

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 9 SEPTEMBER 2009

32. Halton Core Strategy Preferred Options Document for Public Consultation - KEY DECISION

The Board considered a report of the Strategic Director, Environment which sought approval for a six week period of public consultation (24 September to 5 November 2009) of the content of the Halton Core Strategy Preferred Options document.

The Board was advised that subsequent to the period of public consultation on the Core Strategy Preferred Options document and the collation and consideration of representations made, the team would begin to work on the Core Strategy Publication document. This would be the final stage of significant preparation of the Core Strategy. The Publication document would be published for a six-week consultation period, where representations would be able to be made. However, it was reported that these may only relate to issues of the soundness of the DPD.

The Board was further advised that the preparation of the Publication document was due to commence in November 2009, with it being published for consultation in September 2010. Following this period and the completion of any changes to the document, the Core Strategy would be submitted to the Secretary of State in December 2010. The subsequent public examination of the document was due to commence in April 2010.

In addition, following the public examination, and taking into consideration the Inspector's Binding Report, it was anticipated that the Council would adopt the Core Strategy in October 2011.

Reason (s) For Decision

Under the Planning and Compulsory Purchase Act, the production of a DPD must involve several important stages of preparation. This "Preferred Options" stage of the Core Strategy represents the second crucial stage in

document preparation, and follows from the “Issues and Options” papers, which were subject to public consultation in 2006.

Alternative Options Considered And Rejected

This is a statutory step of plan making that is defined in law and as such there are no alternative options available.

Implementation Date

This decision will be implemented via a public consultation held

between the 24th September and 5th November 2009.

RESOLVED: That

- (1) The Halton Core Strategy Preferred Options document be approved for the purposes of a six-week period of public consultation;
- (2) Further editorial and technical amendments that do not materially affect the content of the Halton Core Strategy Preferred Options 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; and
- (3) The results of the statutory public consultation exercise on the Halton Core Strategy Preferred Options document be reported back to the Executive Board following the consultation period.

EXECUTIVE BOARD MEETING HELD ON 15 OCTOBER 2009

49. Review of Regional Spatial Strategy

The Board received a report of the Strategic Director, Environment, on the Regional Spatial Strategy Partial Review

Consultation Response.

4NW (formerly the North West Regional Assembly) had been tasked to prepare, monitor and review the Regional Spatial Strategy (RSS) in partnership with others. The RSS was a regional plan that had to be taken into account when decisions were made about planning applications. It provided a spatial framework for development in the region and for other regional strategies and promoted sustainable development in the North West.

Members were advised that a partial review of the RSS was underway, due to the need to complete unfinished policy work within the RSS in response to recommendations of the RSS Examination in Public Panel. The Partial Review covered three key subject areas:

- New Draft Policy L6 – Gypsies and Travellers
- New Draft Policy L7 – Travelling Show People
- Revised Policy RT2 – Car Parking Standards

and consultation was open until 19 October 2009.

Draft Policy L6 specifically dealt with the scale and distribution of Gypsy and Traveller pitch provision across the North West Region. The policy made a distinction between permanent and transit pitches. In Halton, an additional 45 permanent and 5 transit pitches would be required by 2016; however ten new transit pitches recently provided at the Warrington Road site would meet and exceed the allocated apportionment under the draft policy.

Draft Policy L7 dealt with accommodation for Travelling Show People. At the present time, Members were advised that there was no provision or demand from these communities in Halton and the draft policy target figure did not require any future provision to be made.

Draft Policy RT2 dealt with the revision of an existing RSS policy and as such there was only an opportunity to comment on the specific minor revisions rather than the policy as a whole.

RESOLVED: That the Board

- (1) agree the content of the report as the formal response to the consultation on the North West Plan Partial

Review;

- (2) recommend that Council strongly objects to the proposals in draft policy L6 for Halton to provide 45 additional pitches for Gypsies and Travellers by 2016, rising to 58 by 2021;
- (3) recommend that Council supports draft policy L7 detailing the Scale and Distribution of Travelling Show People Plot Provision; and
- (4) recommend that Council generally supports the principles of the proposed revisions to Regional Parking Standards (Policy RT2) and suggests some minor amendments to the draft text in the interests of policy clarity.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 10 SEPTEMBER 2009

22. Review of Warrington Road Transit Site

In approving the pitch charges for the new Traveller transit site on 16th October 2008, the Sub Committee resolved that a report be submitted after six months to review income against costs. In order to consider the effectiveness of the facility and its financial and operational impact in the widest sense a report was considered by Urban Renewal Policy and Performance Board on 17th June 2009. The recommendations from that meeting were noted in the report.

