

APPENDIX 1

Extract of Executive Board and Mersey Gateway Executive Minutes Relevant to the Environment and Urban Renewal Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 15TH AUGUST 2013

LEADER'S PORTFOLIO

EXB53 LIVERPOOL CITY REGION REVIEW OF STRATEGIC GOVERNANCE - KEY DECISION

The Board considered a report of the Chief Executive which explained why Halton and the Liverpool City Region had reviewed its strategic governance for economic development, regeneration and transport. It also outlined the process undertaken to conduct a governance review commissioned by the Liverpool City Region Cabinet.

The report identified how a potential Liverpool City Region Combined Authority (LCRCA) could operate and the functions it could discharge, along with considering a draft scheme for its establishment. It was reported that this was not the creation of a 'Super Council' and the LCRCA would have a limited remit and deal with strategic matters, the functions relating to transport, housing, economic development and skills.

The report also detailed the proposed approach to consultation and sought agreement to host specific Halton events on the review of strategic governance and the operation of a potential Liverpool City Region Combined Authority.

The Board was advised of the statutory process and that there would be three further opportunities for individual Councils to confirm their approval for the proposals.

The Board noted the existing governance arrangements and the methodology of the review. It was reported that the governance review attached at Appendix A to the report, considered the four main options available to the Liverpool City Region, which had been assessed against the statutory tests identified in section 4.3 of the report as follows:-

Option 1 – Leaving existing governance unchanged

- (status quo);
- Option 2 – Establishing a Supervisory Board;
 - Option 3 – Establishing an Economic Prosperity Board;
 - and
 - Option 4 – Creating a Combined Authority.

The findings of the assessment was summarised in paragraph 7.3 of the report. The conclusion from the review was to propose a Liverpool City Region Combined Authority model, and to include the transport functions which were currently exercised separately by MITA and Halton Borough Council, as the preferred governance option. The proposal would give legal form to the close working relationships that already existed between the six local authorities, the MITA and the Local Enterprise Partnership. A sub-regional body would be created, with legal personality and a governance mechanism that could act across the combined area.

The Chief Executive advised specifically on a number of relevant matters including the consequences and benefits of a Combined Authority for Halton, and responded to questions.

The Board impressed on the Chief Executive that the Scheme agreed should leave Halton in no worse position than it is at present and welcomed the opportunities a Combined Authority may bring to Halton.

The Board was advised that the statutory process, as laid out in the legislation, required that a scheme was developed outlining the role of a potential Combined Authority, which could then be laid before Parliament for approval. The Outline for the Potential Role of a Liverpool City Region Combined Authority report (Appendix B) and the Draft Scheme (Appendix C), had been completed, alongside the conduct of the governance review to set out the functions and activities that the Combined Authority could perform in order to secure jobs and growth and improvements in the economic conditions of the Liverpool City Region.

The Board noted the next steps set out in the report; that the reports would be considered individually by each of the local authority Cabinets and the Integrated Transport Authority; a stakeholder consultation would run from 5 August 2013 to 6 September 2013; workshops and seminars would be held in local areas and all feedback from the consultation would be collected centrally at Knowsley

Council via a single email address.

In conclusion, it was reported that at the end of the consultation period, the responses would be analysed by the Officer led Working Group and a final version of the governance review and scheme for the establishment of a Liverpool City Region Combined Authority would be prepared and reported back to the Executive Board, the individual Cabinets of each of the Councils and the Integrated Transport Authority during September 2013. In addition, full Council approval would also be required prior to submission to the Secretary of State. A meeting of Halton Council would be held on 19 September 2013 in order for the Liverpool City Region Combined Authority to be operational from 1 April 2014.

Reason(s) for Decision

The decision was required to improve the economic conditions of the Liverpool City Region by establishing a Liverpool City Region Combined Authority.

