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MEETING: CABINET

DATE: Thursday 13th October, 2011

TIME: 10.00 am

VENUE: Town Hall, Bootle

Member

Councillor

Councillor P. Dowd (Chair)

Councillor Booth

Councillor Brodie - Browne

Councillor Fairclough Councillor Maher Councillor Moncur Councillor Parry Councillor Porter Councillor Robertson Councillor Shaw

COMMITTEE OFFICER: Steve Pearce

Head of Committee and Member Services

Telephone: 0151 934 2046 Fax: 0151 934 2034

E-mail: steve.pearce@sefton.gov.uk

The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an * on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

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AGENDA

Items marked with an * involve key decisions

	<u>Item</u> No.	Subject/Author(s)	Wards Affected	
	1.	Apologies for Absence		
	2.	Declarations of Interest		
		Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.		
	3.	Minutes		(Pages 5 -
		Minutes of the meeting held on 18 August 2011		10)
*	4.	Joint Merseyside and Halton Waste Development Plan Document: Council Approval of Publication Waste DPD	Derby; Linacre; Netherton and Orrell; Norwood	(Pages 11 - 22)
		Report of the Director of Built Environment		
*	5.	Winter Service Policy and Operational Plan	All Wards	(Pages 23 -
		Report of the Director of Built Environment		38)
*	6.	Thornton to Switch Island Link - Progress Update and Commencement of Detailed Design	Manor; Molyneux; Netherton and Orrell; Park; St. Oswald; Sudell	(Pages 39 - 50)
		Report of the Director of Built Environment		
*	7.	Green Waste Composting Service - Award of Contract	All Wards	(Pages 51 - 56)
		Report of the Director of Street Scene		
*	8.	Transformation Programme Update	All Wards	(Pages 57 -
		Report of the Chief Executive		66)
*	9.	Transformation Programme 2011 - 2014 Report of the Chief Executive to follow	All Wards	

10. Exclusion of Press and Public

To consider passing the following resolution:

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.

* 11. Town Lane Kew Housing and Commercial Development Site Southport

Report of the Director of Built Environment

Kew (Pages 67 - 76)

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY 31 AUGUST, 2011. MINUTE NO. 39(4) IS NOT SUBJECT TO "CALL-IN".

CABINET

MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 18TH AUGUST, 2011

PRESENT: Councillor P. Dowd (in the Chair)

Councillors Fairclough, Maher, Moncur, Parry, Porter

and Shaw

33. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Booth, Brodie-Browne and Robertson.

34. DECLARATIONS OF INTEREST

The following declarations of interests were received:

Member/Officer	Minute No.	Reason	Action
Margaret Carney - Chief Executive	37 - Transformation Programme 2011-2104	Personal - She is a Non- Executive Director of Sefton New Directions	Stayed in the room but took no part in the consideration of matters relating to Sefton New Directions
Margaret Carney - Chief Executive	41 - Progress Report on Sefton New Directions	Personal - She is a Non- Executive Director of Sefton New Directions	Stayed in the room and took part in the consideration of the item

35. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Cabinet Meeting held on 21 July 2011 be confirmed as a correct record.

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36. CHILDREN AND ADOLESCENT MENTAL HEALTH SERVICE (CAMHS) - FINAL REPORT

The Cabinet considered the report of the Director of Corporate Commissioning that presented formally the recommendations of the Children and Adolescent Mental Health Service (CAMHS) Working Group.

The report indicated that the CAMHS Working Group, that had been established by the Overview and Scrutiny Committee (Children's Services), had undertaken a review on issues surrounding the service provision for children with mental health issues; that 14 recommendations had been formulated as part of the review; and the recommendations, together with a management response from the Strategic Director - People were detailed in the report.

Attached as Appendix A to the report was the executive summary of the CAMHS report.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) with the exception of recommendation 11 due to its financial implications, the recommendations and responses contained in paragraphs 2.2 of the report be approved;
- (2) the Overview and Scrutiny Committee (Children's Services) be requested to monitor the progress of the action taken on the recommendations; and
- (3) an update be submitted to Cabined in due course.

37. TRANSFORMATION PROGRAMME 2011-2014

Further to Minute No. 30 of the meeting held on 21 July 2011, the Cabinet considered the report of the Chief Executive which provided an update on the progress made under the Transformation Programme and the implementation of the savings proposals, reviews and cessation of external funding, previously approved by the Council; and the public consultation and engagement processes being undertaken.

