

REPORT TO: Executive Board

DATE: 16 November 2023

REPORTING OFFICER: Strategic Director Environment & Regeneration

PORTFOLIO: Environment and Urban Renewal

SUBJECT: Merseylink – Authorised Highway Functions

WARD(S): Borough-wide

1.0 PURPOSE OF REPORT

1.1 To consider the request from Merseylink Limited, for the renewal of the Authorisation Period for the delegated Highway Functions, from 27 March 2024 for a period of ten years.

2.0 RECOMMENDED: That the request from Merseylink Limited, for the renewal of the Authorisation Period for the delegated Highway Functions, from 27 March 2024 for a period of ten years, be approved.

3.0 SUPPORTING INFORMATION

3.1 Under the terms of the Mersey Gateway Bridge Project Agreement (Section 1, Part 2 of Schedule 18) there is a set of defined Authorised Highway Functions which are delegated to the Project Company (Merseylink Ltd).

3.2 These are statutory functions that would normally be within the powers of Halton as the Highway Authority but have to be delegated in order to allow Merseylink to exercise these functions, so they can practically and effectively deliver their asset and network management obligations for the Mersey Gateway project road.

3.3 The ability of Halton as the Highway Authority to make such delegations is conferred under the Contracting Out (Highways Functions) Order 2009.

3.4 Clause 41.1.1 of the Mersey Gateway Project Agreement defines that this arrangement is limited to the duration of the Authorisation Period (ten years from Financial Close) and requires Merseylink to seek renewal of the authorisation period by up to a further ten years on or before the expiry of the Authorisation Period, which would be 27th March 2024.

- 3.5 Merseylink have provided the necessary written request to the Council for the extension of the Authorisation Period, as shown in the Appendix.
- 3.6 The Mersey Gateway Crossings Board have confirmed that they consider there is no reason not to confirm the renewal and that this should be for the full ten-year period.

4.0 POLICY IMPLICATIONS

- 4.1 None.

5.0 FINANCIAL IMPLICATIONS

- 5.1 None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 6.1 **Children and Young People in Halton**
None.

- 6.2 **Employment, Learning and Skills in Halton**
The continued operation of the Mersey Gateway supports the Council's Employment, Learning and Skills priorities.

- 6.3 **A Healthy Halton**
None.

- 6.4 **A Safer Halton**
None.

- 6.5 **Halton's Urban Renewal**
The continued operation of the Mersey Gateway supports the Council's Urban Renewal priorities.

7.0 RISK ANALYSIS

- 7.1 If the authorisation period were not renewed, it would be to the detriment of asset and network management delivery and Mersey Gateway project road reliability, availability and accessibility.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 None.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 None

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

- 10.1 Only exempt information has been used in the preparation of the report.