

**HALTON BOROUGH COUNCIL**



*Municipal Building,  
Kingsway,  
Widnes.  
WA8 7QF*

*10 October 2017*

**TO: MEMBERS OF THE HALTON  
BOROUGH COUNCIL**

*You are hereby summoned to attend an Ordinary Meeting of the Halton Borough Council to be held in the Council Chamber, Runcorn Town Hall on Wednesday, 18 October 2017 commencing at 6.30 p.m. for the purpose of considering and passing such resolution(s) as may be deemed necessary or desirable in respect of the matters mentioned in the Agenda.*

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

*Chief Executive*

**-AGENDA-**

| <b>Item No.</b> |   | <b>Page No.</b>        |
|-----------------|---|------------------------|
| <b>1.</b>       | <b>COUNCIL MINUTES</b>  | <b>SEE MINUTE BOOK</b> |
| <b>2.</b>       | <b>APOLOGIES FOR ABSENCE</b>  |                        |
| <b>3.</b>       | <b>THE MAYOR'S ANNOUNCEMENTS</b>  |                        |
| <b>4.</b>       | <b>DECLARATIONS OF INTEREST</b>   |                        |
| <b>5.</b>       | <b>LEADER'S REPORT</b>  |                        |
| <b>6.</b>       | <b>MINUTES OF THE EXECUTIVE BOARD</b>   | <b>SEE MINUTE BOOK</b> |
|                 | a) 20 July 2017   |                        |
|                 | b) 21 September 2017  |                        |
| <b>7.</b>       | <b>MINUTES OF THE HEALTH AND WELLBEING BOARD</b>  | <b>SEE MINUTE BOOK</b> |
| <b>8.</b>       | <b>QUESTIONS ASKED UNDER STANDING ORDER 8</b>   |                        |
| <b>9.</b>       | <b>MATTERS REQUIRING A DECISION OF THE COUNCIL</b>  |                        |
|                 | a) 2017/18 Revised Capital Programme (Minute EXB40 refers)  | <b>1 - 8</b>           |
|                 | Executive Board considered the attached report.   |                        |
|                 | RECOMMENDED: That the revisions to the Council's 2017/18 Capital Programme set out in paragraph 3.2 be approved.  |                        |
|                 | b) Murdishaw Regeneration (Minute EXB 44 refers)  | <b>9 - 12</b>          |
|                 | Executive Board considered the attached report.   |                        |
|                 | RECOMMENDED: That Council amend the Capital Programme to include £46,000 for the Murdishaw Estate Regeneration Programme to provide the Council's contribution to the actions and activities outlined in the report, to be funded from the Capital Receipt received for the Jolly Brewer Pub. |                        |
|                 | c) Mersey Gateway/Silver Jubilee Bridge RUCSO   | <b>13 - 36</b>         |
|                 | d) Transport for the North – Consideration of draft Regulations   | <b>37 - 40</b>         |
| <b>10.</b>      | <b>MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD</b>   | <b>SEE MINUTE BOOK</b> |
|                 | a) Children, Young People and Families  |                        |

- b) Employment, Learning, Skills and Community
- c) Health
- d) Safer
- e) Environment and Urban Renewal
- f) Corporate Services
- g) Business Efficiency Board

**11. COMMITTEE MINUTES**

- a) Development Control
- b) Regulatory
- c) Appeals Panel

**SEE MINUTE BOOK**

**12. NOTICE OF MOTION -PUBLIC SECTOR PAY**

**41 - 42**

**13. NOTICE OF MOTION - UNIVERSAL CREDIT**

**43 - 44**

**14. NOTICE OF MOTION - MODERN DAY SLAVERY**

**45 - 46**

**15. PART II**

In this case Council has a discretion to exclude the press and public and, in view of the nature of the business to be transacted, it is **RECOMMENDED** that under Section 100A(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 of Part 1 of Schedule 12A to the Act.

**Please note that if this resolution is passed, members of the press and public will be asked to leave the room prior to the consideration of the following business.**

**16. MATTERS REQUIRING A DECISION OF THE COUNCIL**

- a) Acquisition of Broseley House, Widnes (Minute EXB 46 refers)

**47 - 50**

Executive Board considered the attached Part II report.

**RECOMMENDED:** That Council approve the variation to the Capital Programme of £1.19 million to cover the costs outlined in Sections 2.1, 2.2 and 2.3 of the report.

**REPORT TO:** Council

**DATE:** 18 October 2017

**REPORTING OFFICER:** Operational Director – Finance

**PORTFOLIO:** Resources

**SUBJECT:** 2017/18 Revised Capital Programme

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

### **1.0 PURPOSE OF REPORT**

1.1 To seek approval to a number of revisions to the Council's 2017/18 capital programme.

**2.0 RECOMMENDED: That the revisions to the Council's 2017/18 capital programme set out in paragraph 3.2 below, be approved.**

### **3.0 SUPPORTING INFORMATION**

3.1 On 21 September 2017 Executive Board received a report of spending against the Council's revenue budget and capital programme as at 30 June 2017. A number of revisions to the 2017/18 capital programme were recommended for approval by Council as outlined below.

3.2 The Council's 2017/18 capital programme has been revised to reflect a number of changes in spending profiles and funding as schemes have developed. These are reflected in the revised capital programme presented in Appendix 1. The schemes which have been revised within the programme are as follows

1. Brindley Café Extension
2. Open Spaces Schemes
3. Children's Playground Equipment
4. Upton Improvements
5. The Glen Play Area
6. Runcorn Hill Park
7. Crow Wood Play Area
8. Peelhouse Lane Cemetery Enabling Works
9. Pheonix Park
10. Victoria Park Glass House
11. Sandymoor Playing Fields
12. Landfill Tax Credit Schemes
13. 3MG
14. Widnes Waterfront
15. Johnsons Lane Infrastructure
16. Decontamination of Land

17. Linnets Clubhouse
18. Former Crosville Site
19. Signage at the Hive
20. Advertising Screen at The Hive
21. Former Simms Cross Caretakers House
22. Development Costs – Mersey Gateway
23. Loan Interest during Construction – Mersey Gateway
24. Bridge & Highway Maintenance
25. STEPS Programme
26. Silver Jubilee Bridge – Major Maintenance
27. Vine Street Reconfiguration
28. Disabled Facilities Grant
29. Capital Repairs – Schools
30. Asbestos Management
31. Basic Need Projects
32. Lunts Heath Primary School
33. Fairfield Primary School
34. Weston Point Primary School
35. Small Capital Works - Schools

#### **4.0 POLICY AND OTHER IMPLICATIONS**

- 4.1 None.

#### **5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

- 5.1 There are no direct implications; however, the capital programme supports the delivery and achievement of all the Council's priorities.

#### **6.0 RISK ANALYSIS**

- 6.1 There are a number of financial risks within the capital programme. However, the Council has internal controls and processes in place to ensure that spending remains in line with budget.
- 6.2 In preparing the 2017/18 budget and capital programme, a register of significant financial risks was prepared which has been updated as at 30 June 2017.

#### **7.0 EQUALITY AND DIVERSITY ISSUES**

- 7.1 None.

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

- 8.1 There are no background papers under the meaning of the Act.

## Capital Expenditure to 30 June 2017

| Directorate/Department   | Actual Expenditure to Date<br>£'000 | 2017/18 Cumulative Capital Allocation |                    |                    |                    | Capital Allocation 2018/19<br>£'000 | Capital Allocation 2019/20<br>£'000 |
|--|-------------------------------------|---------------------------------------|--------------------|--------------------|--------------------|-------------------------------------|-------------------------------------|
|  |                                     | Quarter 1<br>£'000                    | Quarter 2<br>£'000 | Quarter 3<br>£'000 | Quarter 4<br>£'000 |                                     |                                     |
| <b><u>Enterprise Community &amp; Resources Directorate</u></b> |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>Community and Environment</b>                               |                                     |                                       |                    |                    |                    |                                     |                                     |
| Stadium Minor Works  | 0                                   | 0                                     | 0                  | 0                  | 30                 | 30                                  | 30                                  |
| Brindley Café Extension  | 0                                   | 0                                     | 0                  | 0                  | 80                 | 0                                   | 0                                   |
| Norton Priory  | 0                                   | 0                                     | 60                 | 60                 | 348                | 0                                   | 0                                   |
| Norton Priory Biomass Boiler                                   | 0                                   | 0                                     | 0                  | 0                  | 107                | 0                                   | 0                                   |
| Open Spaces Schemes  | 90                                  | 100                                   | 200                | 300                | 602                | 0                                   | 0                                   |
| Children's Playground Equipment                                | 0                                   | 0                                     | 25                 | 35                 | 55                 | 110                                 | 65                                  |
| Upton Improvements   | 0                                   | 0                                     | 0                  | 0                  | 0                  | 13                                  | 0                                   |
| The Glen Play Area   | 0                                   | 0                                     | 0                  | 0                  | 25                 | 18                                  | 0                                   |
| Runcorn Hill Park  | 5                                   | 0                                     | 50                 | 60                 | 75                 | 75                                  | 50                                  |
| Crow Wood Play Area  | 0                                   | 0                                     | 75                 | 150                | 450                | 60                                  | 5                                   |
| Runcorn Cemetery Extension                                     | 0                                   | 0                                     | 0                  | 0                  | 9                  | 0                                   | 0                                   |
| Peelhouse Lane Cemetery  | 0                                   | 0                                     | 50                 | 100                | 350                | 750                                 | 296                                 |
| Peelhouse Lane Cemetery – Enabling Works                       | 0                                   | 0                                     | 20                 | 30                 | 33                 | 0                                   | 0                                   |
| Pheonix Park   | 0                                   | 0                                     | 0                  | 0                  | 110                | 11                                  | 0                                   |
| Victoria Park Glass House                                      | 0                                   | 0                                     | 5                  | 15                 | 150                | 120                                 | 10                                  |
| Sandymoor Playing Fields                                       | 24                                  | 50                                    | 100                | 350                | 600                | 500                                 | 500                                 |
| Widnes Recreation  | 7                                   | 0                                     | 0                  | 0                  | 0                  | 0                                   | 0                                   |