This was a not a Key Decision but was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

(1) the progress to date on approved savings proposals, reviews and cessation of external funding as set out in the report be noted; and (2) the progress to date on public consultation and engagement set out in the report be noted.

38. GENERAL FUND OUTTURN 2010/11 AND PRUDENTIAL INDICATORS UPDATE

The Cabinet considered the report of the Head of Corporate Finance and ICT that updated on the 2010/11 revenue outturn position for the General Fund and the Council's Prudential Indicators for 2011/12 that had resulted from changes made in the 2010/11 Statement of Accounts arising from the introduction of International Financial Reporting Standards.

RESOLVED: That

- (1) the transfer of the 2010/11 General Fund revenue underspend to reserves as set out in paragraph 4.3 of the report be approved; and
- (2) the amended Prudential Indicators for 2011/12, as set out in Appendix 1 to the report, be approved.

39. MERSEYSIDE LOCAL SUSTAINABLE TRANSPORT FUND PROJECT - FACILITATING SUSTAINABLE ACCESS TO EMPLOYMENT IN MERSEYSIDE

Further to Minute No. 32 of 21 July 2011, the Cabinet considered the report of the Director of Built Environment that advised of Sefton's role in the Merseyside Local Sustainable Transport Fund (MLSF) project - Facilitating Sustainable Access to Employment in Merseyside and seeking authority to commit to and to allocate funds associated with the project.

Paragraph 2.5 of the report outlined the spend profile for all of Sefton's elements of the MLSF project relating to working with employers, travel solutions and sustainable transport infrastructure.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the elements of the Merseyside Local Sustainable Transport Fund project to be delivered to Sefton, be noted;
- (2) it be noted that Merseytravel is the lead accountable body for the Merseyside LSTF project;
- (3) the Head of Corporate Finance and ICT be authorised to enter into a Memorandum of Understanding with Merseytravel to enable the project to commence and subsequently to enter into a formal agreement with Merseytravel for the funding, delivery and monitoring of the project;

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- (4) the Council be recommended to approve the inclusion of £260,000 in the Capital Programme to be phased as indicated in paragraph 2.5 of the report; and
- (5) officers be authorised to commence commitment of the funds.

40. INTRODUCTION OF FEES FOR PLANNING PRE-APPLICATIONS

Further to Minute No. 28 of the meeting of the Planning Committee held on 29 June 2011, the Cabinet considered the report of the Director of Built Environment seeking approval for the introduction of charges for planning pre-applications from 1 September 2011.

The report indicated that there would be no charges made for householders except where a specific request was made to meet officers on site.

A copy of the proposed fee schedule for pre-application advice was attached as an annexe to the report.

RESOLVED: That

- (1) the introduction of charging for planning pre-applications from 1 September 2011, as detailed in the annexe to the report, be approved; and
- (2) it be noted that the proposal was a Key Decision which unfortunately, had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Chair of the Overview and Scrutiny Committee (Regeneration and Environmental Services) had been consulted under Rule 15 of the Access to Information Procedure Rules of the Constitution, to the decision being made by Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because the projected income from the charging is included in this year's budget.

41. PROGRESS REPORT ON SEFTON NEW DIRECTIONS

Further to Minute No. 23(6) of the meeting of the Council held on 17 May 2011, the Cabinet considered the report of the Head of Corporate Legal Services that provided an update on the Council's shareholding in the local authority controlled company Sefton New Directions.

The Chief Executive gave a verbal update to the meeting regarding the discussions that had been on-going between the Company and the Council relating to the outstanding employment claims and the review of staff terms and conditions; and indicated that the negotiations had been productive and positive.

RESOLVED: That

- (1) the progress report on Sefton New Directions be noted; and
- (2) the Head of Corporate Legal Services be requested to provide quarterly updates to the Cabinet on the Council's shareholding and any other relevant information.

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Report to: Planning Committee Date of Meeting: 24 August 2011

Overview & Scrutiny 20 September 2011

(Regeneration and Environmental Services

Cabinet 13 October 2011 Council 27 October 2011

Subject: Joint Merseyside and Halton Waste Development Plan Document: Council

Approval of Publication Waste DPD

Report of: Director Built Environment Wards Affected: Linacre, Derby, Netherton and

Orrell, Norwood

Is this a Key Decision? Yes Is it included in the Forward Plan?

