council Solicitor, to take all necessary steps to secure the making and confirmation of the Compulsory Purchase Order and for any other actions necessary to give effect to the land

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acquisition and the implementation whether on a voluntary basis or otherwise;

- (4) the Strategic Director - Environment, and the Strategic Director - Corporate and Policy, in consultation with the Council Solicitor, be authorised to enter into an Indemnity Agreement with Widnes Regeneration Limited (WRL) which will indemnify the Council in respect of all external expenditure concerned with the making and implementation of the Compulsory Purchase Order (CPO) and thereafter provide for WRL to develop those sites to implement the Widnes Waterfront Economic Zone in accordance with the principles of the Masterplan;
- (5) the CPO not be entered into until the Indemnity Agreement has been completed to the satisfaction of the Council Solicitor, the Strategic Director - Environment and the Strategic Director - Corporate and Policy;
- (6) authority be given to the Strategic Director - Environment and the Strategic Director - Corporate and Policy, in consultation with the Portfolio Holder for Planning, Transportation, Regeneration and Renewal and the Portfolio Holder for Corporate Services, to implement the Widnes Waterfront Relocation Strategy (Appendix A); and
- (7) authority be given to the Strategic Director - Environment and the Strategic Director - Corporate and Policy, prior to making the Compulsory Purchase Order (CPO), to make such changes as might be necessary to the Order in the light of varying circumstances and information relating to properties/businesses which might be affected by the CPO including if necessary the authority to expand the Schedule 2 rights.

**MINUTES ISSUED: 16<sup>th</sup> February 2007**

**CALL IN: 23<sup>rd</sup> February 2007**

**Any matter decided by the Executive Board may be called in no later than 23<sup>rd</sup> February 2007**

*Meeting ended at 2.30 p.m.*