RESOLVED: That the Sub Committee

- (1) note the comments of the Urban Renewal Policy and Performance Board; and
- (2) a further report be submitted to the next Sub Committee meeting on the detailed operation of the site.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 24 SEPTEMBER 2009

24. Norton Priory Business Case

The Sub-Committee received a report of the Strategic Director, Health and Community which informed Members on the progress of the Catering Contract at Norton Priory which had been provided by Adults with learning Disabilities Day Services since 25th October 2008 and which sought approval for the Business Plan.

The Council, like many other Councils across the UK had found it difficult to meet the Care Quality Commission's objectives of finding people known to Social Care, particularly those with Learning Difficulties, suitable employment opportunities.

In July 2008 negotiations with Norton Priory led to the offer from Norton Priory to Adults with Learning Disability Day Services of a contract (SLA) to provide all the catering at Norton Priory. This included special, local and corporate events as well as the café.

Members were advised that Day Services had existing experience at providing community based catering projects at Murdishaw Café and Country Garden Buffet and had included the Norton Priory contract into its current operations without any increase to the establishment. The report set out the businesses run by Adults with Learning Disability Day Services.

The catalyst that enabled these services to become more recognisable as businesses was the award of the contract to provide the catering at Norton Priory, which began officially on 5th December 2008. This had been a genuinely commercial opportunity. The refectory at the museum was staffed Monday to Sunday with at least one member of staff and between 2 and 6 service users per day. Between the Norton Priory site, Murdishaw Café and Vine Street there were currently five service users receiving permitted earnings.

The feedback at Norton Priory continued to be positive and warm with customers commencing favourably on the quality, cost, variety and the friendliness of the service. The standards were closely monitored and the repeat customer base was steadily increasing.

It was noted that monthly meetings were being held with Norton Priory Trust's management team. The relationship remained strong and mutually beneficial. The success of the service and the healthy relationship had provided further opportunities to cater for fetes and large corporate events.

It was noted that since December 08 CGS's takings from Norton Priory, the buffets and the two days per week at Murdishaw Café amounted to £29,500. Two thirds of this was made up from the

trade at Norton Priory.

Based on this trading history, the figures demonstrated that it was a profitable business. Margins were around 33% although this must be emphasised that the real costs of labour i.e. the costs associated with the staff who supported the service users to provide the services, were already paid for and effectively subsidised the business. This was not to say that in future the projects could not be outsourced or act as stand-alone enterprises. It was noted that with this had come opportunities to diversify into other areas. The report set out a number of projects and businesses that Day Services and colleagues from the Children and Young People Directorate had worked on in the belief that they are both achievable and sustainable.

RESOLVED: That

- (1) the Strategic Director, Health and Community, in consultation with the Portfolio Holder, Health and Social Care be authorised to continue and, where appropriate, extend the contractual arrangements with Norton Priory Trust to provide catering and related services at Norton Priory;
- (2) a further financial report be submitted to the Sub-Committee in 12 months time; and
- (3) further update reports be submitted to the relevant Policy and Performance Board.

25. [Review of Warrington Road Transit Site](#)  PDF 40 KB

Minutes:

The Board received a report of the Strategic Director, Health and Community which provided details of operational information and costs incurred during the six months following the opening of the site on the 10th February 2009.

The Board was advised that when setting the £11 per day charge in October 2009 the Board, conscious that many elements of the forecast operational budget were estimates, decided to review the charge after six months of operational experience. Appendix 1 to the report set out the original budget forecast, actual costs incurred during the first six months of operations and a revised budget forecast.

It was noted that Appendix 2 detailed actual occupancy levels achieved for the first half year, and the revised budget forecast in the final column of Appendix 1 was based upon achieving an occupancy

level of 60%, which was more in keeping with experience to date. Some of the costs were still estimated in the absence of bills having been received for certain services and assumptions had been made about the charges over the full year for electricity as winter consumption was likely to be higher than the first half of the year. Nevertheless this budget forecast represented the best estimate that could be made at this stage.

Given the stated assumptions, the site was forecast to produce a deficit of just £1,723 over a full year, but this should be set in the context of the wider savings achieved in not having to deal with the usual level of unlawful encampments.

Financial provision for dealing with unlawful encampments had never appeared as an explicit item in directorate budgets but in May 2007 an exercise was undertaken to try to quantify the cost for the period 2005/6 and 2006/7. The combined results from the relevant sections in each Directorate were set out in the report. This also excluded the substantial Police costs involved as well.