Yes

Exempt/Confidential No

Purpose/Summary

(i) For Members to note the results of public consultation on the Merseyside and Halton Joint Waste Development Plan Document Preferred Options 2 (New Sites Consultation) Report which was undertaken between May and June 2011.

- (ii) To seek District approval of the Publication Waste Development Plan Document and a final 6-week consultation at the end of 2011.
- (iii) To also seek approval to move to Submission Stage early in 2012.
- (iv) To set out the final steps to adopt the Waste DPD.

Recommendation(s)

- 1) To note the results of consultation on the Waste Development Plan Document Preferred Options 2 (New Sites Consultation) Report.
- That Council be recommended to approve the Publication Document for the final sixweek public consultation commencing late in 2011 followed by Submission to the Secretary of State.
- 3) That Council be recommended to grant delegated authority to District officers within the Waste DPD Steering Group to make the necessary typographical changes to the Publication Document prior to submission of the Waste DPD and for any more substantial changes to be reported to Members through the appropriate scheme of delegation prior to Submission.
- 4) That Council be recommended to approve the spatial distribution of one sub-regional site per district.

How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

Reasons for the Recommendation:

To authorise publication of the Waste DPD for a six week consultation and submission of the Waste DPD to the Secretary of State. This matter is reserved for determination by the Council in accordance with Section 4 of the Constitution.

What will it cost and how will it be financed?

(A) Revenue Costs

Budgetary provision for completion of the Waste DPD has been identified from within the Planning Service budgets during 2011/12 and 2012/13 to cover the following cost elements:

- Examination in Public (£25,000)
- Implementation and Monitoring of the Plan (£3,500 per annum from April 2013)

(B) Capital Costs

None

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal - The legal implications are contained within the body of the report.						
Huma	Human Resources None					
Equality						
1.	No Equality Implication	\checkmark				
2.	Equality Implications identified and mitigated					
3.	3. Equality Implication identified and risk remains					

Impact on Service Delivery:

None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD905) and Head of Corporate Legal Services (LD 265/11) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

No. As a Waste Planning Authority Sefton has a statutory duty to produced a Waste DPD.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Council

Contact Officer: Steve Matthews

Tel: 0151 934 3559

Email: steve.matthews@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 Government planning policy, the National Waste Strategy and Regional Spatial Strategy all require Development Plan Documents to address sustainable waste management. Through Planning Policy Statement 10 (Planning for Sustainable Waste Management) the Merseyside Districts are required to put in place a planning framework that identifies the locations for new waste management infrastructure to meet the identified needs of that Council or a group of Councils.
- 1.2 In 2005, Leaders agreed that the waste planning matters for the sub-region would most effectively be addressed through formal collaboration in preparing a Joint Waste Development Plan Document (Waste DPD). Consequently, the six Merseyside Authorities of Halton, Knowsley, Liverpool, Sefton, St. Helens and Wirral have entered into a joint arrangement to prepare the Waste DPD. It is the sub-region's first joint statutory land use plan and will guide future development of waste management and treatment facilities across Merseyside and Halton.
- 1.3 The Waste DPD is primarily focused on (i) providing new capacity and new sites for waste management uses and (ii) delivering a robust policy framework to control waste development.
- 1.4 The scope of the Waste DPD is to deal with <u>all</u> controlled waste including commercial and industrial, hazardous, construction, demolition, excavation and municipal waste. Waste management requirements include reception, recycling, treatment and transfer activity all designed to minimise amount of the waste requiring final disposal. This amounts to between approximately 4.5 million tonnes of material each year. Of that approximately 800,000 tonnes arises from local authority collected waste. The recycling, treatment and disposal of local authority collected waste is the responsibility of the Merseyside Waste Disposal Authority and Halton Council.
- 1.5 The Waste DPD aims to deliver significant improvements in waste management across the sub-region whilst also diverting waste from landfill. Specifically, the Waste DPD will provide Districts with a high degree of control through its land allocations and policies to direct the waste sector to the most appropriate locations primarily on allocated sites. It therefore will provide industry with much greater certainty to bring forward proposals that are more likely to be acceptable to the Districts.
- 1.6 The Publication Document is the final consultative stage in Plan preparation and follows completion of the Preferred Options 2 consultation.