| Directorate/Department                    | Actual Expenditure to Date<br>£'000 | 2017/18 Cumulative Capital Allocation |                    |                    |                    | Capital Allocation 2018/19<br>£'000 | Capital Allocation 2019/20<br>£'000 |
|---|-------------------------------------|---------------------------------------|--------------------|--------------------|--------------------|-------------------------------------|-------------------------------------|
|   |                                     | Quarter 1<br>£'000                    | Quarter 2<br>£'000 | Quarter 3<br>£'000 | Quarter 4<br>£'000 |                                     |                                     |
| Landfill Tax Credit Schemes               | 0                                   | 0                                     | 0                  | 0                  | 160                | 340                                 | 340                                 |
| Litter Bins                               | 0                                   | 0                                     | 0                  | 0                  | 20                 | 20                                  | 20                                  |
|   |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>ICT &amp; Support Services</b>         |                                     |                                       |                    |                    |                    |                                     |                                     |
| ICT Rolling Programme                     | 379                                 | 379                                   | 620                | 860                | 1,100              | 1,100                               | 1,100                               |
|   |                                     |                                       |                    |                    |                    |                                     |                                     |
|   |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>Economy, Enterprise &amp; Property</b> |                                     |                                       |                    |                    |                    |                                     |                                     |
| Castlefields Regeneration                 | 0                                   | 0                                     | 0                  | 0                  | 0                  | 0                                   | 0                                   |
| 3MG                                       | 29                                  | 29                                    | 3,030              | 4,400              | 4,591              | 200                                 | 0                                   |
| Widnes Waterfront                         | 0                                   | 0                                     | 0                  | 0                  | 0                  | 1,000                               | 0                                   |
| Johnsons Lane Infrastructure              | 0                                   | 0                                     | 66                 | 66                 | 66                 | 0                                   | 0                                   |
| Decontamination of Land                   | 0                                   | 0                                     | 10                 | 40                 | 50                 | 0                                   | 0                                   |
| SciTech Daresbury – EZ Grant              | 0                                   | 0                                     | 200                | 483                | 483                | 0                                   | 0                                   |
| Venture Field                             | 6                                   | 6                                     | 6                  | 6,000              | 6,000              | 0                                   | 0                                   |
| Linnets Clubhouse                         | 189                                 | 189                                   | 1,296              | 1,379              | 1,379              | 43                                  | 0                                   |
| The Croft                                 | 0                                   | 0                                     | 0                  | 0                  | 30                 | 0                                   | 0                                   |
| Former Crosville Site                     | 860                                 | 860                                   | 900                | 1,000              | 1,150              | 234                                 | 0                                   |
| Signage at The Hive                       | 0                                   | 0                                     | 77                 | 87                 | 87                 | 0                                   | 0                                   |
| Advertising Screen at The Hive            | 0                                   | 0                                     | 0                  | 0                  | 0                  | 100                                 | 0                                   |
| Widnes Market Refurbishment               | 38                                  | 38                                    | 457                | 918                | 1,294              | 10                                  | 0                                   |
| Widnes Land Purchases                     | 2                                   | 2                                     | 235                | 235                | 235                | 0                                   | 0                                   |
| Former Simms Cross Caretakers House       | 0                                   | 0                                     | 14                 | 14                 | 14                 | 0                                   | 0                                   |
| Equality Act Improvement Works            | 33                                  | 33                                    | 83                 | 113                | 300                | 300                                 | 300                                 |



| Directorate/Department                              | Actual Expenditure to Date<br>£'000 | 2017/18 Cumulative Capital Allocation |                    |                    |                    | Capital Allocation 2018/19<br>£'000 | Capital Allocation 2019/20<br>£'000 |
|---|-------------------------------------|---------------------------------------|--------------------|--------------------|--------------------|-------------------------------------|-------------------------------------|
|   |                                     | Quarter 1<br>£'000                    | Quarter 2<br>£'000 | Quarter 3<br>£'000 | Quarter 4<br>£'000 |                                     |                                     |
| <b>Mersey Gateway</b>                               |                                     |                                       |                    |                    |                    |                                     |                                     |
| Land Acquisitions                                   | 130                                 | 130                                   | 222                | 313                | 2,254              | 11,284                              | 0                                   |
| Development Costs                                   | 366                                 | 366                                   | 1,718              | 2,557              | 2,861              | 0                                   | 0                                   |
| Loan Interest During Construction                   | 996                                 | 996                                   | 1,840              | 1,840              | 1,840              | 0                                   | 0                                   |
| Construction Costs                                  | 35,000                              | 35,000                                | 67,500             | 67,500             | 67,500             | 0                                   | 0                                   |
| Mersey Gateway Liquidity Fund                       | 0                                   | 0                                     | 10,000             | 10,000             | 10,000             | 0                                   | 0                                   |
|   |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>Other</b>  |                                     |                                       |                    |                    |                    |                                     |                                     |
| Risk Management                                     | 0                                   | 0                                     | 50                 | 100                | 155                | 120                                 | 120                                 |
| Fleet Replacements                                  | 143                                 | 145                                   | 600                | 900                | 1,500              | 556                                 | 1,317                               |
|   |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>Policy, Planning &amp; Transportation</b>        |                                     |                                       |                    |                    |                    |                                     |                                     |
| Bridge & Highway Maintenance                        | 212                                 | 225                                   | 698                | 2,108              | 4,236              | 1,546                               | 0                                   |
| Integrated Transport & Network Management           | 46                                  | 50                                    | 190                | 330                | 460                | 0                                   | 0                                   |
| Street Lighting – Structural Maintenance & Upgrades | 1                                   | 0                                     | 1,235              | 2,470              | 3,706              | 200                                 | 200                                 |
| STEPS Programme                                     | 28                                  | 30                                    | 330                | 660                | 978                | 0                                   | 0                                   |
| Silver Jubilee Bridge Major Maintenance             | 0                                   | 0                                     | 0                  | 0                  | 4,880              | 4,900                               | 0                                   |
|   |                                     |                                       |                    |                    |                    |                                     |                                     |
|   |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>Total Enterprise Community &amp; Resources</b>   | <b>38,584</b>                       | <b>38,628</b>                         | <b>91,962</b>      | <b>105,473</b>     | <b>120,353</b>     | <b>23,640</b>                       | <b>4,353</b>                        |

| Directorate/Department              | Actual Expenditure to Date<br><br>£'000 | 2017/18 Cumulative Capital Allocation |                        |                        |                        | Capital Allocation 2018/19<br><br>£'000 | Capital Allocation 2019/20<br><br>£'000 |
|-------------------------------------|---|---------------------------------------|------------------------|------------------------|------------------------|---|---|
|                                     |   | Quarter 1<br><br>£'000                | Quarter 2<br><br>£'000 | Quarter 3<br><br>£'000 | Quarter 4<br><br>£'000 |   |   |
| <b>People Directorate</b>           |   |                                       |                        |                        |                        |   |   |
|                                     |   |                                       |                        |                        |                        |   |   |
| <b>Adult Social Care</b>            |   |                                       |                        |                        |                        |   |   |
| Upgrade PNC                         | 6                                       | 6                                     | 34                     | 34                     | 34                     | 0                                       | 0                                       |
| ALD Bungalows                       | 0                                       | 0                                     | 100                    | 199                    | 199                    | 0                                       | 0                                       |
| Grangeway Court                     | 0                                       | 0                                     | 0                      | 140                    | 140                    | 0                                       | 0                                       |
| Bredon Reconfiguration              | 19                                      | 20                                    | 75                     | 130                    | 186                    | 0                                       | 0                                       |
| Vine Street Reconfiguration         | 0                                       | 0                                     | 0                      | 102                    | 102                    | 0                                       | 0                                       |
| Purchase of 2 adapted properties    | 0                                       | 0                                     | 0                      | 0                      | 520                    | 0                                       | 0                                       |
|                                     |   |                                       |                        |                        |                        |   |   |
| <b>Complex Pool</b>                 |   |                                       |                        |                        |                        |   |   |
| Disabled Facilities Grant           | 110                                     | 150                                   | 150                    | 225                    | 899                    | 0                                       | 0                                       |
| Stairlifts (Adaptations Initiative) | 27                                      | 50                                    | 150                    | 225                    | 300                    | 0                                       | 0                                       |
| RSL Adaptations (Joint Funding)     | 72                                      | 75                                    | 100                    | 150                    | 200                    | 0                                       | 0                                       |
| Madeline McKenna Residential Home   | 0                                       | 0                                     | 450                    | 450                    | 450                    | 0                                       | 0                                       |
|                                     |   |                                       |                        |                        |                        |   |   |
|                                     |   |                                       |                        |                        |                        |   |   |
|                                     |   |                                       |                        |                        |                        |   |   |
|                                     |   |                                       |                        |                        |                        |   |   |
|                                     |   |                                       |                        |                        |                        |   |   |
|                                     |   |                                       |                        |                        |                        |   |   |

| Directorate/Department          | Actual Expenditure to Date<br>£'000 | 2017/18 Cumulative Capital Allocation |                    |                    |                    | Capital Allocation 2018/19<br>£'000 | Capital Allocation 2019/20<br>£'000 |
|---------------------------------|-------------------------------------|---------------------------------------|--------------------|--------------------|--------------------|-------------------------------------|-------------------------------------|
|                                 |                                     | Quarter 1<br>£'000                    | Quarter 2<br>£'000 | Quarter 3<br>£'000 | Quarter 4<br>£'000 |                                     |                                     |
| <b>Schools Related</b>          |                                     |                                       |                    |                    |                    |                                     |                                     |
| Asset Management Data           | 0                                   | 0                                     | 2                  | 3                  | 5                  | 0                                   | 0                                   |
| Capital Repairs                 | 125                                 | 125                                   | 400                | 650                | 815                | 0                                   | 0                                   |
| Asbestos Management             | 2                                   | 2                                     | 10                 | 30                 | 38                 | 0                                   | 0                                   |
| Schools Access Initiative       | 0                                   | 0                                     | 30                 | 55                 | 55                 | 0                                   | 0                                   |
| Basic Need Projects             | 0                                   | 0                                     | 0                  | 0                  | 556                | 0                                   | 283                                 |
| School Modernisation Projects   | 19                                  | 19                                    | 30                 | 68                 | 68                 | 0                                   | 0                                   |
| Lunts Heath Primary School      | 1                                   | 1                                     | 75                 | 150                | 200                | 5                                   | 0                                   |
| Universal Infant School Meals   | 2                                   | 2                                     | 2                  | 2                  | 2                  | 0                                   | 0                                   |
| Early Education for 2yr olds    | 8                                   | 8                                     | 8                  | 8                  | 8                  | 0                                   | 0                                   |
| Hale Primary                    | 0                                   | 0                                     | 3                  | 3                  | 3                  | 0                                   | 0                                   |
| Fairfield Primary School        | 371                                 | 371                                   | 655                | 655                | 655                | 10                                  | 0                                   |
| Weston Point Primary School     | 2                                   | 2                                     | 70                 | 110                | 128                | 4                                   | 0                                   |
| Kitchen Gas Safety              | 0                                   | 0                                     | 10                 | 30                 | 50                 | 0                                   | 0                                   |
| Small Capital Works             | 6                                   | 6                                     | 30                 | 75                 | 106                | 0                                   | 0                                   |
|                                 |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>Total People Directorate</b> | <b>770</b>                          | <b>837</b>                            | <b>2,384</b>       | <b>3,494</b>       | <b>5,719</b>       | <b>19</b>                           | <b>283</b>                          |
|                                 |                                     |                                       |                    |                    |                    |                                     |                                     |
|                                 |                                     |                                       |                    |                    |                    |                                     |                                     |
| <b>TOTAL CAPITAL PROGRAMME</b>  | <b>39,354</b>                       | <b>39,465</b>                         | <b>94,346</b>      | <b>108,967</b>     | <b>126,072</b>     | <b>23,659</b>                       | <b>4,636</b>                        |
| Anticipated Slippage (20%)      |                                     |                                       |                    |                    | -9,714             | -4,732                              | -927                                |
|                                 |                                     |                                       |                    |                    |                    | 9,714                               | 4,732                               |
| <b>TOTAL</b>                    | <b>39,354</b>                       | <b>39,465</b>                         | <b>94,346</b>      | <b>108,967</b>     | <b>116,358</b>     | <b>28,641</b>                       | <b>8,441</b>                        |
|                                 |                                     |                                       |                    |                    |                    |                                     |                                     |

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|---------------------------|---|
| <b>REPORT TO:</b>         | Executive Board   |
| <b>DATE:</b>              | 21 September 2017                                       |
| <b>REPORTING OFFICER:</b> | Strategic Director, Enterprise, Community and Resources |
| <b>PORTFOLIO:</b>         | Physical Environment                                    |
| <b>SUBJECT:</b>           | Murdishaw Regeneration                                  |
| <b>WARDS:</b>             | Norton North, Norton South                              |

### **1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to request approval to amend the capital programme to allow funding for the improvement of the Murdishaw area to be included following the capital receipt from the sale of the former Jolly Brewer pub.

