

APPENDIX 1

Extract of Executive Board, Executive Board Sub Committee and Executive (Transmodal Implementation) Sub Board Minutes Relevant to the Urban Renewal Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 19 JUNE 2008

PLANNING, TRANSPORTATION, REGENERATION & RENEWAL PORTFOLIO

21. Secretary of State's Proposed Changes to the Draft Regional Spatial Strategy

The Board considered a report of the Strategic Director - Environment, which outlined the Secretary of State's proposed changes to the draft Regional Spatial Strategy (RSS) and sought retrospective approval of Halton's response that had been submitted to the Government Office for the North West.

It was reported that due to the new status of Regional Spatial Strategy (RSS) as part of the "development plan", as set out in the new Planning and Compulsory Act, 2004, the issues arising in the new RSS were of importance to Halton Borough Council in the production of the new Halton Borough Local Development Framework (LDF) and in decisions on planning applications.

It was advised the Secretary of State's response to the Draft Regional Spatial Strategy (RSS) represented the latest, and an advanced stage, in the production of a new regional plan for the North West. The Secretary of State's Proposed Changes were issued for public consultation in March 2008 with the period for comments running until 23rd May 2008. The Secretary of State's Proposed Changes were issued in response to the publication of the Panel Report into Draft RSS (March 2007), which was itself issued subsequent to the Examination in Public (EiP) into the draft document that was held between 31st October 2006 and 15th February 2007. The EiP considered the content of the submitted draft RSS (January 2006).

It was further advised Halton had played a full and active role at all stages of RSS production and had had some notable successes in influencing re-drafting of the emerging document to reflect the Council's priorities. It was noted that this had occurred in co-ordination with the Merseyside Policy Unit (MPU) who had also submitted comments regarding emerging RSS on behalf of the

Merseyside authorities including Halton.

Detailed within the report was the 6 key areas that the RSS was broadly divided into as follows:-

- Spatial Development Principles and the Regional Spatial Framework;
- Working in the North West;
- Living in the North West
- Transport;
- Environment Minerals and Waste; and
- Sub Regional strategies.

It was advised that the RSS was expected to be adopted in mid 2008 once adopted, it would form part of the “Development Plan” and would be used in the making of decisions on planning applications.

It was noted that the next interim draft of the RSS was due October/November 2008 and would provide opportunities for stakeholders to make comments. The document would be taken to the UDP Working Party and would be considered before coming back to the Executive Board.

It was noted that the emerging RSS also had implications for the production of the Local Development Framework (LDF) and in particular for the Halton Core Strategy. As the key document within the LDF the Core Strategy was currently being produced and covered the period to 2026. Each of the recommendations detailed within the report would have to be considered within the Core Strategy and, where appropriate, changes would have to be made. This would need to be carried out to ensure that the Core Strategy remained in general conformity with the RSS as required by PPS 12.

RESOLVED: That

- (1) the importance of the contents of the Regional Spatial Strategy was noted in relation to the development of the emerging Halton Local Development Framework; and

- (2) Halton's response to the Secretary of State's Proposed Changes, detailed at Appendix are endorsed.

22. Halton Housing Trust Monitoring Report

The Board received a report of the Strategic Director Health and Community providing a further update on Halton Housing Trust's progress since the last report to the Board on 19th July 2007, in accordance with the monitoring framework agreed prior to housing stock transfer

Mr Nick Atkin, Chief Executive of Halton Housing Trust advised Members that the Trust had made good progress since the last update and had focused on establishing foundations in order to build the next phase of development.

The Board was advised that good progress had been maintained in the delivery of the 100 pledges made in the "Offer Document to Tenants". Ninety-nine of those pledges were on target to be delivered and a recovery plan was in progress to deal with the one pledge that was not yet on target.

The Investment Programme was progressing well with all four partners reaching their optimum capacity. It was noted in 2007 – 2008, investment of over £15.4m in HHT homes was delivered. It was advised that the Trust's Board had recently approved the acceleration of the Investment Programme. Therefore delivery of the Investment Programme would be approximately 12 months ahead of schedule resulting in completion in December 2009, which would mean that all Halton Housing Trust's stock would meet the Government's Decent Homes Standard.

The report also detailed the following:

- the inspection that had recently been carried out;
- the first Corporate Plan for the Trust which focused upon the first two years of the organisation;
- annual review;
- the Housing Corporation Regulatory Compliance;
- a Governance update;
- access to services;

- environment Issues;
- community investment;
- enquiries complaints and compliments process;
- joint working;
- priorities for 2008/0;
- homelessness;
- adaptations;
- accommodation;
- customer first;
- forthcoming events;
- service level agreements;
- environmental improvement programme;
- development;
- right to buy receipts and trends;
- Summary.