2. Preferred Options 2 (New Sites Consultation)

2.1 A 6-week Preferred Options 2 consultation was completed on 20th June 2011. The scope of the consultation was limited to only four new sites proposed to be allocated for waste management uses. Large sub-regional sites were consulted upon in Halton, Liverpool and St. Helens and a smaller local site in Sefton. All sites consulted upon were identified as replacement sites to ones that had previously been deleted as a consequence of public consultation at the previous Preferred Options stage or subsequent Member decisions.

2.2 A total of 2930 consultation responses were received as well as 1 petition with 4259 signatures. The responses received across the sub-region are summarised below. A more detailed analysis, including originating postcodes etc is available in the Results of Consultation Report (see Appendix One)

District Site	Support Strongly	Support	Oppose	Oppose Strongly
Atlantic Park, Bootle, Sefton	76	62	13	37
Widnes Waterfront, Halton	130	52	12	38
Sandwash Close, Rainford, St. Helens	5	7	26	2604
Garston, Liverpool	78	71	9	42

- 2.3 No significant issues arose from the proposed allocations in Halton, Liverpool and Sefton. Consultation responses were received from waste operators and landowners including two statements expressing specific concerns as to the soundness of the Plan. The grounds provided for challenging the soundness of the Plan are not considered to be strong.
- 2.4 A very considerable degree of local community and business opposition was experienced for the replacement sub-regional site in St. Helens with an estimated 2573 consultation responses from the immediate locality, with 2569 (99%) being opposed or strongly opposed to the proposed allocation. The Waste DPD team, along with colleagues from St. Helens, have analysed and considered all the responses received. As part of this process and to demonstrate a continuing high degree of transparency, all reasonable planning matters and consultee concerns have been thoroughly re-examined.
- 2.5 No significant planning, procedural or deliverability issues have come to light as a consequence of this re-assessment, nor as a result of the consultation responses received which make this sub-regional site unacceptable or require that a new site be selected. Consequently there is no technical case to remove this proposed sub-regional allocation.
- 2.6 The results of consultation report which will be found at http://merseysideeas-consult.limehouse.co.uk.
- 2.7 All four new sites which were the subject of Preferred Options 2 consultation will therefore be included within the Publication Waste DPD alongside those moving forward from Preferred Options 1. This gives a total of 6 sub-regional sites (1 per District, >4.5 hectares in area) and 13 local sites proposed as allocations (see table 2 in section 4.2 of this report) for built facilities (see Recommendation 1).

3. Publication and Submission of the Waste DPD

3.1 The Publication Stage of the Waste DPD is the final 6-week consultation stage whereby the consultees can submit comments. Comments can only be submitted on the basis of "soundness matters" and can relate to technical content or procedural matters (i.e. the process by which the Waste DPD has been prepared).

Copies of the Publication version of the Waste DPD are available to download at http://merseysideeas-consult.limehouse.co.uk or please contact 0151 934 3558 for a paper copy. Copies will also be made available at each committee meeting.

- 3.2 At Publication Stage the 6 Districts are required to formally approve the Waste DPD as a Council document and part of their Local Development Framework. The proposed timetable for the 6-week Publication consultation starts at the beginning of November. All consultation processes are carried out in accordance with each Council's Statement of Community Involvement.
- 3.3 A report is due to be taken to Liverpool City Regional Chief Executives and Cabinet during the approvals process as this is a joint undertaking.
- 3.4 Submission of the Waste DPD to the Secretary of State follows shortly after the consultation has closed on the Publication document once the representations received have been considered and collated. At this stage the Waste DPD team and Districts are able to set out how it intends to respond to any soundness issues raised. Upon Submission to the Secretary of State, the formal examination of the Waste DPD starts with the appointment of an independent Planning Inspector. This is not a consultative process but one of rigorous examination of any soundness matters raised at Publication stage or that the Planning Inspector chooses.
- 3.5 Members should note that given timescale pressures it is normal at this stage to seek Full Council approval of Submission in tandem with Publication (see Recommendation 2). Delegated authority is also sought for officers from the Waste DPD Steering Group to make typographical changes and, for more substantial changes to be addressed through the appropriate scheme of delegation for each District (see Recommendation 3).