In this respect the Sub Committee received an update from PC Hayes, Cheshire Police which gave details of the number of illegal encampments in Halton compared to surrounding areas and the action taken within Halton on illegal encampments.

The Board was advised that the site had clearly been a success in terms of meeting its original aim of reducing the costly and time consuming problem of unauthorised encampments in Halton. Halton's new approach to managing Traveller issues had been applauded by Traveller associations, the Police and neighbouring Councils and the reduction in encampments had also been welcomed by local businesses. This meant that Halton had already met its targets for the provision of transit site accommodation proposed in the recent draft figures set out under the partial review of the Regional Spatial Strategy.

A report was presented to the Urban Renewal Policy and Performance Board on 17th June 2009 outlining how the site had been operating since it opened on the 10th February 2009 including similar (but not as up to date) information to that included in this report. The recommendations were noted by the Executive Board Sub-Committee on 10th September 2009.

RESOLVED: That

- (1) the Board reviews the current charging arrangements in respect of the transit site;

- (2) a feasibility study to extend the site be undertaken;
- (3) a further financial report be submitted to the Sub-Committee when the winter data was available; and
- (4) a further update reports be submitted to the relevant Policy and Performance Board.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 15 OCTOBER 2009

27. Landfill Allowance Trading Scheme (LATS)

The Sub-Committee considered a report which set out the implications of the Landfill Allowances and Trading Scheme (LATS) on the Council, and the Authority's current and predicted LATS position until 2013/14.

At a previous meeting of the Sub-Committee it was resolved that delegated powers to trade for Landfill Allowances were given to the Operational Director, Financial Services, in consultation with the Strategic Director, Environment and the Portfolio holders for Environment, Leisure and Sport and Corporate Services, and that authority be granted to purchase or sell LATS permits, provided that the sum value of all such transactions (disregarding whether purchases or sales) in any financial years did not exceed £100,000 and subject to adequate budgetary provision having been made (Minute ES54/2006).

The Sub-Committee was advised that estimates indicated that the financial requirement for future years exceeded the value in the previous resolution. Therefore, additional approvals were now required for future purchases.

In order to avoid future potential fines, Halton could now purchase landfill allowances to cover predicted shortfalls for the year 2010/11 onwards. Based upon current market offers following a request for three written quotations, allowances were currently available at £9 per tonne for 2010/11 and 2011/12 and £10.80 for 2012/13 if purchased in advance. Alternatively, payment could be made each April at these prices plus an RPI increase for each year.

Currently, allowances were not available from the above local authority for 2013/14 due to internal approvals not being available until 2010, therefore the figures shown for 2013/14

were estimates. This offer also provided flexibility with the options of immediate purchase or spreading costs over several years.

Members were advised that only one other quotation was received from another authority that were working to an indicative price level of £13.50 for 2010/11 and 2011/12 rising to £17.50 for 2012/13 and 2013/14.

It was noted that it was DEFRA's view that if landfill allowances were traded for cash, public procurement rules were not engaged because there was no acquisition of supplies or services. Although it was DEFRA's view that it would not be necessary for the Council to go out to tender for the purchase of allowances, in order to deal with the implications of the Council's Standing Orders, the Sub Committee was requested to consider waiver of Standing Order 3.1, which required that three competitive tenders be sought for contracts between £50k and £1m.

Whilst there was no certainty about future prices, which might go up or down, it was believed that the current offer represented good value for money and it was recommended that the Council now secure contractual arrangements for the purchase LATS permits for the period 2010/11 to 2013/14.

RESOLVED: That for the purposes of LATS, the Operational Director – Financial Services, in consultation with the Strategic Director – Environmental and the Portfolio Holders for Environment, Leisure and Sport and Corporate Services, be authorised to;

(1) secure contractual arrangements with other local authorities for the purchasing of permits to enable Halton to meet LATS targets; and

(2) trade up to the value of £125,000 for 2011/12, £175,000 for 2012/2013 and up to £250,000 for 2013/2014 subject to budgetary provision;

(3) Procurement Standing Order 3.1 be waived for the purposes of the exercise of the delegated power; and

(4) further reports be received on LATS as necessary.

28. Housing Growth Point - Initial Progress

The Sub-Committee had been previously advised that Halton, together with St. Helens and Warrington had submitted

expressions of interest in being awarded Growth Point Status. The Department Communities Local Government (DCLG) had subsequently awarded funding for a period of two years of £4.2m. However, in July 2009 DCLG informed all Growth Points that in order to fund the Government's Housing Pledge, there would be a reduction in Capital Grant to Growth Points in the next financial year. For Mid-Mersey this would mean a reduction in notified grant of £999,289 giving a revised total allocation of funding to our Growth Point of £3.2m.