- 2.0 RECOMMENDED: That the Council be recommended to amend the capital programme to include £46,000 for the Murdishaw Estate Regeneration programme to provide the Council's contribution to the actions and activities outlined in this report, to be funded from the Capital Receipt received for the Jolly Brewer Pub.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 Following the closure and subsequent demolition of the former Jolly Brewer Public House, the Council has been working closely with local partners to seek to reinvigorate Murdishaw local centre. This is in response to trader and resident concerns that the local centre was no longer a safe and attractive place to visit.
- 3.2 In 2014, Liverpool Housing Trust (LHT) secured planning permission to deliver 18 new homes and a new relocated car park to the front of the local centre retail units. The Council sold the former Jolly Brewer site to LHT and the capital receipt for this will be £46,000 to be received following the completion of the car park. Construction commenced in November 2016 and should be complete by November 2017.
- 3.3 Subsequently to this, the Council has been working closely with LHT and other key stakeholders to explore the potential for a wider regeneration programme for Murdishaw.
- 3.4 A series of workshops with stakeholders, including housing associations, the police, the CCG and a number of Council departments, identified the

strengths and weaknesses of Murdishaw and agreed the need for a 'collective vision' for the neighbourhood in order to ensure that respective partners' investments are targeted at the areas of greatest impact. In October 2016, Mott Macdonald were appointed as an independent consultant to drive this visioning process and undertake the pre-masterplanning activities such as baseline analysis, stakeholder engagement and an agreed vision statement.

- 3.5 On behalf of the partners, LHT submitted an application to the Homes & Communities Agency (HCA) Estate Regeneration Fund for funding for the feasibility and masterplanning consultancy fees. An award of £72,240 enabling grant was awarded in March 2017. This funding will be used for housing market assessment, visioning document, development brief and initial spatial planning for key sites, resident and stakeholder engagement and a detailed masterplan and options for key sites.
- 3.6 To date, two pieces of work have been commissioned and completed – the Visioning Framework and a housing market analysis by consultants Arc4.
- 3.7 In conjunction with the visioning exercise, it is proposed that a series of small scale projects are identified and delivered in the Murdishaw area to target areas of most need, further improve the local environment and demonstrate the commitment to the further regeneration of the area.

The proposed 'quick win' projects have been identified as:

- Signage and improvements to the footpath network to make the area less intimidating for users and improve the existing key pedestrian linkages
- Improvements to existing green space to make the areas more accessible for leisure uses, particularly the Mersey Valley area and Gorsewood
- Existing local centre - possible improvement to the existing retail units and surrounding space
- Anti-social behaviour – explore other public realm enhancements to minimise and design out anti-social behaviour

The projects will be prioritised, costed and delivered by the Regeneration Team in collaboration with the Portfolio Holder and respective ward councillors.

- 3.8 In order to progress the scheme, a steering group with representatives from the key stakeholders will be formed. The steering group will oversee the development of the options, spatial planning and masterplan and also lead on resident engagement as proposals emerge.

#### **4.0 POLICY IMPLICATIONS**

The proposals accord with the Core Strategy and support the Corporate Plan and Urban Renewal corporate priority.

#### **5.0 FINANCIAL IMPLICATIONS**

The projects identified as Murdishaw regeneration 'quick wins' will be funded through the reinvestment of capital receipts from the land sale. The projects will be costed and prioritised to ensure they are deliverable within the limit of the funding identified.

The vision and masterplanning exercise will identify funding and investment opportunities for the delivery of a wider regeneration programme.

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

##### **6.1 Children and Young People in Halton**

Improvements to the Murdishaw neighbourhood will improve the life chances for children and young people in Halton. The local schools have been engaged in the discussions to date.

##### **6.2 Employment, Learning and Skills in Halton**

Improvements to the wider neighbourhood will exploit the excellent connectivity and improve access to employment opportunities across the borough and in neighbouring towns and cities.

##### **6.3 A Healthy Halton**

Much of the Murdishaw neighbourhood is in the top 15% for the Index of Multiple deprivation and demonstrates poor health demographics in the key areas of cardio-vascular, mental health and diabetes. The CCG have been engaged as a key partner and improvements to the neighbourhood will impact on the improvement of people's health and wellbeing.

##### **6.4 A Safer Halton**

Improvements to the local centre including improvements to footpaths and removal of overgrown areas will improve the physical nature of the route and improve perceptions of safety.

##### **6.5 Halton's Urban Renewal**

The improvements to the local centre and wider neighbourhood contribute to Halton's urban renewal priority to transform the urban fabric

and infrastructure. The wider neighbourhood improvements will help to create a vibrant and accessible place where people are proud to live.

## **7.0 RISK ANALYSIS**

The risks associated with this are not deemed to be so significant as to require a full risk assessment. The local centre improvements will be fully costed and project managed by the Regeneration Team to ensure that the scheme is delivered on budget and on time.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

The proposed improvements will benefit all members of the local community.

## **9.0 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> |
|---|---|------------------------|
| Murdishaw Visioning Framework             | Regeneration, 5 <sup>th</sup> Floor<br>Municipal Building | Helen Roberts          |
| Arc4 Report The Regeneration of Murdishaw | Regeneration, 5 <sup>th</sup> Floor<br>Municipal Building | Helen Roberts          |



**REPORT TO:** Council

**DATE:** 18 October 2017

**REPORTING OFFICER:** Operational Director – Legal & Democratic Services

**PORTFOLIO:** Transportation

**SUBJECT:** Mersey Gateway Bridge – River Mersey (Mersey Gateway Bridge) Order 2011 as modified by the River Mersey (Mersey Gateway Bridge) (Amendment) Order 2016; and the Mersey Gateway Bridge and A533 (Silver Jubilee Bridge) Road User Charging Scheme Order

## 1.0 EXECUTIVE SUMMARY

- 1.1 This report asks the Council to note the Operational Director - Legal & Democratic Services delegated decision to:
- 1.1.1 lift the suspension of The Mersey Gateway Bridge and A533 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2016 (“**RUCSO**”) except in relation to its application to the Silver Jubilee Bridge;
- 1.1.2 thereby bring the RUCSO back into effect in relation to the Mersey Gateway Bridge;
- 1.1.3 impose the charging scheme from the date that the Mersey Gateway Bridge is operational and fully open to all traffic the “**Permission to Use Date**”); and
- 1.1.4 in doing so, confirm the charges to be levied for use of the Mersey Gateway Bridge by different classes of vehicles.
- 1.2 Following an application made by the Council on 26 March 2015, the Secretary of State on 18 August 2016 made the River Mersey (Mersey Gateway Bridge) (Amendment) Order 2016 (“**Amendment Order**”), thereby modifying the River Mersey (Mersey Gateway Bridge) Order 2011 (“**2011 Order**”).
- 1.3 The Council resolved to make the RUCSO on 14 September 2016 in the form attached at Appendix A. The RUCSO was made subject to the application of certain measures (reflecting the delay between the making of the RUCSO and the Permission to Use Date) to be implemented by the Operational Director - Legal & Democratic Services pursuant to delegated authority granted by the Council.

- 1.4 The Operational Director - Legal & Democratic Services has exercised his delegated powers. This report now asks the Council to note those decisions and actions, which have brought the RUCSO fully into effect in respect of the Mersey Gateway Bridge to enable charges to be imposed for use of the Mersey Gateway Bridge from the Permission to Use Date.

## **2.0 RECOMMENDATION**

**The Council is recommended to note the Operational Director - Legal & Democratic Services delegated decision to:**

- 1) lift the suspension of RUCSO except in relation to the Silver Jubilee Bridge;**
- 2) thereby bring the RUCSO back into effect in relation to the Mersey Gateway Bridge;**
- 3) impose the charging scheme from the Permission to Use Date; and**
- 4) in doing so confirm the charges to be levied for use of the Mersey Gateway Bridge by different classes of vehicles.**

## **3.0 BACKGROUND**

- 3.1 The 2011 Order has been amended by the Amendment Order with effect from 14 September 2016.

- 3.2 The 2011 Order now allows:

- 3.2.1 a RUCSO to be made in relation to the Silver Jubilee Bridge and Mersey Gateway Bridge; and

- 3.2.2 the application of the Road User Charging Scheme (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 ("**Enforcement Regulations**") to charges collected by the Council under the RUCSO or, with some changes to the application of the Enforcement Regulations, tolls collected by the Council under the 2011 Order.

- 3.3 The RUCSO was made by the Council pursuant to the resolution of 14 September 2016 for the following reasons:

- 3.3.1 the Mersey Gateway Bridge will operate under a "free flow" environment, rather than with the use of barrier toll payment stations;

- 3.3.2 tolls will be paid following a user crossing the Mersey Gateway Bridge; and

- 3.3.3 the toll/charge operator requires powers to enforce payment after the use of the Mersey Gateway Bridge, since barriers will not be present to prevent those crossing the Bridge unless they have paid,

with the mechanism to achieve this being making the RUCSO in respect of the Bridges, to which the Enforcement Regulations could be applied.

3.4 The RUCSO was also made subject to the application of certain measures, reflecting the delay between the making of the RUCSO and the Permission to Use Date, to be implemented by the Operational Director - Legal & Democratic Services pursuant to delegated authority granted by the Council during the same meeting on 14 September 2016.

3.5 In particular, the Council resolved to make the RUCSO in the specified form and delegate authority to the Operational Director - Legal and Democratic Services to make non-material or consequential amendments to the RUCSO necessary to give it effect, as well as bring the charging scheme under the RUCSO into effect on 1 July 2017 provided it had been made.

3.6 The Council also resolved that the charging scheme should be suspended with effect from that date until the Permission to Use Date.

3.7 It delegated authority to the Operational Director - Legal & Democratic Services to take all necessary steps to:

3.6.1 bring the RUCSO into effect;

3.6.2 suspend the charging scheme until the Permission to Use Date; and

3.6.3 lift the suspension and impose the charging scheme from the Permission to Use Date.