4. Contents of the Publication Waste DPD

- 4.1 Members are reminded that the content and issues to be addressed within the Waste DPD are governed by the requirements of national planning policy and waste strategy, particularly Planning Policy Statements 10 and 12. The Waste DPD is also supported by a large evidence base of technical assessments and reports ranging from Equality Impact Assessments to Sustainability Appraisals. Appendix 3 provides a list of the technical appendices that are publicly available within the web site (http://merseysideeas-consult.limehouse.co.uk) as downloadable resources. Alternatively paper copies can be made available for inspection.
- 4.2 The Waste DPD lists all relevant existing operational licensed waste management and disposal facilities within Merseyside and Halton. The Waste DPD site

- allocations proposed in Table 3 are additional to these existing sites.
- 4.3 The Vision and Strategic Objectives of the Waste DPD were established at the Spatial Strategy and Sites and Preferred Options 1 consultation stages. These are being taken forward virtually unaltered and are set out in Section 3.2 of the Publication Document.
- 4.4 Chapter 2 summarises the evidence base whereby current and projected waste management capacity needs are identified over a 15 year period to 2027 taking into account changes in waste arisings, progress with new waste infrastructure and the effects of policy and legislative change. The Waste DPD then forecasts what waste management capacity and sites are needed to divert, minimise, recycle, treat, reprocess and finally dispose of the waste arisings on Merseyside and Halton.
- 4.5 Government policy and independent planning advice make it clear that it is necessary for the Waste DPD to have sufficient flexibility to take account of changes in waste management needs and also is able to accommodate some loss of allocated sites to other uses during the Plan period. The level of need and how it is expressed in proposed allocations has already been agreed by Members at Preferred Options stage. The proposed allocations set out in Table 2 are the minimum level of allocations necessary to meet identified needs and policy requirements.
- 4.6 Both the Vision and Strategic Objectives strive for Merseyside and Halton to become self-sufficient in waste management over the plan period.

Site Allocations

4.7 Chapter 4 sets out the approach to site prioritisation and identifies the site allocations. Identification of sites for waste management use is an essential and challenging part of the Waste DPD. Therefore, a policy (WM1) has specifically been inserted to ensure that the waste management industry is directed towards site allocations and sets out a series of rigorous tests that need to be met by potential developers. The policies relating specifically to sites are shown in Table 1.

Table 1: Site-related Policies in the Waste DPD

Policy	Purpose & content
Number	
WM1	Guide to Site Prioritisation – primarily guides developers to allocated sites before considering other areas of search or unallocated sites.
WM2	Sub-regional Site Allocations – identifies the sub-regional site allocations.
WM3	District Site Allocations – identifies the district site allocations
WM4	Allocations for Inert Landfill – identifies the inert landfill allocations
WM5	Areas of Search for Small-scale Waste Management Operations and Re-processing Sites – identifies favoured areas of search for other small-scale waste management operations.

WM6	Additional HWRC Requirements – defines criteria for identifying		
	further HWRC facilities within the City of Liverpool.		

- 4.8 The site allocations included within the Waste DPD Publication document are set out in table 2. All of the sites have already been formally approved by Members at Preferred Options stages and subject to at least one public consultation process. All site allocations are supported by a technical assessment.
- 4.9 A good spatial spread of sites has been achieved such that there is one subregional site per district, with a variable number of smaller district-level sites per
 District. This pattern of site distribution has evolved over the course of several
 public consultations and cycles of Council approvals. Members are asked to
 formally endorse the approach of one sub regional site per District at Publication
 stage (see Recommendation 4 and site listings in Table 2).
- 4.10 All sites identified are either vacant land suitable for new facilities or have the potential for significant modernisation and/or intensification of use to meet identified waste management need. All sites included as allocations have the support of the landowner / operator.

Table 2: Site Allocations in the Waste DPD

District	Site Reference & Name	Site Area (ha)
Halton	H1 Widnes Waterfront	7.8
	Sub-regional Allocation	
	H2 Eco-cycle, 3 Johnsons Lane, Widnes	2.0
	H3, Runcorn WWTW	1.2
Knowsley	K1 Butler's Farm, Knowsley Industrial Park Sub-regional Allocation	8.0
	K2 Image Business Park, Acornfield Road, Knowsley Industrial Park	2.8
	K3 Brickfields, Ellis Ashton Street, Huyton Business Park	2.3
	K4 Former Pilkington Glass Works, Ellis Ashton Street, Huyton Business Park	1.3
	K5 Cronton Claypit	22.3
Liverpool	L1 Land off Stalbridge Road, Garston	5.4
	Sub-regional Allocation	
	L2 Site off Regent Road/ Bankfield Street	1.4
	L3 Waste treatment plant, Lower Bank View	0.7
Sefton	F1 Alexandra Dock, metal recycling site Sub-regional Allocation	9.8
	F2 55 Crowland Street, Southport	3.6
	F3 Site North of Farriers Way, Atlantic Business Park	1.7
	F4 1-2 Acorn way, Bootle	0.6
St Helens	S1 Land SW of Sandwash Close, Rainford Industrial Estate Sub-regional Allocation	6.1
	S2 Land North of TAC, Abbotsfield Industrial Estate	1.3
	S3 Bold Heath Quarry	40.3

