

APPENDIX 1

Extract of Executive Board, Executive Board Sub Committee and 3MG Executive Sub Board Minutes Relevant to the Urban Renewal Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 2nd SEPTEMBER 2008

34. Mersey Gateway Tolling/Silver Jubilee Bridge Road User Charging Order - KEY DECISION

The Board considered a report of the Strategic Director – Environment regarding the Order being promoted by the Council under Section 168 of the Transport Act 2000 to secure powers to promote the elements of the Mersey Gateway Project (the “Project”) that related to the Silver Jubilee Bridge (“SJB”), in particular to authorise the imposition of charges upon vehicles using the SJB. The report outlined the next steps required to make an Order to impose such charges.

In accordance with Section 170 of the Transport Act 2000, the Council commenced consultation on 30th May 2008 in relation to the proposed road user charging scheme and the proposed A533 (SJB) Road User Charging Scheme Order, the objection period for which expired on 18th August 2008. Details of the consultation, together with representations received and the responses to these representations, were outlined for Members’ consideration. It was noted that the responses to the consultation could be broken down into a number of broad types, which included support; opposition to charges/tolls in general on the SJB and/or Mersey Gateway Bridge; questions as to the legality of the proposals; suggestions that the SJB should not be the subject of charges; and suggestions for discounts or exemptions for tolls for certain groups.

It was reported that without charges/tolls the Mersey Gateway project was not deliverable. Furthermore, the option of tolling the Mersey Gateway Bridge but leaving the SJB without charges was not a viable option. However, Members agreed that the proposed discount scheme should make provision for public transport to be exempt from tolling. In addition, there would be discounts for residents, which would be addressed at the stage at which the concession for the construction and operation of the Mersey Gateway project was let.

The Board considered each of the representations made in response to the consultation, together with the officers’ comments,

outlined at Annexe 4 to the report. In particular, it was noted that:

- the “do nothing” option would ultimately result in the SJB being congested at all times – this would be compounded by the maintenance work required on the bridge over the forthcoming years – whereas implementation of the project would result in free movement across the bridge;
- the Mersey Gateway project was comprised of a series of initiatives including a Sustainable Transport Policy;
- the traffic model took account of the value people placed on their time;
- people within deprived communities who did not have access to cars would not be tolled to cross the bridge if they were using public transport;
- it was intended that the revenue from the tolls would ultimately benefit public transport;
- older people of pensionable age would have access to free public transport;
- building a new bridge would have regenerative benefits to the area;
- the new bridge would be self-financing through tolls and PFI (Public Finance Initiative) Credits;
- the views of the shadow local authorities in Cheshire, which may differ from the existing authorities’, had also been sought;
- the question of whether or not tolls/charging would cease when the bridge had been paid for was one for the future as this situation would not apply within the next 30 years;
- officers were working with Warrington Borough Council to assist their understanding of the traffic model and whether any measures would be necessary;
- any impact on the Great Sankey area was expected to be very limited;
- there was an ability to increase tolls over the life of the concession, which was intended to address the impact of inflation; and
- rather than being divisive, the new bridge would ensure ease of travelling within the Borough, particularly in view of the Sustainable Travel Policy that was being developed.

It was confirmed that discussions with consultees such as Warrington Borough Council and Mersey Travel would continue, and objectors would have the opportunity of raising issues again at the Public Inquiry stage.

Reason(s) for Decision

The recommended decisions were required to support the delivery of Mersey Gateway.

Alternative Options Considered and Rejected

Alternative options for securing the powers to construct, maintain and operate, including tolling, the Mersey Gateway project had been assessed and rejected.

Implementation Date

The recommended decisions were required to be made as soon as possible in order to enable all relevant applications, orders and other processes relating to the Mersey Gateway project to be conjoined. This required the charging order to be made.