Alternative Options Considered and Rejected

Alternative models of governance had been considered as part of the Review of Strategic Governance and had been judged not to be as effective as improving the economic conditions of the Liverpool City Region as the preferred option

Implementation Date

15 August 2013.

RESOLVED: That

- (1) the draft findings of the Liverpool City Region strategic governance review (as Attached at Appendix A be endorsed;
- (2) the draft outline of the potential role for a Liverpool City Region Combined Authority (as attached at Appendix B) be endorsed;
- (3) the draft scheme for the establishment of a Combined Authority for the Liverpool City Region (as attached at Appendix C) be endorsed;

- (4) holding Halton events as part of the consultation on the proposals as described in the documents referred to in paragraphs (1) to (3) be agreed; and
- (5) the final versions of the documents referred to in paragraphs (a) to (c) above, together with the results of the consultation exercise be submitted for consideration at future meetings of the Executive Board and Council.

EXECUTIVE BOARD MEETING HELD ON 5TH SEPTEMBER 2013

PHYSICAL ENVIRONMENT PORTFOLIO

EXB64 ENVIRONMENT POLICY AND PERFORMANCE BOARD TREE WORKING GROUP

The Board considered a report of the Strategic Director, Communities, on the findings and recommendations of the Environment Policy and Performance Board Tree Working Group for adoption and endorsement.

The Board was advised that in June 2012, a Tree Working Group was established by the Environment and Urban Renewal Policy and Performance Board. The Working Group considered issues relating to inspection and liability, insurance claims following alleged damage to property, the management of the Council's tree stock and neighbour issues such as tree height and maintenance.

The report contained details of a number of recommendations made by the Working Group for consideration by Executive Board. These included the development of a new Tree Strategy, the creation of an Open Space Officer post to oversee implementation of its work, implementation of a tree inspection regime, preparation of new advice and guidance leaflets, identification of a suitable tree management system and exploration of opportunities to generate income through the sale of logs or arisings.

RESOLVED: That

- 1) the recommendations of the Environment and Urban Renewal Policy and Performance Board

Strategic Director
- Communities

Tree Working Group be adopted; and

- 2) the recommendations for Capital Funding be referred to the Budget Working Group, and if minded, the funding identified be supported.

EXB66 AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT – APPROVAL FOR A PERIOD OF PUBLIC CONSULTATION

The Board considered a report of the Strategic Director, Policy and Resources, which sought approval for the publication of the draft Affordable Housing Supplementary Planning Document (SPD) for consultation.

The Board was advised that the purpose of the Affordable Housing SPD was to provide greater certainty and clarity for all parties involved in the delivery of affordable housing in Halton, through the planning system. The SPD was intended to supplement Policy CS13 of the Halton Core Strategy Local Plan, which was formally adopted by full Council in April 2013. It was reported that the SPD would be a material consideration for the determination of all applicable residential development applications (of ten or more dwellings), and provide the Council with greater detail and certainty when guiding the provision of affordable housing across the Borough.

RESOLVED: That

- 1) the consultation draft Affordable Housing SPD, attached at Appendix A, be approved for the purposes of public consultation for a six week period; and
- 2) any minor drafting amendments to be made to the consultation draft Affordable Housing SPD prior to public consultation, be agreed by the Operational Director, Policy, Planning and Transportation in consultation with the Executive Board Member for Physical Environment.

Strategic Director
- Policy &
Resources

EXB67 STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

LOCAL PLAN DOCUMENT

The Board considered a report of the Strategic Director, Policy and Resources, on the adoption of the Statement of Community Involvement (SCI) Local Plan Document.

The Board was advised that the SCI set out the way the Council involved the local community, stakeholders and statutory bodies in the preparation and revision of Local Plans. It also described the Council's arrangements for involving the community when planning applications and major development proposals were under consideration.

The Board was reminded that, at its meeting on 23 May 2013, it had approved the Draft Statement of Community Involvement for public consultation. The responses to representations made, and the proposed amendments to the text of the SCI which accommodated those representations, were attached at Appendix B.