District	Site Reference & Name	Site Area
		(ha)
Wirral	W1 Car Parking/ Storage Area, former Shipyard, Campbeltown Road	5.9
	Sub-regional Allocation	
	W2 Bidston MRF/ HWRC, Wallasey Bridge Road	3.7
	W3 Former goods yard, adjacent to Bidston MRF/ HWRC, Wallasey Bridge Road	2.8

- 4.11 A site profile including a map and the information shown in Table 2 is included in the Publication Document and is supported by technical assessments as part of the evidence base. These assessments include amongst other matters sustainability and effects on European nature conservation designations.
- 4.12 In relation to the site at 55 Crowland Street, Southport, the site profile clarifies that any increased capacity of waste management use, over and above that already granted consent, should be assessed carefully by Sefton Council's Highways Department, in relation to the potential implications on the local road network. Any highways assessment would in particular need to address the Butts Lane/Norwood Road junction; congestion on the local road network particularly Norwood Road; rat-running of HGVs along residential roads; and on-street parking in Crowland Street. A Transport Statement may be required.
- 4.13 In all cases a full planning application will be required which will set out details such as type of use, site access and operational hours. A planning application for a waste use on any site identified above will be subject to a further local public consultation and any decision as to suitability or otherwise will be determined by Sefton's Planning Committee.

Landfill

- 4.14 The opportunity for final disposal of non-inert waste to landfill within Merseyside and Halton is extremely limited due to land use constraints alongside geological and hydrogeological limitations. Detailed technical assessment has concluded that there are no opportunities within Merseyside and Halton for non-inert landfill disposal, and therefore there are no allocations for this purpose. Over time as behaviour changes in terms of the quantities and types of waste produced and as new treatment facilities become operational the reliance that Merseyside and Halton have on exporting non-inert waste to landfill will decrease. The Waste DPD therefore will be based on a continuing but decreasing export of non-inert landfill to existing operational sites outside of the area throughout the Plan period.
- 4.15 Merseyside and Halton do however have the potential to provide final disposal sites for inert waste. Two sites, both of which are existing active minerals operations are proposed as inert landfill allocations to meet the continuing, but decreasing, quantities of inert waste at Cronton Clay Pit (K5) and Bold Heath Quarry (S3). As fiscal and waste diversion pressures continue to impact on this waste stream, it is expected that relatively modest quantities of inert waste will be deposited at these sites over time, as most inert waste can be recycled and reprocessed into new recycled products and raw materials.

Policies

4.16 Chapter 5 sets out the policy framework intended to provide industry with a high degree of certainty and some flexibility in coming forward with proposals for new waste management infrastructure. The policies also set the bar high in terms of the very tight control that the Local Authorities will exercise over waste management activities and these policies strongly direct the waste management industry towards allocated sites. Table 3 summarises the key Waste DPD policies.

Table 3: Development Management Policies in the Waste DPD

Policy &	Purpose and content
Page number	. a.pood aa doineant
WM7	Protection of Existing Waste Management Capacity – to ensure that the existing essential waste management capacity is maintained to serve the needs of Merseyside and Halton.
WM8	Waste Prevention and Resource Management – to promote the prevention of waste and make efficient use of waste for all developments.
WM9	Design and Layout for New Development – for all new non- waste developments to enable the easy and efficient storage and collection of waste.
WM10	Design and Operation of New Waste Management Development – to ensure high quality design and operation of new waste management facilities to minimise impact of local communities.
WM11	Sustainable Waste Transport – to minimise and mitigate the impacts of waste transport on local communities.
WM12	Criteria for Waste Management Development – sets out the criteria against which all waste management proposals will be assessed.
WM13	Waste Management Applications on Unallocated Sites – sets out the critieria that must be addressed for sites brought forward on unallocated sites.
WM14	Energy from Waste – states that no large EfW facilities are needed but makes provision for small-scale EfW that serves an identified local need for energy or heat.
WM15	Landfill on Unallocated Sites - sets out the critieria that must be addressed for landfill proposals brought forward on unallocated sites.
WM16	Restoration and Aftercare of Landfill sites –sets out the information requirements for planning restoration and aftercare of landfill sites.