3.8 In August 2017 the Permission to Use Date was considered to be sufficiently imminent for the Operational Director - Legal & Democratic Services to exercise his delegated authority to lift the suspension, bring the RUCSO into effect, impose the charging scheme and confirm the levels of charge for classes of vehicles using the Mersey Gateway Bridge.

3.9 The relevant Notification Record of Officer Decisions recording the Operational Director - Legal & Democratic Services' exercise of his delegated authority can be found at Appendix B, along with a copy of a notice published in each of the Liverpool Echo and Official Gazette on Thursday, 31 August 2017.

3.10 The Operational Director - Legal & Democratic Services' actions confirm that the charges to be levied for users of the Mersey Gateway Bridge are as follows:

| <b>Class 1 vehicles - motorcycles</b> | <b>Class 2 vehicle - van and car</b> | <b>Class 3 vehicles - more than 3.5 tonnes but less than 12 tonnes</b> | <b>Class 4 vehicles - More than 12 tonnes</b> |
|---------------------------------------|--------------------------------------|--|---|
| £0.00                                 | £2.00                                | £6.00  | £8.00   |

**4.0 NEXT STEPS**

4.1 The Council is asked to note and record the actions taken by the Operational Director - Legal & Democratic Services in accordance with the terms of the proposed resolution in paragraph 2.0.

4.2 For the avoidance of doubt, the Council is not being asked to take any steps in relation to the application of the RUCSO to the Silver Jubilee Bridge, in respect of which the application of the RUCSO remains suspended.

**5.0 RESOURCE IMPLICATIONS**

Not applicable. This report is for information only.

**6.0 RISK**

Not applicable. This report is for information only.

**7.0 EQUALITY AND DIVERSITY**

Not applicable. This report is for information only.

**8.0 CONCLUSION**

In light of the information contained in this report, the Council is asked to make the resolutions detailed at paragraph 2.0 of this Report.

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

None under the meaning of the Act.

## TRANSPORT ACT 2000

### The Mersey Gateway Bridge and the A533 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2017

*Made* - - - - - *9<sup>th</sup> March 2017*

*Coming into force* - - - - - *1<sup>st</sup> July 2017*

## CONTENTS

### *Preliminary*

|     |  |   |
|-----|--|---|
| 1.  | Citation and commencement<br><i>Scheme for imposing charges in respect of the use of The Mersey Gateway Bridge and The Silver Jubilee Bridge</i> | 2 |
| 2.  | Interpretation   | 2 |
| 3.  | Revocation   | 3 |
| 4.  | Duration of the Order<br><i>Designation of scheme roads, vehicles and charges</i>  | 3 |
| 5.  | The scheme roads   | 3 |
| 6.  | Imposition of charges  | 3 |
| 7.  | Payment of charges   | 3 |
| 8.  | Classification of vehicles   | 5 |
| 9.  | Vehicles exempt from charges   | 5 |
| 10. | Level of charges   | 5 |
| 11. | Percentage increase of charge ranges   | 6 |
| 12. | General provisions as to charge ranges   | 6 |
| 13. | 10 year plan for net proceeds  | 6 |
| 14. | Detailed programme for net proceeds<br><i>Penalty charges</i>  | 6 |
| 15. | Penalty charges  | 7 |
| 16. | Additional penalty charges where powers exercised in respect of vehicles<br><i>Powers in respect of motor vehicles</i>                           | 7 |
| 17. | Powers in respect of motor vehicles  | 7 |
| 18. | Examination of vehicles  | 7 |
| 19. | Entering vehicles  | 7 |
| 20. | Seizure  | 8 |
| 21. | Immobilisation of vehicles   | 8 |
| 22. | Removal, storage and disposal of vehicles  | 8 |

## SCHEDULES

|            |  |    |
|------------|--|----|
| SCHEDULE 1 | — Classification of Vehicles for the Purposes of Charges | 9  |
| SCHEDULE 2 |  | 9  |
| PART 1     | — Register of Vehicles Exempt from Charges               | 9  |
| PART 2     | — The Register of Vehicles Exempt from Charges           | 10 |

|   |    |
|---|----|
| SCHEDULE 3 — Form of Notice   | 11 |
| SCHEDULE 4 — Halton Borough Council’s General Plan for Applying the Net Proceeds of this Scheme During the Opening 10 Year Period | 12 |
| SCHEDULE 5 — Halton Borough Council’s Detailed Programme for Applying the Net Proceeds of this Scheme                             | 13 |

Halton Borough Council (the “Council”) makes the following Order, which contains a road user charging scheme, in exercise of the powers conferred by sections 163(3)(a), 164, 168(1) and (2), 170, 171(1) and 172(2) of the Transport Act 2000(a) and by regulations 4, 5, 22, 23, 24, 25 and 27 of the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013(b).

Appropriate persons have been consulted in accordance with section 170(1A) of the Transport Act 2000.

*Preliminary*

**Citation and commencement**

1.—(1) This Order may be cited as The Mersey Gateway Bridge and the A533 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2017.

(2) Subject to paragraph (3) below the scheme set out in the Schedules to this Order shall have effect from a day to be appointed by resolution of the Council.

(3) No later than three months before the appointed day the Council shall publish notice of the resolution under paragraph (1) in the London Gazette and in at least one newspaper circulating in the Borough of Halton.

*Scheme for imposing charges in respect of the use of The Mersey Gateway Bridge and The Silver Jubilee Bridge*

**Interpretation**

2.—(1) In this Order

“the 2000 Act” means the Transport Act 2000;

“appointed day” means the day specified in article 1(2) of this Order;

“authorised person” means the Council or any person so authorised by the Council under article 17(1) to exercise any one or more of the powers in articles 18 to 22;

“concession agreement” means a legally binding arrangement which may be comprised within one or more documents that makes provision for the design, construction, financing, refinancing, operation and maintenance of either the Silver Jubilee Bridge and the scheme roads or a new road crossing over the River Mersey or any of them;

“concessionaire” means any person with whom the Council enters into a concession agreement from time to time together with the successors and assigns of any such person;

“Council” means the Council of the Borough of Halton;

“custodian” means a person authorised in writing by the Council to perform the functions of a custodian described in Part 6 of the Enforcement Regulations;

“deposited plans” means the plans numbered 61034234/RUCO/01, 61034234/RUCO/02, 61034234/RUCO/03, 61034234/RUCO/04 and 61034234/RUCO/05 deposited at the offices

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(a) 2000 c.38. There are amendments to section 167, 168, 171 and 172 which are not relevant to this Order.  
 (b) S.I. 2013/1783.

of the Council at Municipal Building, Kingsway, Widnes WA8 7QF signed by the Chief Executive of the Council;

“Enforcement Regulations” means the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England Regulations) 2013;

“new crossing” means the bridge and other roads and structures built or proposed to be built pursuant to the River Mersey (Mersey Gateway Bridge) Order 2011(a);

“register” means the register of vehicles being exempt from charges pursuant to the scheme maintained by the Council under article 9;

“scheme” means the scheme for imposing charges for the use or keeping of a vehicle on the scheme roads pursuant to this Order;

“scheme roads” means that part of (i) the road that approaches and crosses the new crossing and (ii) the A533 road that approaches and crosses the Silver Jubilee Bridge as are shown on the deposited plans.

“website” means the website maintained by the Mersey Gateway Crossings Board Ltd containing information about the operation of the scheme(b).

### **Revocation**

3. The A533 (Silver Jubilee Bridge) Road User Charging Scheme Order 2008 is hereby revoked.

### **Duration of the Order**

4. This Order shall remain in force indefinitely.

### *Designation of scheme roads, vehicles and charges*

#### **The scheme roads**

5. The roads in respect of which this Order applies are the scheme roads.

#### **Imposition of charges**

6.—(1) A charge is to be imposed in respect of a vehicle where—

- (a) the vehicle has been used or kept on the scheme roads; and
- (b) the vehicle falls within a class of vehicles in respect of which a charge is imposed by this Order.

#### **Payment of charges**

7.—(1) Subject to paragraphs (7) and (15) a charge imposed by this scheme, the amount of which is specified in article 10 (level of charges), shall be paid by a means and by such method as may be specified by the Council or such other means or method as the Council may in the particular circumstances of the case accept.

(2) Subject to such regulations as the Secretary of State may make pursuant to section 172(1) of the 2000 Act, the Council may waive charges (or any part of such charges) and may suspend the charging of charges in whole or in part.

(3) The Council or its agent may enter into an agreement (“composition agreement”) under which persons compound, on such terms as may be provided by the agreement, for the payment of charges in respect of the use of the scheme roads by them, by other persons or by any vehicles.

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(a) S.I. 2011/41.

(b) [www.merseygateway.co.uk](http://www.merseygateway.co.uk)

(4) A composition agreement may relate to use on such number of occasions or during such period as may be provided by the agreement.

(5) Any composition agreement entered into prior to the appointed day shall have effect for the purposes of bringing charges into effect from that day and nothing in this scheme shall render a composition agreement entered into other than during the currency of this scheme invalid.

(6) Without prejudice to the generality of paragraph (1) above, save where the Council elects in accordance with paragraph (7) below charges may be payable:

- (a) when demanded by a person authorised by the Council or its agent at a place designated by the Council for the collection of charges; or
- (b) by inserting the appropriate payment for a charge at an appropriate collection point.

(7) Where the condition applies the Council may elect that instead of any other means or method of payment charges shall be payable by means of entering into a composition agreement in which case the Council may require that method to apply exclusively.

(8) Where the Council has elected pursuant to paragraph (7) that the exclusive method of paying charges shall be by means of entering a composition agreement, such a composition agreement may be entered into

- (a) on the day concerned, the first day concerned, or (when it relates to a single journey) the day of the journey concerned;
- (b) on a day falling within the period of 64 days immediately preceding the day concerned, the first day concerned, or (when it relates to a single journey) the day of the journey concerned; or
- (c) on the day after the day concerned, the first day concerned, or (where it relates to a single journey) the day of the journey concerned.

(9) Without prejudice to the generality of paragraph (3), a composition agreement may be entered into for such of the following periods as the Council may agree:

- (a) the duration of a single journey;
- (b) a number of single journeys specified in the composition agreement;
- (c) a single day or any number of single days;
- (d) a period of 5 or 7 consecutive days;
- (e) a period of a single month; or
- (f) a period of one year.

(10) The following provisions shall apply to composition agreements

- (a) a composition agreement shall be specific to a particular vehicle;
- (b) that vehicle shall be identified by its registration mark; and
- (c) a person entering into a composition agreement with the Council shall specify to the Council or its agent the registration mark of the vehicle to which the composition agreement relates.

(11) Where a composition agreement is entered into or purported to be entered into, and payment is to be made to the Council otherwise than in cash, and payment is not received by the Council or its agent (whether because a cheque is dishonoured or otherwise), the charge or charges to which the composition agreement relates shall be treated as not paid and the composition agreement may be voided by the Council.

(12) The Council may require a vehicle that is subject to a composition agreement to display a document in that vehicle or to carry in or fix equipment to that vehicle.