In order to direct the development and delivery of the Growth Point Programme, a Partnership Board had been established under the banner Mid-Mersey Growth Point Partnership Board. The Board comprised of five voting members and two non-voting representatives as follows:

St. Helens Council; Councillor Brian Spencer (Chair)
Halton BC; Councillor Marie Wright
Warrington BC; Councillor Bob Barr
Environment Agency; Area Manager (North)
RSL Representative; Peter Styche (Helena HA)
Homes and Community Agency (non-voting adviser)
GONW (Housing Policy Section) (non-voting adviser)

The Board had met five times to date to approve the submission of the Community Infrastructure Fund bid, the Growth Fund bid, in the form of a programme development and to agree priorities for future action following the announcement of Growth Fund allocations.

The Board had agreed the initial priorities for revenue and capital funding during 2009/10 and details were outlined in the report.

Beyond getting the right structures in place to move the programme of development forward, the Partnership Board focus was on housing delivery, particularly in the current and expected economic climate. The following initiatives were being progressed:

- Helena Housing had been asked to develop its suggested model for an affordable housing subsidy, including the potential to recycle grant monies for re-use by the Board;
- RSLs had been invited to come forward with proposals to deliver new additional social housing;

- fuller information on sites where development could take place and or continue within the Growth Point was being sought, alongside information on where sites were stalled or stopped;
- a Housing Thematic Group had been set up;
- a stakeholder group of RSLs had been established under the Chairmanship of the Board RSL representative along with a stakeholder group of housebuilders;
- the commissioning of a new Strategic Housing Market Assessment for the Growth Point had been agreed by the Board;
- a Green Infrastructure Thematic Group was in place and a framework developed to fit with the LDF;
- a Thematic Group for Transport Infrastructure had been established and work was already underway enabling the successful scheme supported by the CIF to start early next year;
- DFT Strategic Studies budget funding had been achieved for support towards feasibility studies looking at sustainable transport measures across the Growth Point that supports housing;
- the draft Phase 1 Water Cycle Scoping Study had been undertaken; and
- a Growth Point Manager, Richard Tully, had been appointed.

RECOMMENDED: That the Sub Committee

(1) note the grant of Growth Point Status and funding allocation from DCLG;

(2) endorse the contents of the submitted Programme of Development (PoD);

(3) support the establishment, structure and ongoing work of the Mid-Mersey Growth Point Partnership Board; and

(4) support the initial funding priorities identified by the Growth Point Partnership Board and authorise the release of

revenue and capital expenditure in accordance with the priorities as determined by the Growth Point Partnership Board.

3MG EXECUTIVE SUB BOARD MEETING HELD ON 24 SEPTEMBER 2009

2. 3MG HIGHWAY WESTERN ACCESS - HIGHWAY AND RAIL AGREEMENTS

The Board considered a report of the Strategic Director, Environment which sought approval and set out the way in which the Council intended to enter into formal legal Agreements with Knowsley Metropolitan Borough Council and Network Rail in connection with the proposed A5300 Link Road (which provided the 3MG Highway Western Access).

The Board was advised that a significant proportion of the proposed A5300 Link Road was within Knowsley. Traffic generated by the future development on HBC Field would impact upon the highway network in Knowsley, and particularly the A5300-A562 junction. Planning Approval for the Link Road had been secured from both Authorities (Halton and Knowsley). There were a number of conditions associated with the Planning Approval including the implementation of a traffic mitigation scheme at the A5300-A562 junction.

It was reported that Halton would undertake the role of Highway Authority for the rail overbridge and adjoining section of carriageway up to Newstead Road. The report included a plan which detailed areas that Halton would be retaining, Knowsley would be adopting and the area for a traffic mitigation scheme.

It was noted that in order to formalise the agreement it would be necessary for the two authorities to enter into an agreement under Section 8 of the Highways Act 1980. It was further reported that the agreement would also provide the mechanism for payment of a financial contribution by Halton towards a traffic mitigation scheme at the A5300-/A562 junction as required by the terms of the planning permission granted by Knowsley MBC on 17 September 2008. Following negotiation with Knowsley MBC Halton's contribution towards this scheme had been agreed at £400,000.

The Board was advised that the developer would be responsible for the construction of the link road.

Arising from the discussion Members asked if the bridge would be assembled in stages. In response it was noted that it would and no full railway closures would be necessary.