4.17 The Waste DPD policies are designed to work with and not duplicate the District specific policies in their Core Strategy and other Development Plan Documents.

Implementation and Monitoring

4.18 The Waste DPD is required by planning policy (PPS12) to include an implementation plan and monitoring arrangements and these are set out in Chapter

6 of the Publication document. Responsibility for implementation principally lies with the Local Planning Authority with support from Merseyside EAS, Waste Collection Authorities, MWDA, landowners and the waste industry.

5. Next Steps

Examination in Public:

- 5.1 The Public Examination is a formal part of the plan making process, and starts upon Submission of the Waste DPD to the Secretary of State. A Planning Inspector is appointed by the Planning Inspectorate and the Waste DPD team will need to provide a secretariat for the Examination Hearing process including resources, a Programme Officer and a venue for the Inspector and their team and the formal hearing.
- 5.2 On the basis of the current work programme, the Examination Hearing is planned for May 2012. We expect to receive the Inspectors' Report 13 weeks after the completion of the Examination.

Adoption:

5.3 The Waste DPD will need to be formally adopted, like all other statutory planning documents, by each of the Merseyside Districts as part of the adopted statutory development plan. Adoption is likely to take place in November 2012.

6. Financial Implications

6.1 The Head of Corporate Finance and ICT comments that the financial implications of this report on the Council are that the final costs for the preparation of the Waste DPD have already been agreed with the Districts and appropriate budgetary provision have been made including the Examination In Public (see above). Currently no additional preparation costs are anticipated.

Appendices

Appendix 1: Results of Consultation Report for Preferred Options 2 (New Sites Consultation) – Not attached. Available to download at http://merseysideeas-consult.limehouse.co.uk or please contact 0151 934 3558 for a paper copy. Copies will also be made available at each committee meeting.

Appendix 2: Waste DPD Draft Publication Document which is also available electronically as a PDF document – Not attached. Available to download at http://merseysideeas-consult.limehouse.co.uk or please contact 0151 934 3558 for a paper copy. Copies will also be made available at each committee meeting.

Appendix 3: List of Supporting Materials for the Waste DPD Publication Document

Document Filename Agricultural Waste Survey Agricultural Waste Survey findings.pd All Sites Scored.xls Built Facilities sites long list prepared for Spatial Strategy & Sites report All sites to be assessed for Landfill.xls Landfill sites : short list Broad Site Search Final Report.pdf Broad Site Search Report : Initial Site Search study 2005 Built Facilities Site Search Methodology Preferred Options.pdf Built facilities site search methodology report (Preferred Options Stage) Built Facilities Site Search Methodology Preferred Options 2.pdf Built facilities site search methodology report (Preferred Options 2 Stage) ClimateChangeImpactsModelling.pdf Study into Greenhouse Gas Emissions by waste facilities Equility Impact Assessment.pdf Equality Impact Assessment - Preferred Options report European Sites With Border final May2010.pdf Map of European sites designated under Habitats Regulations Health effects of waste management.pdf Health Impacts Assessment of waste facilities List of Supporting Document.pdf This listing Mersevside Radioactive Waste Arisings.pdf Radioactive Waste Survey for Merseyside MerseysideWasteAA final 30Apr2010.pdf Habitat Regulations Assessment Report Needs Assessment and Planning Implications.pdf Needs Assessment and Planning Implications : Main Report NW Regional Survey of Commercial & Industrial Wastes 2006/7 North West Commind Survey Final Report.pdf North West ConDemEx Survey Final Report.pdf NW Regional Survey of Construction & Demolition wastes 2006/7 NW Regional Broad Locations Report Nov 08.pdf NW Region Broad Locations Report: 2008 SA Environmental Statement Consultation Draft.pdf Sustainability Appraisal for Preferred Options- Report SA Environmental Statement NTS Consultation Draft.pdf Sustainability Appraisal for Preferred Options - Non-Technical Summary SA Scoping Report pre- PO revision July 2009. pdf Sustainability Appraisal Scoping Report (07/09 update) SFRA Merseyside Waste DPD. pdf Strategic Flood Risk Assessment for Merseyside Waste DPD Site Profiles Appendix.pdf Detailed Site Profiles - Appendix to Publication Document St Helens sub-regional sites assessment.pdf Additional Assessments carried out on St Helens sub-regional sites Landfill site search methodology report Survey for Landfill in Merseyside and Halton Report. Pdf Waste DPD Issues and Options Report.pdf Waste DPD Issues and Options Report Waste DPD Publication Document.pdf Waste DPD Publication Document WasteDPD Preferred Options Report.pdf Preferred Options Report WasteDPD Preferred Options 2 Report.pdf Preferred Options 2 Report : New Sites Consultation WasteDPD_Spatial_Strategy_and_Sites_Report. Pdf Spatial Strategy & Sites Report