(13) Where a composition agreement provides for a discount or waiver of any charge or part of any charge and is calculated solely by reference to the use of the scheme roads

- (a) for a number of journeys; or
- (b) for any period



a user or prospective user of the scheme roads shall not be prevented from entering into such a composition agreement by reason of their place of residence or business.

(14) Where any scheme of discount or waiver is proposed in respect of charges payable or prospectively payable under this scheme the Council shall have regard to the most appropriate means of providing the benefit of such a scheme to those socio-economic groups within the Borough of Halton least able to afford the full price of charges in deciding to apply any such scheme.

(15) The Council may impose such reasonable conditions upon the making of a composition agreement as it considers appropriate including in relation to the transfer of the benefit of composition agreements or the refund of payments.

(16) The condition referred to in paragraph (7) is fulfilled when the method of payment for use of the scheme roads is not secured by the use of barriers preventing vehicles from proceeding until a charge is paid.

#### **Classification of vehicles**

8. Schedule 1 to this Order, which sets out the classification of vehicles in respect of which a charge is imposed by this scheme, shall have effect.

#### **Vehicles exempt from charges**

9.—(1) Subject to and to the extent not inconsistent with, such regulations as the Secretary of State may make pursuant to section 172(1), Part 1 of Schedule 2 to this Order which sets out the vehicles exempt from charges, shall have effect.

(2) The exemptions from the charges set out in this scheme shall have effect subject to the particulars of the vehicle in respect of which an exemption is claimed being entered upon the register.

(3) The Council may require a vehicle exempt from charges to display a document in that vehicle or to carry in or fix equipment to that vehicle.

(4) The provisions of Part 2 of Schedule 2 shall apply.

#### **Level of charges**

10.—(1) On and from the appointed day the charges for the use of the scheme roads shall be at such level within the charge range specified in paragraph (4) for the class of vehicle specified as the Council may determine and shall remain at such level unless revised in accordance with paragraph (5) or (6) below.

(2) The classification of vehicles or classes of vehicles in respect of which charges may be levied from the appointed day shall be those set out in Schedule 1.

(3) Where any vehicle would fall within the definition of more than one classification of vehicles or class of vehicles it shall be deemed to fall in the class of vehicles bearing the highest number in Schedule 1.

(4) In this paragraph

“charge range” means the level of charge contained in the table below increased by the same percentage for each whole year between April 2008 and the appointed day as referred to in article 11 (percentage increase of charge ranges) subject to article 12 (general provisions as to charge ranges).

| <i>Class of vehicle</i> | <i>Charge range</i> |
|-------------------------|---------------------|
| Class 1 vehicles        | £0.00 to £2.50      |
| Class 2 vehicles        | £1.00 to £2.50      |
| Class 3 vehicles        | £2.00 to £5.00      |
| Class 4 vehicles        | £4.00 to 10.00      |

(5) The charge range applicable in respect of any vehicle or class of vehicles as provided for in this scheme shall be revised by the Council in accordance with article 11 (percentage increase of charge ranges) each year.

(6) The charge payable in respect of any vehicle or class of vehicle may be varied within the charge range in effect from time to time.

(7) Whenever the Council proposes to revise the charge that applies to any vehicle or class of vehicles pursuant to paragraph (6) the Council shall publish in at least one newspaper circulating in the Borough of Halton a notice substantially in the form set out in Schedule 3.

(8) The charges set out in a notice given under paragraph (7) shall have effect from the date 4 weeks after the date on which the notice referred to in paragraph (7) is published.

#### **Percentage increase of charge ranges**

11.—(1) The charge ranges referred to in article 10(4) (level of charges) shall be recalculated annually on 1 April each year by multiplying the upper and lower limits applying to each charge range by the indexation factor except where a reduction in those limits will result.

(2) The indexation factor shall be derived by dividing the value of the retail prices index for the month of February in the relevant year by the retail prices index for the month of February in the preceding year to produce a percentage and then adding one per cent.

(3) Subject to paragraph (4), the references in this article to the retail prices index means the monthly United Kingdom Index of Retail Prices (for all items) published by the Office of National Statistics.

(4) If the index referred to in paragraph (3) is not published for any month the references in this article shall be references to any substituted index or index figures published by the Office of National Statistics for that month.

(5) It shall not be necessary to vary any charge by reason of a revision to a charge range resulting in a charge subsisting that is lower than the lower limit of a charge range.

#### **General provisions as to charge ranges**

12. Any level of charge ranges to be set pursuant to the provisions of this Order

- (a) if it is neither a multiple of ten pence nor an amount which on division by ten produces a remainder of five pence shall be rounded to the nearest ten pence; and
- (b) if it is an amount which on division by ten produces a remainder of five pence shall be increased by five pence.

#### **10 year plan for net proceeds**

13. Schedule 4 to this Order constitutes the general plan of the Council under paragraph 10(1)(a) of Schedule 12 to the 2000 Act for applying the net proceeds of this scheme during the period which begins with the date on which this Order comes into force and ends with the tenth financial year that commences on or after that date.

#### **Detailed programme for net proceeds**

14. Schedule 5 to this Order constitutes the detailed programme of the Council under paragraph 10(1)(b) of Schedule 12 to the 2000 Act for applying the net proceeds of this scheme during the period which begins with the date on which this Order comes into force and ends at the time by which the Council's local transport plan is next required to be replaced.

*Penalty charges*

**Penalty charges**

15.—(1) A penalty charge is payable in respect of a vehicle upon which a charge has been imposed under this Order and where such charge has not been paid in full at or before 23:59 hours on the day immediately following the day on which the charge was incurred.

(2) Where a penalty charge has become payable in respect of a vehicle under paragraph (1), the penalty charge rate applicable shall be the rate corresponding to the class of vehicle into which the vehicle falls, in accordance with the table of penalty charge rates displayed on the website.

(3) A penalty charge payable under paragraph (1) is

- (a) payable in addition to the charge imposed under article 6;
- (b) to be paid in full within the period of 28 days beginning with the date on which a penalty charge notice relating to the charge that has not been paid in full is served;
- (c) reduced by one half provided it is paid in full prior to the end of the fourteenth day of the period referred to in sub-paragraph (3)(b);
- (d) increased by one half if not paid in full before a charge certificate to which it relates is served by or on behalf of the Council (as the charging authority) in accordance with regulation 17 of the Enforcement Regulations.

**Additional penalty charges where powers exercised in respect of vehicles**

16.—(1) An additional penalty charge in accordance with the table of penalty charge rates displayed on the website will be payable under the charging scheme for the

- (a) release of a motor vehicle immobilised in accordance with article 21;
- (b) removal of a motor vehicle in accordance with article 22(1);
- (c) storage and release from storage of a vehicle so removed; and
- (d) disposal of a vehicle in accordance with article 22(2).

(2) Any penalty charge payable under paragraph (1) is payable in addition to the charge imposed under article 6.

*Powers in respect of motor vehicles*

**Powers in respect of motor vehicles**

17.—(1) The Council may authorise in writing a person to exercise any one or more of the powers in articles 18 to 22.

(2) An authorised person under this Order is an authorised person within the meaning of regulation 21 of the Enforcement Regulations.

**Examination of vehicles**

18. An authorised person may examine a motor vehicle whilst it is on a road to ascertain if any of the circumstances described in regulation 22 of the Enforcement Regulations exists.

**Entering vehicles**

19. An authorised person may enter a vehicle whilst it is on a road where the authorised person has reasonable grounds for suspecting that any of the circumstances described in regulation 23(1) of the Enforcement Regulations exists provided that the condition referred to in regulation 23(2) of those Regulations is met.

**Seizure**

20. An authorised person may seize anything (if necessary by detaching it from a vehicle) as provided for in regulation 24 of the Enforcement Regulations provided that the condition referred to in regulation 24(2) of those Regulations is met.

**Immobilisation of vehicles**

21. Provided—

- (a) none of the circumstances in paragraph (2) of regulation 25 of the Enforcement Regulations apply; and
- (b) the conditions in paragraph (3) of that regulation do apply,

an authorised person may immobilise a vehicle in accordance with paragraphs (4) and (5) of that regulation.

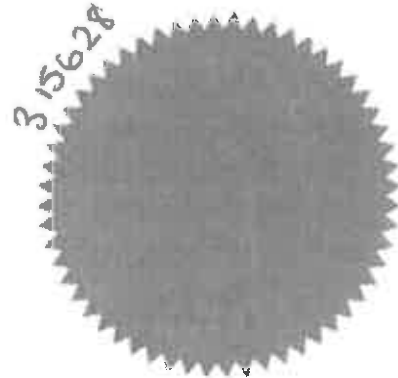
**Removal, storage and disposal of vehicles**

22.—(1) Provided regulation 27(1)(a) or (b) of the Enforcement Regulations is satisfied, an authorised person may remove a vehicle and deliver it to a custodian for storage.

(2) The custodian may dispose of the vehicle and its contents in the circumstances described in regulation 28 of the Enforcement Regulations.

**THE COMMON SEAL** of the **COUNCIL OF  
THE BOROUGH OF HALTON** was hereunto  
affixed the 9 day of March 2017

*ME Reaney*  
Authorised Signatory



## SCHEDULES

## SCHEDULE 1

Article 8

## Classification of Vehicles for the Purposes of Charges

| <i>Class of Vehicle</i> | <i>Classification</i>   |
|-------------------------|---|
| "class 1 vehicle"       | means a moped falling within classifications A(a) and A(b); motorcycles falling within classifications B(a) and B(b); motor tricycles falling within classifications C(a) and C(b); and quadricycles falling within classifications D(a), D(b), E(a) and E(b).  |
| "class 2 vehicle"       | means motor vehicles with at least four wheels, used for the carriage of passengers falling within classifications M <sub>1</sub> (a) and M <sub>1</sub> (b); and motor vehicles with at least four wheels used for the carriage of goods falling within classification N <sub>1</sub> (a).   |
| "class 3 vehicle"       | means motor caravans falling within classifications L(a) and L(b); motor vehicles with at least four wheels used for the carriage of passengers falling within classifications M <sub>2</sub> (a) and M <sub>2</sub> (b); and motor vehicles with at least four wheels used for the carriage of goods falling within classifications N <sub>1</sub> (b), N <sub>2</sub> (a) and N <sub>2</sub> (b). |
| "class 4 vehicle"       | means motor vehicles with at least four wheels used for the carriage of passengers falling within classifications M <sub>3</sub> (a) and M <sub>3</sub> (b); and motor vehicles with at least four wheels used for the carriage of goods falling within classifications N <sub>3</sub> (a) and N <sub>3</sub> (b).  |

Reference to "classifications" in this Schedule 1 are references to the classes of motor vehicles contained or referred to in Part II of the Schedule to the Road User Charging and Work Place Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001(a).

## SCHEDULE 2

Article 9

## PART 1

## Vehicles Exempt from Charges

1. Charges may not be levied in respect of—

(a) S.I. 2001/2793.