RESOLVED: That

- (1) the content of the report and the annexes to the report be noted and regarded in considering whether to make a road user charging order in respect of the SJB;
- (2) the consultation responses received in relation to tolling and road user charging be considered and taken account of;
- (3) subject to resolution (4) below and such amendments as may be made as a result thereof, that in accordance with sections 168 to 170 of the Transport Act 2000 the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources) (the "Operational Director"), in consultation with the Leader and Chief Executive, be delegated the power to make the A533 (Silver Jubilee Bridge) Road User Charging Scheme Order in the form annexed to the report at Annexe 3;
- (4) the Operational Director, in consultation with the Leader and Chief Executive, be delegated the power to make amendments to the proposed Road User Charging Scheme and the proposed Road User Charging Order to address matters arising from the report, discussions with objectors and other third parties, including Merseyside Passenger Transport Authority and the Department for Transport prior to making the A533 (Silver Jubilee Bridge) Road User Charging Scheme Order;
- (5) that when made the A533 (Silver Jubilee Bridge) Road User Charging Scheme Order be submitted to the Secretary of

State for confirmation;

- (6) the Operational Director, in consultation with the Leader and Chief Executive, be delegated the power to make amendments to the proposed River Mersey (Mersey Gateway Bridge) Order, the subject of an associated application under the Transport and Works Act 1992, to achieve a sufficient degree of uniformity between the proposed Road User Charging Order and that other Order;
- (7) officers be authorised to take such steps as are necessary or expedient for the discharge of the above matters, including settling, agreeing and approving the terms of necessary documentation; and
- (8) it be determined that the proposed discount scheme in respect of SJB and Mersey Gateway should make provision for public transport to be exempt from tolling on SJB and Mersey Gateway

EXECUTIVE BOARD MEETING HELD ON 25 SEPTEMBER 2008

52. Local Transport Plan Interim Review Report

The Board considered a report of the Strategic Director – Environment advising on the contents of the Local Transport Plan (LTP2) Interim Review Report and seeking approval to submit the report to Government Office North West (GONW) by the deadline of 30th September 2008.

It was noted that the Local Transport Plan was a statutory document setting out Halton's objectives, strategies and policies for transport. Halton's LTP2 covered the period from 2005/06 to 2010/11 and gave a summary of the initiatives that would be delivered along with projected expenditure, performance indicators and targets.

Under the reporting arrangements agreed for LTP2, the Council had to review progress in 2008 and submit a report to GONW. The indicators and targets reported on in the Interim Review were taken from the original LTP2 produced in 2005, 17 of which were mandatory indicators required by the Department for Transport (DfT) and the rest being local indicators agreed with DfT. Authorities had been told that the DfT expected authorities to continue to collect and report on these indicators for the remainder of LTP2. However, the DfT had acknowledged that some local

authorities may wish to stop or amend the monitoring of certain indicators based on the Best Value Performance Indicators (BVPIs) which were not part of the new National Indicator set, or make amendments to local indicators where circumstances had changed. Any proposed changes must have a clear rationale set out in the Interim Review Report.

Unlike previous LTP reporting, the LTP2 2008 Interim Review Reports would not be formally classified by the DfT and LTP funding would not be allocated on the basis of the report.

The Interim Review Report had been structured around the 4-shared transport priorities agreed between Government and local authorities. Throughout the report, key links between the LTP and the Local Strategic Partnership (LSP) priorities had been identified and highlighted. Analysis of the indicators presented in the Interim Review Report showed that, over the two year period 2006/07 and 2007/08:

- 72% of LTP mandatory indicator targets had been met or were on target to be met; and
- 73% of LTP local indicator targets had been met or were on target to be met.

Further information in relation to spend, key highlights from the LTP period, and proposed changes to indicators were also outlined within the report for Members' consideration.

In producing the final version of the report, consultation had taken place internally with key contacts within the Council and with the Urban Renewal Policy and Performance Board at its meeting on 17th September 2008. Should the report be approved, copies would be distributed internally and sent to all individuals currently on the LTP external mailing list. The final document would also be made available to view/download on the Council website.