Approval was sought for the formal adoption of the SCI 2013 as part of the Halton Local Plan Framework (attached at Appendix A).

RESOLVED: That

- 1) the Statement of Community Involvement (attached at Appendix A) be adopted as a Local Plan Document and the procedures for adoption, as set out in the Town and Country Planning (Local Development) (England) Regulations be carried out;
- 2) the results of the public consultation, as set out in the Statement of Consultation (attached at Appendix B) be noted; and
- 3) further editorial and technical changes that do not materially affect the content or intended purpose of the SCI, be agreed by the Operational Director, Policy, Planning and Transportation, in consultation with the Portfolio holder for the Physical Environment if necessary, before the document is published.

Strategic Director
- Policy &
Resources

MODELS AND FUTURE GOVERNANCE -KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which set out the potential regeneration delivery models to support Halton's continuing regeneration.

The report advised that the drive behind the regeneration opportunity lay primarily within the Mersey Gateway Regeneration Strategy, the Core Strategy, the Housing Strategy and the Economy, Enterprise and Property Departmental Strategic Regeneration Framework. Each of these contained a broad spread of possible projects across a number of key geographical and thematic areas, which provided a range of regeneration outcomes.

A Regeneration Framework would provide an organisational umbrella under which projects could be progressed, monitored and controlled. The Framework would be developed through input from a range of stakeholder groups and accommodate projects of varying sizes and scope. It was proposed that oversight of a Framework would come from a Regeneration Board which would incorporate the activity currently undertaken by the Capital Development Group, and an illustration of how it would operate was attached at Appendix 1, with key benefits detailed in the report.

The following regeneration models were outlined in the report for consideration by Members:

- Local Asset Backed Vehicles (LABV);
- Joint Venture;
- Public Sector Partnership (PSP);
- The Council acting as a Developer; and
- Developing Agreements.

In addition, there were a number of innovative financing models used in regeneration including:

- Tax Incremental Financing (TIF);
- Business Rates Retention;

- Changes to Capital Receipts;
- Community Infrastructure Levy; and
- Venture Capital Loan Funds including 'JESSICA'.

Reason(s) for Decision

In regard to the regeneration governance proposals, set out in the report, it enabled the Council to maintain a coherent and structured approach to how it managed and delivered on its existing and future regeneration initiatives. Regarding the delivery models in the report, the approach advocated, allowed the Council to 'pick and choose' the delivery model best suited to the development.

Alternative Options Considered and Rejected

Consideration had been given to establishing a Regeneration Company. However, this would be time consuming and would still require the Council's Human and Financial resources to be factored into the development of such a company.

Consideration had been given to entering into a long-term arrangement with one 'preferred' developer/partner, but this may reduce the Council's flexibility and rate of return on some developments.

Implementation Date

1 October 2013.

RESOLVED: That

- 1) the preferred Governance Option outlined at section 3.2. of the report be developed further;
- 2) a Regeneration Board be established in line with the preferred Governance Option;
- 3) the delivery models outlined in section 3.3 of the report be noted;
- 4) different delivery models be applied to different projects and programmes; and
- 5) different financing models outlined in section 3.4 of

Strategic Director
- Children and
Enterprise

the report be noted.

EXB70 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972
AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION)
ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

**RESOURCES PORTFOLIO AND PHYSICAL
ENVIRONMENT PORTFOLIO**

EXB72 LAND DISPOSAL OF FORMER BAYER SITE BY
DEVELOPMENT AGREEMENT

The Board considered a report of the Strategic Director, Children and Enterprise, on the proposed development of the former Bayer site at Widnes Waterfront

and proposals for the disposal of the site by a development agreement.

The report provided Members with details of the proposals for the site which supported the Borough's Regeneration objectives, optimised the return from the disposal of property assets, and was in line with the Core Strategy.