- (a) a vehicle whose details have been recorded on the exemptions register in accordance with Part 2 of this Schedule and, in the case of those listed in sub-paragraphs 3(a) to (d) of Part 2 of this Schedule, being used in the execution of duty; or
- (b) a vehicle being used in connection with—
  - (i) the collection of charges; or
  - (ii) the maintenance, improvement or renewal of, or other dealings with, the Silver Jubilee Bridge or the new crossing or any structure, works or apparatus in, on, under or over any part of the new crossing or Silver Jubilee Bridge; or
- (c) a vehicle which, having broken down on the Silver Jubilee Bridge or the new crossing while travelling in one direction, is travelling in the opposite direction otherwise than under its own power; or
- (d) a military vehicle, that is, a vehicle used for army, naval or air force purposes, while being driven by persons for the time being subject to the orders of a member of the armed forces of the Crown.

## PART 2

### The Register of Vehicles Exempt from Charges

2. The Council shall maintain the register in respect of exempt vehicles for the purposes of the provisions of this Schedule which requires particulars of a vehicle to be entered in the register.

3. Vehicles falling within the following descriptions of motor vehicles shall be eligible to be entered upon the exemptions register—

- (a) a police vehicle, identifiable as such by writing or markings on it or otherwise by its appearance, or being the property of the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad;
- (b) a fire engine as defined by paragraph 4(2) of Schedule 2 to the Vehicle Excise and Registration Act 1994(a);
- (c) a vehicle which is kept by a fire authority as defined by paragraph 5 of that Schedule;
- (d) an ambulance as defined by paragraph 6(2) of that Schedule; or
- (e) a vehicle being used for the transport of a person who has a disabled person's badge and which displays a current disabled person's badge issued under—
  - (i) section 21 of the Chronically Sick and Disabled Persons Act 1970(b), or
  - (ii) section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(c); or
- (f) an omnibus being used for a local service as defined by section 2 of the Transport Act 1985 crossing the Silver Jubilee Bridge(d).

4. Registration of a vehicle upon the exemptions register, and the use to which that vehicle must be put to qualify as exempt from charges, shall be subject to the imposition of such further conditions as the Council may reasonably impose.

5. The Council may require that an application to enter particulars of a vehicle on the exemptions register or to renew the registration of a vehicle—

- (a) shall include all such information as the Council may reasonably require; and
- (b) shall be made by such means as the Council may accept.

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(a) 1994 c.22.  
(b) 1970 c.44.  
(c) 1978 c.53.  
(d) 1985 c.67.

6. Where the Council receives an application that complies with paragraph 4 to enter particulars of a vehicle on the exemptions register, or to renew the registration of a vehicle and the vehicle falls within the descriptions set out in paragraph 2 of this Part it shall enter the particulars of that vehicle upon the exemptions register within twenty working days of receiving such an application.

7. The Council shall remove particulars of a vehicle from the exemptions register—

- (a) in the case of a vehicle registered in relation to the holder of a disabled person's badge, when that person ceases to be an eligible person for the purposes of sub-paragraph 3(e) of this Part;
- (b) in the case of any vehicle at the end of the period of 7 consecutive days beginning with the day on which a change in the keeper of the vehicle occurred, unless the Council renews the registration for a further period on application to it by or on behalf of the new keeper.

8. Where the registered keeper of a vehicle is aware that the vehicle has ceased or will cease to be a vehicle eligible to be entered on the exemptions register, the keeper shall notify the Council of the fact and the Council shall remove the particulars of the vehicle from the exemptions register as soon as reasonably practicable or from the date notified to the Council as the date on which it will cease to be a vehicle eligible to be entered on the exemptions register.

9. If the Council is no longer satisfied that a vehicle is an exempt vehicle it shall—

- (a) remove the particulars of a vehicle from the exemptions register; and
- (b) notify the registered keeper.

10. Nothing in this paragraph shall prevent the making of a fresh application under Schedule 2 for particulars of a vehicle to be entered in the exemptions register after they have been removed from it in accordance with any provision of this Part of this Schedule 2.

**SCHEDULE 3**

Article 10

**Form of Notice**

**THE A533 (SILVER JUBILEE BRIDGE) ROAD USER CHARGING SCHEME  
ORDER 201[X]**

**NOTICE OF REVISION OF CHARGES**

The charges applicable to use of the Silver Jubilee Bridge by vehicles shall be:

| Class of vehicle | Charge |
|------------------|--------|
| Class 1 vehicles |        |
| Class 2 vehicles |        |
| Class 3 vehicles |        |
| Class 4 vehicles |        |

The revisions set out above shall take effect upon [effective date being a date not less than 28 days after the date of this notice.]

Signed .....

\*On behalf of.....

Date .....

Name and status of Signatory

\* Delete or amend as appropriate.

**SCHEDULE 4**

Article 13

**Halton Borough Council's General Plan for Applying the Net Proceeds of  
this Scheme During the Opening 10 Year Period**

11. The road user charging scheme is due to start in 201[X] to coincide with or follow the date that the proposed Mersey Gateway Bridge is opened for use by the public. Paragraph 10(1)(a) of Schedule 12 to the Transport Act 2000 applies to the period that is covered partly by the current Local Transport Plan that fully supports the implementation of the scheme.

12. The net proceeds of the road user charging scheme in the opening ten year period will be applied, in such proportions to be decided, towards:

- (a) paying the costs and expenses incurred in designing, constructing, managing, operating and maintaining the new crossing and in managing, operating and maintaining the Silver Jubilee Bridge and the scheme roads or any costs associated with financing any or both;
- (b) providing such funds as are or are likely to be necessary to discharge the obligations of the Council or a concessionaire pursuant to a concession agreement;
- (c) paying the interest on, and repaying the principal of, monies borrowed in respect of the new crossing;
- (d) making payment into any maintenance or reserve fund provided in respect of the Silver Jubilee Bridge and the scheme roads or the new crossing;



- (e) making payments to the Council's general fund for the purpose of directly or indirectly facilitating the achievement of policies relating to public transport in its local transport plan; and
- (f) providing funds for, meeting expenses incurred in, or the cost of securing any necessary authority or consent for, constructing or securing the construction, maintenance and operation of the new crossing or securing the maintenance and operation of the Silver Jubilee Bridge and the scheme roads.

## SCHEDULE 5

Article 14

### Halton Borough Council's Detailed Programme for Applying the Net Proceeds of this Scheme

13. The road user charging scheme is due to start in 2017 to coincide with the opening of the Mersey Gateway Bridge for use by the public. The existing third Local Transport Plan (LTP3) runs from 2011/12 to 2025/26. Therefore, paragraph 10(1)(b) of Schedule 12 to the Transport Act 2000 relates to the second LTP3. The Mersey Gateway Bridge is a key element of the LTP3 as it addresses—

- (a) the worst congestion in Halton - on the approaches to the Silver Jubilee Bridge and on the Weston Point Expressway approach to M56 Junction 12;
- (b) demand management to establish and maintain free flow traffic conditions on the Mersey Gateway Bridge and the Silver Jubilee Bridge; and
- (c) transport resilience to enhance cross-Mersey linkages.

14. The expenditure plans for receipts from the scheme will complement the current LTP3 programme and contribute towards achieving the following LTP3 objectives—

- (a) tackling congestion;
- (b) delivering accessibility;
- (c) securing safer roads; and
- (d) achieving better air quality.

15. Priorities for the scheme revenue expenditure are—

- (a) paying the costs and expenses incurred in designing, constructing, managing, operating and maintaining the Mersey Gateway Bridge and the new crossing and in managing, operating and maintaining the Silver Jubilee Bridge and the scheme roads or any costs associated with financing any or both of them;
- (b) providing such funds as are or are likely to be necessary to discharge the obligations of the Council or a concessionaire pursuant to a concession agreement;
- (c) paying the interest on, and repaying the principal of, monies borrowed in respect of the new crossing;
- (d) making payment into any maintenance or reserve fund provided in respect of the Silver Jubilee Bridge and the scheme roads or the Mersey Gateway Bridge and the new crossing;
- (e) making payments to the Council's general fund for the purpose of directly or indirectly facilitating the achievement of policies relating to public transport in LTP3; and
- (f) providing funds for, meeting expenses incurred in, or the cost of securing any necessary authority or consent for, the constructing or securing the construction, maintenance and operation of the Mersey Gateway Bridge and the new crossing or securing the maintenance and operation of the Silver Jubilee Bridge and the scheme roads.

**EXPLANATORY NOTE**

*(This note is not part of the Order.)*

Sections 163(3)(a) and 164 of the Transport Act 2000 authorise the Council of the Borough of Halton to make a charging scheme in respect of roads for which it is the traffic authority. The scheme roads described in paragraph (1) of Schedule 1 comprises the Mersey Gateway Bridge and the Silver Jubilee Bridge. Charges are currently levied in respect of the latter under the A533 (Silver Jubilee Bridge) Road User Charging Scheme Order 2008.

This Order revokes the 2008 Order. It imposes charges for use of either the Mersey Gateway Bridge or the Silver Jubilee Bridge, and brings into effect new enforcement provisions.

Article 1 (citation and commencement) deals with preliminary matters.

Article 2 (interpretation) contains interpretation provisions including definitions of the “scheme roads”. It also refers to the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (SI 2013/1783) (the “Enforcement Regulations”) which make provision for or in connection with the imposition and payment of charging scheme penalty charges.

Article 3 (revocation) revokes the 2008 Order.

Article 4 (duration of the Order) provides that the Order remains in force indefinitely.

Article 5 (the scheme roads) contains that the scheme roads are the roads to which charges, penalty charges and enforcement provisions apply.

Article 6 (imposition of charges) describes the event by reference to the happening of which a charge is imposed, namely, a vehicle being used or kept on the scheme roads.

Article 7 (payment of charges) provides that the Council may specify how a charge should be paid. It also provides that payments may be under an agreement relating to a number of journeys or a number of days. It also provides that payment under such an agreement may be mandatory if “open road” tolling is used and that displaying a permit may be required. Paragraph (14) of article 7 continues the existing arrangement relating to scheme discounts.

Article 8 (classification of vehicles) specifies classes of vehicles to which the scheme applies, set out in Schedule 1 of this Order.

Article 9 (vehicles exempt from charges) provides for the exemption of certain vehicles from paying the charge provided conditions are met, set out in Schedule 2.

Article 10 (level of charges) specifies the level of charges for use of the scheme roads, depending on the class of vehicle. Levels must be set within the range authorised under article 10 and are subject to an annual recalculation under article 11 and subject to article 12.

Articles 13 and 14 explain to what purposes the charges recovered may be applied.

Article 15 deals with the civil enforcement of unpaid charges through the imposition of penalty charges. Paragraph 15(1) imposes a penalty charge where the charge for using the crossing is not paid in full by midnight on the day after it is imposed. The penalty charge rates are displayed on the project website. Paragraph 15(3)(a) explains that the penalty charge is payable in addition to the charge imposed. Paragraphs 15(3)(b) to (d) explain that the penalty charge is payable within 28 days of the penalty charge notice relating to it being served, that the amount of the charge is reduced by half if paid within 14 days or is increased by half if not paid before a charge certificate is served in accordance with regulation 17 of the Enforcement Regulations.

Article 16 imposes additional penalty charges of the amounts set out on the project website where the powers in respect of vehicles described in paragraphs 18 and 19 are exercised.