The board discussed the following:-

- the homelessness Service being transferred back to the Council in the future;
- environmental issues;
- the purchase of properties from developers that were currently not selling; and
- support packages in place for vulnerable customers.

Mr Nick Atkin wished his thanks to be noted for support received across all sections and departments from the Council over the last two and a half years.

RESOLVED: That the progress set out in the report be noted.

EXECUTIVE BOARD MEETING HELD ON 24TH JULY 2008

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

32. Adoption of Sandymoor SPD

The Board considered a report of the Strategic Director – Environment seeking approval for the formal adoption of Supplementary Planning Document (SPD): Sandymoor as part of the Halton Local Development Framework.

It was advised that Sandymoor had been allocated for housing development for a number of years, most recently being confirmed as Phase 2 Housing Allocations in the Halton Unitary Development Plan (UDP). The area was expected to make a significant contribution to new house building within the Borough over coming years and an innovative planning obligations legal agreement had already been put in place to secure funding for necessary off-site highways and infrastructure improvements.

The development of the Sandymoor area was to be guided by a comprehensive Masterplan that was incorporated into the Council's planning policy framework by way of this SPD, which had been produced by collaborative working between numerous departments of the Council, English Partnerships and their consultants. The SPD had been delayed due to the need to resolve unexpected technical issues. This delay compelled English Partnerships to secure planning permissions covering portions of the site in advance of the SPD process, including an outline planning consent for residential development and revised access arrangements for the southern portion of the site. The SPD would now inform the determination of all further planning applications, including the forthcoming reserved matters applications in relation to the extant outline consents.

It was noted that, subject to and following the Executive Board's decision, the final version of the SPD would be produced for publication. Appendix 1, the SPD, contained the text and key diagrams that would make up the bulk of the document. Appendix 2 contained a schedule of the changes made from the Public Consultation Draft and recorded all consultees' comments and how they had been taken into account throughout the production of the SPD. In addition, a Strategic Environment Assessment (SEA) Scoping Exercise assessing the environmental effects of the SPD had been undertaken and consulted upon in line with the

relevant regulations. This concluded that a SEA was not required in relation to the SPD.

A Sustainability Appraisal (SA) had also been produced and circulated for Members' consideration. The purpose of the SA was to independently assess the contribution that the Sandymoor SPD would make to achieve the social, economic and environmental objectives of sustainable development.

In receiving the report it was noted that:

- club facilities were currently an aspiration; however, appropriate funding was in place for this aspiration to be achieved if so required;
- the objection by Scottish Power to the football pitch was on safety grounds due its location beneath a line of pylons. There would now be either one adult or two junior pitches;
- density of residential development had fluctuated throughout the process and was now expected to be approximately 32 dwellings per hectare, which equated to approximately 1400 new dwellings in the area with 390 to be added at the Wharford Farm end. This was a significant number of dwellings.

RESOLVED: That:

- 1) the Supplementary Planning Document (SPD): Sandymoor be formally adopted as a Supplementary Planning Document and part of the Halton Local Development Framework;
- 2) the responses to the representations received at the public participation stages, as set out in the statement of consultation, be agreed; and
- 3) further editorial and technical changes that do not affect the content or intended purpose of the SPD be agreed by the Operational Director – Environmental and Regulatory Services, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, if necessary, before the document is published.

33. The Draft Mersey Gateway Sustainable Transport Strategy

The Board considered a report of the Strategic Director – Environment, outlining the progress that had taken place on the draft Mersey Gateway Sustainable Transport Strategy since the Mersey Gateway Executive Board had been advised of the scope of the study

on 24th January 2008. The Sustainable Transport Strategy would inform the planning process for the overall Mersey Gateway Scheme. It would also describe sustainable transport policies and potential interventions that would demonstrate how the Mersey Gateway would enable sustainable transport to be enhanced both in and around Halton.

The draft Mersey Gateway Sustainable Transport Strategy, "Gateway to Sustainability", was attached as an appendix to the report, and specific sustainable transport measures were outlined within the report for Members' information. The Strategy was in accordance with national, regional and local transport policy and had also been informed in its development by the Mersey Gateway Regeneration Strategy.