RESOLVED: That

- (1) an agreement under Section 8 of the Highways Act be entered into with Knowsley Metropolitan Borough Council over the adoption of the various proposed Highway elements within Knowsley;
- (2) an Overbridge Agreement and associated standard agreements which includes a Basic Asset Protection Agreement and an Easement Agreement, be entered into with Network Rail to enable the construction and operation of a new highway structure over the Liverpool Branch of the West Coast Main Line; and
- (3) the Chief Executive, in consultation with the Portfolio Holder for Planning, Transportation, Regeneration and Renewal be authorised to take all actions and make any decisions deemed appropriate in connection with the Section 8 and Overbridge Agreements for the proposed A5300 Link Road and that any such actions and decisions be reported back to the next meeting of the 3MG Executive Sub-Board.

3MG EXECUTIVE SUB BOARD MEETING HELD ON 15 OCTOBER 2009

5. NEWSTEAD FARM, LOWER ROAD, KNOWSLEY

The Board considered a report of the Strategic Director, Corporate & Policy which sought approval of the terms for the termination of part of the agricultural holding in Newstead Farm, Lower Road, Halewood.

RESOLVED: That the terms for the termination of part of the agricultural holding at Newstead Farm, Lower Road, Halewood be approved.

MERSEY GATEWAY EXECUTIVE BOARD MEETING HELD ON 24 SEPTEMBER 2009

2. GENERAL PROGRESS REPORT

The Board considered a report of the Strategic Director, Environment which advised of the progress made since the last meeting of the Board in March 2009, during which time a Public Inquiry to consider the formal planning applications and orders had taken place.

The Board was advised that the Inquiry had now closed having sat for 19 days. All the concerns raised by the regulators, such as the Environment Agency, the Mersey Conservator and Natural England had been addressed either before or during the Inquiry, resulting in objections being withdrawn. Many objections received from land owners and businesses affected by the project were also addressed, leading to the objections also being withdrawn. The project continues to benefit from wide support, demonstrated in the letters of support sent to the Inspector from government agencies, neighbouring Councils and businesses.

Members informed they could look into the more detailed discussions and evidence presented to the Inquiry on the website www.persona.uk.com/mersey.

RESOLVED: That the progress made to date be noted.

3. PREPARATION FOR PROCUREMENT

The Board considered a report of the Strategic Director, Environment which advised of the key activities leading up to the commencement of the procurement process for Mersey Gateway.

The Board was advised that the next stage of the project plan was focussed on the delivery of the following key milestone events:-

- i) the Secretaries of State announce their decision on the Orders and Applications submitted by the Council and considered at the Public Inquiry; and
- ii) the Department for Transport (DfT) grants Conditional Funding Approval based on the Outline Business Case submission being approved by both DfT and the Project Review Group (PRG) of HM Treasury.

The Board was further advised that the planning decision by the Secretaries of State was expected early next year. Although the timetable for, and outcome of, such events was always uncertain the fact that the Inquiry had been relatively short and straightforward would help the drafting of a decision letter.

The Planning Inspectorate had advised that the Inspector's Report on the Inquiry would be with the Transport and Works Act Orders Unit towards the end of November. It was noted that the various planning applications and orders submitted for Mersey Gateway would require contributions from a number of different government offices in the drafting of a decision letter.

The second requirement prior to commencing the procurement process was to secure Conditional Funding Approval from DfT Ministers, which involved consultation with the Treasury Ministers after clearing the Outline Business Case through the Project Review Group (explained in Appendix 1 to the report).

It was also reported that the programme for securing the sequence of approvals leading to Conditional Funding Approval being granted by Government was set out at Appendix 2 to the report for Members consideration.

Members were advised that although large PFI contracts had been agreed in recent months the market was still affected adversely by the banking crisis and the current work on procurement would investigate how to allocate risk to get best value bids.

RESOLVED: That the Board note what is required to be achieved to secure the authority to commence the procurement process, as determined by the Council's funding agreement with Government.

5. LAND ASSEMBLY AND AGREEMENTS WITH THIRD PARTIES

The Board considered a report of the Strategic Director, Environment which outlined that during the preparation for the Public Inquiry, the Project Team was able to satisfy a considerable number of concerns expressed by individuals and organisations leading to the avoidance or withdrawal of formal objections to the proposed Applications and Orders for Mersey Gateway. In many cases, the response given to potential objectors had now been compiled in formal agreements. This report advised the Board of the third party agreements entered into and the substantive obligations for the Council.

RESOLVED: That the Board note the Agreements in place and the Council obligations reported.