Articles 17 to 22 contain powers that can be exercised in respect of motor vehicles. These powers are to examine vehicles (article 18), enter vehicles (article 19), seize items (article 20), immobilise vehicles (article 21) and remove, store and dispose of vehicles (article 22). The exercise of those

powers must be in accordance with the Enforcement Regulations. In particular the power to immobilise a vehicle or remove a vehicle that has not been immobilised can only be exercised where none of the circumstances in regulation 25(2) of the Enforcement Regulations apply and the conditions in paragraph 25(3) of those regulations do apply.



Walsley Heavy Transport, August 31, 2017

# SELL IT FREE

**THE BOROUGH OF HALTON (A533 QUEENSWAY - SILVER JUBILEE BRIDGE) (TEMPORARY PROHIBITION OR RESTRICTION OF TRAFFIC) ORDER 2017**

NOTICE IS HEREBY GIVEN that Halton Borough Council has made an Order under Section 14(1) Road Traffic Regulation Act 1984. Road(s) affected: A533 Queensway SJB (Silver Jubilee Bridge) - closure of SJB across River Mersey in both directions. Effect of the Order: during such times and to such extent as shall from time to time be indicated by traffic signs no person shall cause or permit any vehicle to enter or proceed in or along the road. Date Order to come into effect: 1 September 2017 - will not be come into force until the Mersey Gateway has opened to all traffic. Note: the closure is to allow for major refurbishment work to be carried out on the SJB. The actual road closures are expected to be for approximately 12 months (exact dates to be confirmed). For further information please contact 0151 511 7656.

**THE BOROUGH OF HALTON (A562 SPIKE ROAD) (TEMPORARY PROHIBITION OR RESTRICTION OF TRAFFIC) ORDER 2017**

NOTICE IS HEREBY GIVEN that Halton Borough Council has made an Order under Section 14(1) Road Traffic Regulation Act 1984. Road(s) affected: A562 Spike Road - westbound carriageway from Ditton Road on-slip to Hale Road on-slip. Effect of the Order: during such times and to such extent as shall from time to time be indicated by traffic signs no person shall cause or permit any vehicle to enter or proceed in or along the road and no person shall during the works period enter or proceed in or along the road. Date Order to come into effect: 4 September 2017. Note: the closure is to carry out resurfacing works. The actual road closure is expected to be overnight from 1900 hours to 0500 hours for approximately 11 days. For further information please contact 07809 317484.

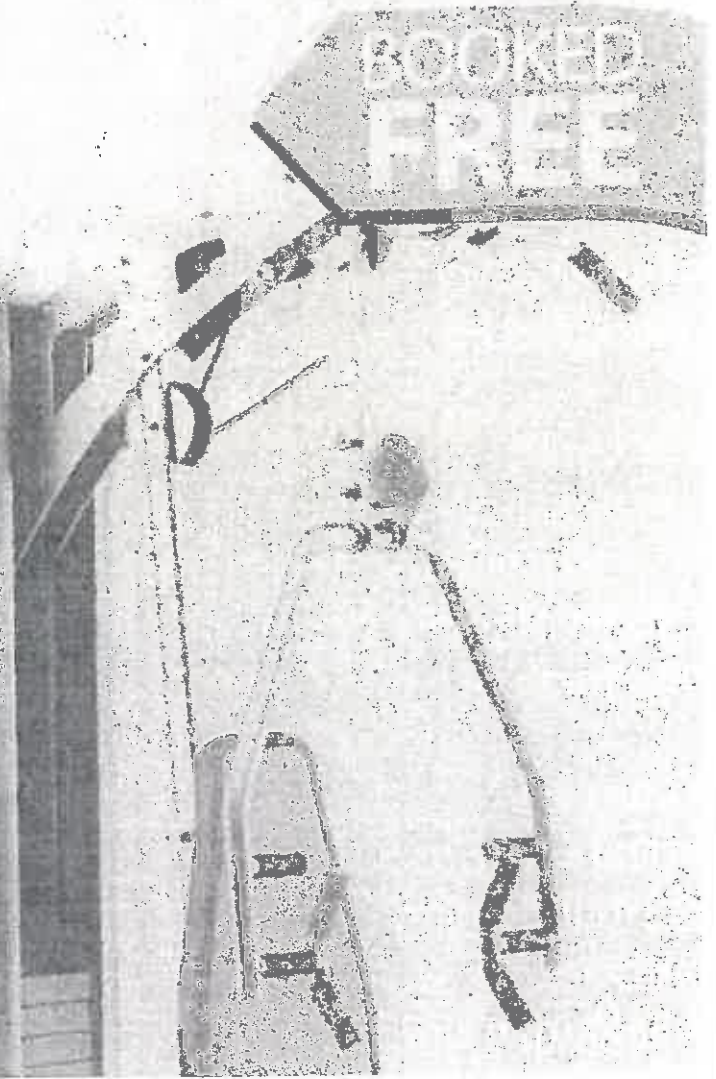
Reason for making the Order: the Council is satisfied that traffic on the roads should be prohibited and/or restricted because works are being or are proposed to be executed on or near the roads. Alternative Routes: where available suitably signed alternative route(s) will be provided. Maximum duration of the Order: 18 months from the date the Orders come into effect. Dated: 31 August 2017. S. Pinnis, Divisional Manager - Traffic, Municipal Building, Kingsway, Walsley, WA9 7DF.

HALTON BOROUGH COUNCIL hereby gives notice that it has resolved to lift the suspension of charging tolls on and over the Mersey Gateway Bridge under the Mersey Gateway Bridge and the A533 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2016 (The Order) with effect on (and including) the 14th September 2017 and that on and from this date tolls and charges will be levied at the rates of:

| Class 1 vehicles - motorcycles | Class 2 vehicles - van and car | Class 3 vehicles - >3.5t <12t | Class 4 vehicles - >12t |
|--------------------------------|--------------------------------|-------------------------------|-------------------------|
| £0.00                          | £2.00                          | £8.00                         | £8.00                   |

In accordance with the order and, in particular, the charge ranges specified in paragraph 10(4) of it over the Mersey Gateway Bridge and accordingly are specified for the purposes of the order. Pursuant to Article 7(2) of the Order tolls and charges in respect of the Silver Jubilee Bridge remain suspended until further notice is given.

**Goods Vehicle Operator's Licence**  
Brit European Transport LTD  
trading as Brit European

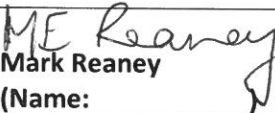


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## HALTON BOROUGH COUNCIL

### LOCAL GOVERNMENT TRANSPARENCY CODE (2014)

#### NOTIFICATION RECORD OF OFFICER DECISIONS

|  |   |                          |                         |
|--|---|--------------------------|-------------------------|
| <b>DECISION TITLE:</b>                                   | Mersey Gateway Bridge and the A533 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2016  |                          |                         |
| <b>DATE TAKEN:</b>                                       | 25 August 2017  |                          |                         |
| <b>OFFICER NAME AND TITLE:</b>                           | Mark Reaney, Operational Director – Legal & Democratic Services   |                          |                         |
| <b>REASON(S) FOR DECISION:</b>                           | To act on delegation from Council on 14 September 2016 to lift the suspension and impose the charging scheme pursuant to the Mersey Gateway Bridge and the A533 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2016 |                          |                         |
| <b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:</b>      | N/a   |                          |                         |
| <b>BACKGROUND DOCUMENTS USED OR REFERRED TO:</b>         | Exempt advice   |                          |                         |
| <b>DATE OF ANY CONSULTATION UNDERTAKEN &amp; DETAILS</b> | Chief Executive, Strategic Director and Leader consulted 25 August 2017   |                          |                         |
| <b>DECISION MAKER/AUTHORISED SIGNATORY</b>               | <br>Mark Reaney<br>(Name:   | Tel No: 0151<br>511 6006 | Date: 25<br>August 2017 |
| <b>PLEASE RETURN VIA EMAIL TO COMMITTEE SERVICES</b>     | DemocraticServices@halton.gov.uk  |                          |                         |
| <b>RECEIVED BY COMMITTEE SERVICES:</b>                   | Name:   | Date:                    |                         |
| <b>UPLOADED ONTO WEB SITE:</b>                           | Date:   |                          |                         |

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**REPORT:** Council

**DATE:** 18 October 2017

**REPORTING OFFICER:** Chief Executive

**PORTFOLIO:** Resources

**SUBJECT:** Transport for the North – Consideration of draft Regulations

**WARD:** Boroughwide

### 1.0 PURPOSE OF REPORT

1.1 The purpose of this report is for the Council as Local Highway Authority to consider consenting to the making of Regulations by the Secretary of State to establish Transport for the North (TfN) as a Sub –National Transport Body under section 102J of the Local Transport Act 2008. The consent of each Highway Authority within the area of each Combined Authority which is a Constituent Authority of TfN is required to the making of Regulations by the Secretary of State because the Regulations contain provisions giving TfN highway powers to be exercised concurrently with the Local Highway Authorities.

2.0 **RECOMMENDATION: The Council be recommended to formally consent under section 102J of the Local Transport Act 2008 to the making by the Secretary of State, of Regulations to establish Transport for the North as a Sub-National Transport Body and giving TfN concurrent highway powers as set out in the draft regulations supplied to the Council entitled ‘Sub-national Transport Body (Transport for the North) Regulations 2017’.**

### 3.0 BACKGROUND

#### 3.1 General

Members will be aware of the role of TfN. It comprises a number of constituent authorities. The Council’s involvement with TfN is indirect since its role is via the Liverpool City Region Combined Authority. To date TfN has been reported as being principally involved with rail transport. However, it will have a role in respect of highways and this involves working with highways authorities which are not necessarily constituent bodies of TfN. In promoting legislation which impinges on the functions of highways authorities the consent of those authorities is required. Further back ground is given below:

### 3.2 **The proposal submitted by TfN by its the Constituent Authorities**

#### 3.2.1 The Proposal submitted by the Constituent Authorities requested the following powers and functions:

- a) To prepare a Transport Strategy for the Combined Area in accordance with section 102I of the Local Transport Act 2008;
- b) To provide advice to the Secretary of State about the exercise of the transport functions in the Combined Area;
- c) To be a Statutory Partner with the Secretary of State in both road and rail investment processes and to be responsible for setting the objectives and priorities for strategic road and rail investments in the Combined Area;
- d) To be consulted in relation to rail franchise agreements for services to and from or within its area;
- e) To co-manage with the Secretary of State the TransPennine Express and Northern Rail Franchises;
- f) To co-ordinate the carrying out of specified transport functions that are exercisable by its different Constituent Authorities with a view to improving the effectiveness and efficiency of the carrying out of those functions;
- g) To promote and co-ordinate road transport schemes;
- h) To make proposals to the Secretary of State for the transfer of transport functions to TfN;
- i) To make other proposals to the Secretary of State about the role and functions of TfN;
- j) To undertake Smart Ticketing within the Combined Area;
- k) To promote and oppose local or personal bills in Parliament;
- l) To pay Capital Grants to support the funding and delivery of joint projects;
- m) To exercise powers to construct highways and to acquire land for that purpose under section 8(1), 24 and 239 of the Highways Act 1980 concurrently with local Highway Authorities

In carrying out these functions TfN would act as a Statutory Partner with the Secretary of State and take devolved responsibilities from the Secretary of State. It would exercise a co-ordinating role in relation to specified transport functions

#### 3.2.2 The Proposal also contained the following key provisions:

- a) All Constituent Authorities will be entitled to appoint a representative to TfN, such representative to normally be the Elected Mayor, Chair, Leader or Member with delegated responsibility for transport;
- b) Decisions will be expected to be unanimous but where voting is required votes will be weighted in accordance with the populations of the Constituent Authorities;
- c) Decisions in relation to the Budget, the adoption of a Transport Strategy and the Constitution will require a Super Majority;

- d) Funding will be provided by the Secretary of State and no decision to require financial contributions from Constituent Authorities can be made without the agreement of each Authority;
- e) There will be appropriate mechanisms for Scrutiny of TfN's decisions;
- f) Rail North Limited will be wholly owned by TfN;
- g) A wider Partnership Board including representatives of government bodies and the LEPs will be set up to inform TfN's decision making.