RESOLVED: That

- 1) the current content of the draft Mersey Gateway Sustainable Transport Strategy be noted;
- 2) the draft strategy be approved for consultation;
- 3) the Strategic Director – Environment, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, be given delegated authority to approve any minor final amendments to the document; and
- 4) the final strategy be submitted to the Executive Board for approval in the autumn of 2008.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 25th JUNE 2008

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

Clean Neighbourhoods & Environment Act 2005 - Fixed Penalty Notice Provision

The Sub-Committee was advised that the Clean Neighbourhoods and Environment Act 2005 provided local councils with new powers to clamp down on environment crime such as abandoned vehicles, fly tipping, litter, graffiti, dog fouling, noise and other nuisances including light pollution. Of particular significance was the extension of the use of Fixed Penalty Notices (FPNs) as a means of dealing with offences as an alternative to prosecution. The Act also allowed authorities to retain the proceeds of Fixed Penalty

receipts to fund enforcement and related activity. FPNs could not be used in respect of fly-tipping offences, other than for very small amounts not exceeding one bag. Due to the serious environmental impact of fly tipping, incidents should be dealt with by prosecution where the offender had been identified.

In addition, the Act gave Councils discretion to offer a discount for early payment of an FPN. Although there were prescribed minimum penalty levels that the discounted penalty must not fall below, as set out in the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006. The report outlined FPN amounts and recommendations where the Council had discretion.

It was reported that in setting FPN levels and discounted amounts for early payment, consideration would be given to the deterrent effect of different levels and also people's readiness to pay, together with the likely fines that would be imposed in the Magistrates' Court for non-payment. Fixed penalties that were too high for local conditions would be counterproductive, as they would lead to substantial non-payment rates, as would payments that were higher than the likely fine in the event of non-payment. The recommended FPN amounts were considered to be reasonable in light of the experience of issuing FPNs to date.

The Sub-Committee was further advised that litter authorities could now enter into arrangements so as to enable any person (or the employee of any such person) to give such notices. It was noted that PCSOs also had the power to issue Section 88 notices under the Police Reform Act 2002. The Department was currently looking at how this could be put to best effect in a wider project to address litter waste and untidy areas which would be the subject of a further report.

RESOLVED: That the Sub-Committee:-

(1) Note the following Fixed Penalty Notice amounts that were set by statute:

(a) Nuisance Parking - £100;

(b) Abandoning a Vehicle - £200;

(c) Failure to Produce Authority (Waste Transfer Notes) - £300;

(d) Failure to Furnish Documentation (Waste Carrier's Licence) -

£300;

(e) Noise from Licensed Premises - £500.

(2) Approve the following Fixed Penalty Notice amounts that may be set by the Local Authority:

(a) Litter - £75;

(b) Street Litter Control Notices and Litter Clearing Notices - £100;

(c) Unauthorised Distribution of Literature on Designated Land £75;

(d) Graffiti and Fly-Posting - £75;

(e) Offences in Relation to Waste Receptacles - £100;

(f) Offences under Dog Control Orders - £75.

(3) Approve the following Fixed Penalty Notice amounts discounted for early payment:

(a) Litter - £50;

(b) Street Litter Control Notices and Litter Clearing Notices - £75;

(c) Unauthorised Distribution of Literature on Designated Land - £50;

(d) Graffiti and Fly-Posting - £50;

(e) Failure to Produce Authority (Waste Transfer Notes) - £250;

(f) Failure to Furnish Documentation (Waste Carrier's Licence) - £250;

(g) Offences in Relation to Waste Receptacles - £70;

(h) Offences under Dog Control Orders - £50;

(4) approve the time period for early payment discounts as being within ten days;

(5) delegates authority to the Strategic Director Environment and the Operational Director Environment and Regulatory Services to make any further changes to Fixed Penalty Notice amounts and early payment discounts as may be required; and

- (6) the Operational Director Environment and Regulatory Services be given the power to authorise suitable individual persons to implement these powers and issue Fixed Penalty Notices.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 25th JULY 2008

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

Halton Village Conservation Area Appraisal and Management Plan

The Sub Committee received a report of the Strategic Director, Environment which sought approval for the publication of the Halton Village Conservation Area Appraisal and Management Plan for public consultation.

Halton Village was designated as a Conservation Area in April 1970. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 placed a duty on local authorities to formulate and publish proposals for designated conservation areas. It was with this statutory duty in mind that the draft Conservation Area Appraisal and Management Plan was produced.

Arising from the discussion the Sub Committee requested that a schedule and timetable for completing the Conservation Area Appraisals and Management Plans for all the conservation areas within the Borough be submitted to the next meeting.

RESOLVED: That an amended report be submitted to the next meeting of the Board including a schedule and timetable, as detailed above, added as an Appendix.