

REPORT TO: Mersey Gateway Exec Board

DATE: 19 November 2009

REPORTING OFFICER: Strategic Director, Environment

SUBJECT: General Progress Towards Commencing Procurement

WARDS: All Wards

1.0 PURPOSE OF THE REPORT

- 1.1 To advise members of the general progress made towards securing the authority required to commence the procurement process.

2.0 RECOMMENDATION: That

- (1) the Mersey Gateway Executive Board note the progress made and the outlook for commencing procurement next year.

3.0 SUPPORTING INFORMATION

- 3.1 At the meeting of the last Mersey Gateway Executive Board on 24 September, Members were advised that the formal procurement process for a Mersey Gateway concession contract can only commence once the Council has secured the planning decision by the Secretaries of State and for Ministers to grant Conditional Funding Approval.

- 3.2 The timing of an announcement of the planning decision by the Secretaries of State is linked to when the Department for Transport receives the Inspector's Public Inquiry Report. Although we were advised that the Inspector's Report was expected to be with the Department towards the end of November, the Minister has recently advised that this is now expected in mid-December. The Minister gave this information in his response to an oral question in Parliament raised by Derek Twigg MP. The response by Transport Minister Sadiq Khan was as follows:-

"The Inspector's report following the recent public inquiry is not expected to be received until the middle of December and its recommendations will need to be considered carefully before the Secretary of State can announce the decisions. A further decision on funding will be taken after that."

- 3.3 The Minister's reference to a further decision on funding relates to their consideration of our Conditional Funding Approval submission. The Minister in his response also acknowledged the hard work of the Council and our representations received which explain the benefits of an expeditious decision. The Minister reaffirmed that the time scale for a

decision is linked to when the Department expect to receive the Public Inquiry Inspector's report and pointed out the scheme's complexities. The Minister did however assure Mr Twigg that he has taken on board the points made and the sense of urgency that he has expressed.

3.4 It is encouraging to receive the positive comments from the Minister but the legal due process leading up to planning Decision will determine the timescales to a great extent. There is still an opportunity to announce the Decision before the end of March 2010 but the recent delay puts this outcome at greater risk.

3.5 The second requirement prior to commencing the procurement process is to secure Conditional Funding Approval from DfT Ministers and work towards this aim is progressing as planned. The first draft of the Outline Business Case is due to be discussed with the DfT Major Projects Team at the progress meeting on 19 November.

4.0 POLICY IMPLICATIONS

4.1 The project is a key priority for the Council which will deliver benefits locally and across the wider region.

5.0 FINANCIAL IMPLICATIONS

5.1 Members will be kept advised of any change in the risk or funding position as options emerge for consideration.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

There will be an indirect contribution to contribute to Key Objective E: To ensure that all children and young people in Halton have positive futures after school by embracing life-long learning, employment opportunities and enjoying a positive standard of living.

6.2 Employment, Learning and Skills in Halton

There will be an indirect contribution to Key Objective B: To develop a culture where learning is valued and to raise skill levels throughout the adult population and in the local workforce.

6.3 A Healthy Halton

There will be opportunities for biodiversity activities to contribute to Key Objective C: To promote a healthy living environment and lifestyles to protect the health of the public, sustain individual good health and well-being, and help prevent and efficiently manage illness.

6.4 A Safer Halton

There will be opportunities to contribute to Key Objective C: To create and sustain better neighbourhoods that are well designed, well built, well maintained, safe and valued by the people who live in them, reflecting the priorities of residents.

6.5 Halton's Urban Renewal

There will be opportunities to contribute to Key Objective E: To enhance, promote and celebrate the quality of the built and natural environment in Halton. Tackling the legacy of contamination and dereliction to further improve the Borough's image. In particular, in Area of Focus 12, examples of future planned activity include "Creating local nature reserves and wild spaces that support the Council's efforts to deliver urban renewal and a better quality of life in Halton". The Mersey Gateway nature reserve will be a main delivery mechanism for this Area of Focus.

7.0 RISK ANALYSIS

- 7.1 The timing of the Government's decision on the planning process remains uncertain. Even the short delay in the completion of the Inspector's Report means that the commencement of procurement may be held up by the possible General Election next Spring. The process we have agreed with DfT officials is aimed at mitigating the risk of delay and puts in place a realistic programme that could see procurement commencing next summer.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 Mersey Gateway provides an opportunity to improve accessibility to services, education and employment for all.

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

- 9.1 Files maintained by the Mersey Gateway Project Team and by the Highways and Transportation Department.