### **3.3 The Secretary of State's Response to the proposal**

3.3.1 The Secretary of State has now formally responded to the Proposal and has indicated that he is minded to make Regulations creating TfN as the first Sub-National Transport Body with the following functions:

- a) The preparation of a Northern Transport Strategy;
- b) The provision of advice on the North's priorities, as a Statutory Partner in the Department's investment processes;
- c) The coordination of regional transport activities, (such as smart ticketing), and the co-management of the TransPennine Express and Northern rail franchises through the acquisition of Rail North Ltd.

### **3.4 Regulations**

3.4.1 Regulations have now been drafted which once they are passed will confer on TfN the majority of the functions and powers requested in the Proposal. Before the Secretary of State can make the Regulations he must obtain consent to the making of the Regulations from each of the 19 Constituent Authorities and also consent to the granting of concurrent highway powers from each of the Highway Authorities within TfN's area. The Authorities which are County Councils or Unitary Authorities are Highway Authorities but the Combined Authorities are not and in these areas the individual Highway Authorities are being asked to give their consent to the granting of highway powers within the Regulations.

### **3.5 Highway Functions**

3.5.1 The highway powers which are contained in the Regulations are firstly the following powers of the Secretary of State in relation to the construction of trunk roads which may be delegated down to TfN:

- a) Section 6(5) Highways Act 1980 ( power to enter into agreements for works relating to trunk roads)
- b) Sections 105A – 105C Highways Act 1980 (functions relating to environmental impact assessments)
- c) Sections 239 to 240 and 246 Highways Act 1980 (powers to acquire land in connection with highways)
- d) section 250 Highways Act 1980 (powers relating to the acquisition of powers over land)

3.5.2 Secondly the following powers under the Highways Act 1980 are conferred on TfN concurrently with the local Highway Authority.

- a) Section 8(1) (power to enter agreements with local highways authorities etc for doing certain works)
- b) section 24(2) (power of local highway authority to construct new highways)
- c) section 25(i) (powers to enter into agreement for creation of footpath etc)
- d) section 26 (i) (compulsory powers for creation of footpaths etc)
- e) various functions in sections 239, 240, 246 and 250 relating to the acquisition of land for highway purposes

3.6 Importantly Regulations 14 and 15 taken together provide that TfN will not be able to exercise any of the highway powers which they hold concurrently with the Highway Authorities unless the manner in which it proposes to exercise the function has been approved by each of the Highway Authorities through whose area the highway will pass.

3.7 There is no intention that TfN will itself become a Highway Authority and as set out above the Regulations make it clear that before these powers may be exercised TfN will need to obtain the express consent of the relevant Highway Authority to the manner in which the powers would be exercised. These powers would therefore only be exercised in circumstances where all the local Highway Authorities consider that there would be a benefit in TfN carrying out the work.

3.8 It is intended that before TfN exercises any transport powers or functions it holds concurrently with any of the Constituent Authorities or Highways Authorities within the TfN area, TfN will enter into a written Protocol with the Constituent Authorities or the local Highway Authorities covering the way in which the functions will be exercised.

#### 4.0 **POLICY IMPLICATIONS**

4.1 The promoting or opposing new legislation is a policy consideration for the Council and reserved to full Council under the Constitution (as Council matter number 36).

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

None.

## NOTICE OF MOTION

**To be submitted to the meeting of Full Council to be held on:**

**18<sup>th</sup> October 2017**

**in accordance with Standing Order Number 6.**

|                  | Name (in capitals)        | Signature  |
|------------------|---------------------------|--|
| <b>Proposer:</b> | <b>Cllr Dave Thompson</b> |  |
| <b>Seconder:</b> | <b>Cllr Chris Loftus</b>  |  |

**Title: PUBLIC SECTOR PAY**

### **Motion**

This Council believes that all public sector workers, including Halton Council staff, should be paid a fair wage that reflects the valuable role they play in serving our communities in Halton.

Since 2010 the governments pay cap has seen either no annual increase or a limited pay rise for public sector workers, meaning NHS staff, emergency services and local government workers in Halton have faced diminishing incomes when considered alongside the cost of living.

Council believes the pay cap is grossly unfair and affects the morale of public sector workers who serve the public, often in difficult and challenging circumstances.

Council agrees to write to the Chancellor of the Exchequer, calling upon government:

- To recognise that our public sector workers have suffered prolonged reductions in their incomes including staff in in our local NHS Trusts, Cheshire Fire & Rescue Service and Halton Council.
- To remove the pay cap for public sector workers, imposed by central Government, ensuring pay increases are negotiated in line with any joint union pay claims.
- To fund any agreed increases direct from added government expenditure so as to ensure public sector providers do not suffer adverse, reductions in budget owing to added expenditure.

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## NOTICE OF MOTION

**To be submitted to the meeting of Full Council to be held on:**

**18<sup>th</sup> October 2017**

**in accordance with Standing Order Number 6.**

|                  | Name (in capitals)    | Signature  |
|------------------|-----------------------|--|
| <b>Proposer:</b> | <b>Cllr A Wall</b>    |  |
| <b>Seconder:</b> | <b>Cllr P Sinnott</b> |  |

**Title: UNIVERSAL CREDIT**

### **Motion**

This Council expresses its grave concern at the manner in which Universal Credit has been implemented by government and with its consequences for families in Halton.

Council resolves that it:

- Many people have already turned to Citizens Advice Halton for help with Universal Credit and the charity states numbers struggling will continue to grow as more people move onto the benefit. Since Universal Credit was introduced in Halton the charity has stated it has already helped 710 people with 1,160 problems with the benefit.
- By 2022 Universal Credit will affect more than 15,500 households across Halton. Across the country 1 in 4 (28%) working age households will be claiming Universal Credit, more than half of which (54%) will be in employment. The benefit will also be claimed by more than half (52%) of all families with children in the UK and 6 in 10 (58%) households where an adult is disabled or has a long term health condition.
- In a major new report – Delivering on Universal Credit – national Citizens Advice has revealed that the requirement to wait for six weeks to receive any payment means people face serious financial insecurity, with many people being forced into debt.

This Council believes the financial security of many households in Halton is put at risk as applicants are required to wait many weeks for the first payment of Universal Credit. As it stands, many people face uncertainty about how much they will receive and when it will arrive. This insecurity makes it harder to focus on finding work and increases worry about how to manage with the care of their families and fund household essentials.

Council resolves to write to the Secretary of State for Work and Pensions, calling upon government to pause the roll out of Universal Credit whilst it addresses continuing difficulties in the time taken to process applications.





## NOTICE OF MOTION

**To be submitted to the meeting of Full Council to be held on:**

**18<sup>th</sup> October 2017**

**in accordance with Standing Order Number 6.**

|                  | Name (in capitals)                | Signature  |
|------------------|-----------------------------------|--|
| <b>Proposer:</b> | <b>Cllr Dave Cargill</b>          |  |
| <b>Seconder:</b> | <b>Cllr Norman Plumpton Walsh</b> |  |

**Title: MODERN DAY SLAVERY EXISIT IN THE UK AND DESTROYS LIVES**

### **Motion**

Halton supports the implementation of the Modern Slavery Act 2015

Modern slavery is an abhorrent abuse of human rights. It exists in the UK and destroys lives. It affects people living and working in Halton as well as across the pan-Cheshire area. It manifests in an appallingly wide range of forms. Adults and children – UK nationals and those from abroad – are exploited in the sex industry, through forced labour, domestic servitude in the home, and forced criminal activity. Nationally there have been numerous cases of exploitation in factories, fields, construction sites, brothels and houses.

The Modern Slavery Act 2015 sets out how modern slavery and human trafficking is dealt with in the UK. Section 54 entitled Transparency in Supply Chains requires businesses to publish an annual statement on their approach to securing their operations against exploitation.

The Cheshire Anti-Slavery Network is multi agency group established in January 2015 to bring together statutory and other sectors. Its commitment is to work together to make Cheshire resilient and hostile to modern slavery and to identify and rescue victims.

Halton is a prominent member of Cheshire Anti-Slavery Network and the Harmful Practices Group into which it reports, and recently wrote a three-year Modern Slavery Strategy and Action Plan on behalf of Cheshire Police and the four local authority areas it covers.

A number of victims have already been identified and supported across the borough and perpetrators held to account through targeted operations. These operations have been police-led but planned and executed through a strong partnership approach, with support from the community as well as a wide variety of professionals, including experts from Halton housing, social care, safeguarding, as well as NHS partners and the fire service.

This Council is committed to preventing modern slavery and recognises a robust and strategic approach is required. Working across the region with partners including police, Local Authorities, health and faith sectors amongst others, we intend to continue the good work happening locally and develop our concerted and coordinated approach to prevent, identify, disrupt, stop and eradicate modern slavery in all its forms.

In the last year officers in Halton have attended training on modern slavery and this will continue to be offered.

This Council recognises the active role the local faith sector plays in encouraging greater transparency about anti-slavery activities including the Service to be held at Chester Cathedral on 17<sup>th</sup> September highlighting this issue and involving business and civic leaders. The Council also recognises the role played by the faith sector in encouraging businesses with a lower turnover together with all public, private sector or third sector organisations receiving public funding are encouraged to register their statements on the [tiscreport.org](https://www.tiscreport.org).

This Council resolves to:

- 1) Work towards the eradication of human trafficking and slavery in Halton
- 2) Raise awareness and continue to provide training on Modern Slavery amongst all employees, councillors and partners; and develop clear systems so that any concerns can be raised and addressed.
- 3) Implement the Transparency in Supply Chain provisions of the Modern Slavery Act to prevent Modern Slavery from occurring in our own supply chain and all corporate activities; pledge to become a Transparent borough; and pledge to publish an annual Modern Slavery Transparency statement.
- 4) Continue to play a lead role in the Cheshire Anti-slavery Partnership developing collaborative and collective approach to the issue.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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