Following the submission of the final report and completion of the presentation of Senior Officers to GONW, GONW would make an assessment of the review. It had been indicated that the results of the assessment would be sent to the Authority by the end of December 2008.

RESOLVED: That

- (1) the contents of the LTP2 Interim Review Report be noted; and

- (2) the LTP2 Interim Review Report and its submission to Government Office North West (GONW) be approved subject to any minor amendments being delegated to the Operational Director of Highways, Transportation and Logistics in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 11 SEPTEMBER 2008

21. Appointment of GVA Grimley Ltd to Prepare a Supplementary Planning Document for Runcorn Old Town

The Sub-Committee considered a request to waive Standing Orders to allow the appointment of consultants GVA Grimley Limited to prepare a Supplementary Planning Document (SPD) for Runcorn Old Town. This would take forward the proposals already prepared for the area as part of the Mersey Gateway Regeneration Strategy (prepared by GVA Grimley and approved by the Executive Board on 19th June 2008) into planning policy that could be used as evidence in any public inquiry into the Mersey Gateway Scheme.

It was noted that there was a cost advantage in appointing GVA Grimley to work up their regeneration strategy proposals for Runcorn Old Town into an SPD as they had already completed all the evidence gathering, public consultation, consideration of alternatives and sustainability appraisal that was necessary for the production of an SPD.

The quote from GVA Grimley for £16,128 dated 23rd May 2008 was considered good value. The cost could be met from the Housing and Planning Delivery grant recently awarded to the Council for help in preparing its local development framework.

RESOLVED: That for the reasons set out in the report, procurement Standing Order 4.1 be waived to allow the appointment of consultants GVA Grimley Limited to prepare a Supplementary Planning Document for Runcorn Old Town, without the need for competitive tender.

22. Halton Village Conservation Area Appraisal and Management Plan

The Sub-Committee considered a report 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.

At its meeting on 25th July 2008, the Sub-Committee requested that 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.

A schedule for the future production of conservation area appraisals and management plans, along with explanatory notes was circulated with the report. It was intended that the Halton Village Conservation Area appraisal and management plan would be used as a template for undertaking area appraisals and management plans for other conservation areas in Halton.

Although there was no statutory obligation to engage in public consultation in respect of Conservation Area appraisals and management plans, it was widely considered to be good practice to involve the community in assessing the value of the Conservation Area. It was therefore proposed that the plan would be circulated for public consultation for a four-week period. Once all the comments had been received and considered, they would be reported back to Executive Board along with the final draft of the conservation area appraisal and management plan for approval.

RESOLVED: That

- (1) the draft Halton Village Conservation Area appraisal and management plan be approved for the purposes of public consultation for a four-week period, subject to the amendments detailed in Appendix A to these minutes;
- (2) any further editorial and technical amendments that do not materially affect the content of the document be agreed by the Operational Director (Environmental and Regulatory Services) in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, as necessary, before the document is published for public consultation;
- (3) the results of the public consultation exercise and consequent recommended modifications to the draft Halton Village Conservation

Area appraisal and management plan, be reported back to the Executive Board, for resolution to adopt the document; and

(4) consideration be given to identifying potential conservation areas within the Borough and a further report be brought to a future meeting of the Sub Committee.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 25 SEPTEMBER 2008

29. Award of Contract for Silver Jubilee Bridge, Cable Wrapping East Elevation

The Board considered a report of the Strategic Director, Environment which outlined that Procurement Standing Order 3.2 for Contracts between £100,000 and £1,000,000 required that when accepting a tender where fewer than three tenders had been received, the circumstances to be reported to the Executive Board Sub-Committee for information.

The purpose of the report was to advise Members in respect of the contract to install protective measures to the hanger cables on the east elevation of the Silver Jubilee Bridge to Clan Contracting Ltd who returned the only valid tender for the works.