RESOLVED: That

- 1) the disposal of approximately 40 acres of land to Gazeley UK Ltd, by development agreement, be approved;
- 2) the Operational Director, Economy, Enterprise and Property, in consultation with the Leader and the Portfolio Holders for Resources and for Physical Environment, be authorised to agree the final net price payable by Gazeley UK Ltd, agree with BIS the recovery of the Council's reasonable costs from this project, agree with BIS their reasonable share of the proceeds from the land sale; and
- 3) the operational Director, Economy, Enterprise and Property, be authorised to arrange for all required documentation to be completed to the satisfaction of the Operational Director, Legal and Democratic Services.

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EXECUTIVE BOARD MEETING HELD ON 19th SEPTEMBER 2013

LEADER'S PORTFOLIO

EXB74 LIVERPOOL CITY REGION REVIEW OF STRATEGIC GOVERNANCE - KEY DECISION

The Board considered a report of the Chief Executive which advised of the current position in relation to the consultation on the Liverpool City Region Strategic Governance Review and the proposals to establish a Liverpool City Region Combined Authority.

The report set out the remit of the Strategic Governance Review, the existing governance arrangements, an options assessment and details of the consultation which commenced on 2 August 2013.

Members noted that the remit of a Combined Authority for the Liverpool City Region (LCR) would be economic development, regeneration, transport, strategic housing and employment and skills functions which could be better delivered collaboratively across the LCR.

Reason(s) for Decision

These were as set out in paragraphs 14.1 to 14.9 of the report.

Alternative Options Considered and Rejected

Alternative models of governance were considered as part of the Review of Strategic Governance and were judged not to be as effective as improving the economic conditions of the Liverpool City Region as the preferred option.

Implementation Date

The Review of Strategic Governance and Scheme for the establishment of Liverpool City Region Combined Authority would be submitted to the Secretary of State for Communities and Local Government by 30 September 2013.

RESOLVED: That Council be recommended to approve

Chief Executive

- 1) the submission of the Liverpool City Region Strategic Governance Review and Scheme to the Department for Communities and Local Government, for the establishment of a Liverpool City Region Combined Authority, on the basis of the drafts attached at Appendix 1 and Appendix 2 to the report;
- 2) that Halton Borough Council should formally become a constituent member of the Liverpool City Region Combined Authority, thereby sharing appropriate economic development and transport powers with other Councils within the Liverpool City Region Combined Authority, in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009 and the Local Transport Act 2008; and

- 3) agree that any technical amendments to the Liverpool City Region Strategic Governance Review and Scheme before it is submitted to the Secretary of State on 30 September 2013, be delegated to the Chief Executive in consultation with the Leader of the Council.

EXB75 REGIONAL AID AND THE ASSISTED AREA MAP - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which provided an update on the development of a response to the Government's First Stage Consultation on the Assisted Area Map 2014- 2020.

The Board was advised that Regional Aid was a form of State Aid used to support businesses and promote economic development in selected economically disadvantaged regions known as Assisted Areas. It was reported that Halton had been leading on a piece of work to develop a response to the Government's consultation on Assisted Area Map 2014-2020, on behalf of the Liverpool City Region Regeneration Directors and the Local Enterprise Partnership. Consultation had been held in two stages, as detailed in the report.

The Board was advised that the Halton Lea ward would be removed from the Map to be submitted for approval, as this ward was primarily retail focused and support for business in this area could be provided using other financial instruments.

Reason(s) for Decision

The decision to support the assisted area map, provided the Borough with additional flexibility in how local businesses could be supported in the Borough.

Alternative Options Considered and Rejected

To seek 100% coverage for the Borough. There were two main reasons why this option had been considered and rejected. First, as outlined in the report, the City Region as a whole was required to reduce its population coverage in the new map. Second, given that the assisted area focused on support to businesses, it would be inappropriate to include residential areas.

Implementation Date

July 2014.

RESOLVED: That

- 1) the proposed Liverpool City Region response to the first stage consultation be approved; and
- 2) the proposed coverage of the revised Assisted Area Map in Halton be approved.

Strategic Director
- Children and
Enterprise