RESOLVED: That the report be noted.

30. Report of Urgent Business Upton Rocks Distributor Road Acceptance of Tender

The Board considered a report of the Strategic Director, Environment which informed Members of the urgent action taken by the Chief Executive in respect of the acceptance of a revised tender price for the Upton Rocks distributor road.

The Board was advised that a tender for the construction of the Upton Rocks Distributor road was accepted by the Operational Director, Highways & Transportation on 2nd March 2007. However, the award of the contract was delayed due to a number of factors and it was not possible to proceed with the completion of the Contract formalities until early August, when all outstanding matters had been received.

The Board was further advised that seventeen months had elapsed since the original offer had been made by the successful tenderer, NMS Civil Engineering, and construction costs had risen during the intervening period due to inflation. Regular contact had

been maintained with the contractor. Throughout the period NMS had been asked to provide a revised tender sum to take account of inflation since the acceptance of their original tender. The revised tender sum offered was £1,058,882.35, which represented a 9% increase over the original sum. The contractor also confirmed that they would be able to mobilise and commence construction in September.

Due to the committee summer recess, and to ensure that there was no further delay in progressing construction of the new road, the Chief Executive approved the acceptance of the revised tender sum on 7th August 2008 in accordance with Standing Orders – Procurement 1.7. This had enabled the contract completion formalities to proceed and pre-contract matters in relation to health and safety, programming & mobilisation and the date for commencement of works on site to be discussed and agreed with the contractor.

RESOLVED: That the urgent action taken by the Chief Executive in accordance with Standing Orders relating to Procurement 1.7, to accept the revised tender from MNS Civil Engineering Ltd in the sum of £1,058,882.35 for the Upton Rocks distributor road, be noted.

3MG EXECUTIVE SUB BOARD MEETING HELD ON 16 OCTOBER 2008

2. Financial Report , 3MG Landscape Contract

The Board considered a report of the Strategic Director, Environment which confirmed that the 3MG Landscape contract would be delivered within the agreed budget of £1,170,381. However, the Board was notified, as required by Standing Orders Relating to Finance 5.1.5, that the agreed tender price would be exceeded by approximately 10%.

Members were advised that commencement of the landscaping works had been held back by several months due to delays in the diversion of the sludge main by United Utilities. The contract started on site in May 2008, and the contractor had made good progress, accelerating his programme in order to bring the works back on schedule. Members were provided with a map outlining the works (available on the Council's website).

The Board was further advised that it had been necessary to

include a number of unforeseen/additional items in the contract since it started on site, which would result in a projected overspend of the contract sum by £73,213.36, which represented just less than 10% over the tender sum of £762,236.09. A full description of the items was set out in Appendix One to the report. It was noted that a 10% contingency figure was normal for a project such as this one, however, Standing Orders relating to Finance require that expenditure exceeding 5% be reported to the relevant Executive Board.

The budget allocation for the project was £1,170,381, which was made up of funding from the North West Development Association, EDRF and Halton Borough Council's capital allocation to the 3MG project. The estimated total spend on the project of £835,000 would be accommodated within this budget allocation. The Council's capital contribution would be approximately £117,000 out of its project allocation of £163,853, giving a saving to the Council of approximately £47,000 on the original budget estimate.

RESOLVED: That the report be noted.

3. Progress on Implementing the 3MG Masterplan

The Board considered a report of the Strategic Director, Environment which gave Members an update on the progress of implementing the 3MG Masterplan.

The Board was advised on progress in respect of the A5300 Western Approach, Network Rail's GRIP approvals process relating to the design of sidings, Landscaping, Halebank Recreation Ground, Private Sector Investment, Funding, Acquisitions and Skills and Recruitment.

The Board was provided with a map of the overall Masterplan and pictures of Halebank Recreation Ground (available on the Council's website).

RESOLVED: That

- (1) the report be noted; and
- (2) the Board support the continuation of the Masterplan Programme.