Report to: Cabinet Member - Transportation

Cabinet

Date of Report: 3 October 2011 **Date of Meeting** 13th October 2011

Subject: Winter Service Policy and Operational Plan

Report of: Director of Built Environment Wards Affected: All

Is this a Key Decision? Yes Is it included in the Forward Plan? Yes

Exempt/Confidential No

Purpose/Summary

To present options for consideration relating to the Winter Service Policy; and the revised Winter Service Policy and Operational Plan document for approval.

Recommendation(s)

That Cabinet be recommended to:-

- (i) approve the revised Winter Service Policy document as shown in Annex B to the report
- (ii) note the involvement of the Cabinet Member Transportation and Spokespersons in both influencing response and also to agree to empower the Cabinet Member in consultation with the Director of the Built Environment to deviate from policy where justified and appropriate and for any such deviation to be reported back to Cabinet at its next meeting.
- (iii) provide direction to officers on the 11 issues to enhance the Winter Service Policy, as detailed in section 4.1 of the report; and
- (iv) subject to (ii) above, authorise the Director of Built Environment to make any further revisions to the Winter Service Policy and Operational Plan in consultation with the Cabinet Member Transportation

How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	<u>Positive</u>	<u>Neutral</u>	<u>Negative</u>
		<u>Impact</u>	<u>Impact</u>	<u>Impact</u>
1	Creating a Learning Community		X	
2	Jobs and Prosperity		Х	
3	Environmental Sustainability		Х	
4	Health and Well-Being	Х		
5	Children and Young People		Х	
6	Creating Safe Communities	Х		
7	Creating Inclusive Communities	Х		
8	Improving the Quality of Council Services and Strengthening Local Democracy	Х		

Reasons for the Recommendation:

To approve a revised policy in light of the extreme weather experienced during 2010

What will it cost and how will it be financed?

(A) Revenue Costs

The service is funded from revenue budgets, elements of which are uncontrollable because the extent of the service is weather dependent. Every effort is made to contain costs but not at the expense of the gritting operation which is delivered as necessary

(B) Capital Costs

None

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

_	Section (41(1A)) to the Highways Act 1980 places a pect of winter conditions, as follows:-	duty on Highway Authorities
	'In particular, a Highway Authority is under a reasonably practicable, that safe passage endangered by snow or ice'	
Huma	In Resources None	
Equal	lity	
1.	No Equality Implication	X
2.	Equality Implications identified and mitigated	
3.	Equality Implication identified and risk remains	

Impact on Service Delivery:

None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD1021) and Head of Corporate Legal Services (LD379/11) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

Cabinet could decide to retain the existing policy without the revisions. However, to do so would fail to enhance the policy based upon the experience of the extreme weather events of December 2010

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting

Contact Officer: Jeremy McConkey Network Manager

Investment Programme & Infrastructure

Tel: 0151 934 4222

Email: jerry.mcconkey@sefton.gov.uk

Background Papers:

None

1.0 Introduction/Background

- 1.1 Cabinet will be aware that the Department of Built Environment provides a Winter Service to the borough in accordance with the Winter Service Policy and Operational Plan. Officers monitor the weather conditions 24 hours a day throughout the winter season and enact the plan when weather conditions dictate.
- 1.2 The Railways and Transport Safety Act 2003 (section 111) has inserted an additional section (41(1A)) to the Highways Act 1980 which placed a duty on Highway Authorities in respect of winter conditions, as follows:-

'In particular, a Highway Authority is under a duty to ensure, as far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice'

1.3 The Council operates to a Winter Service Policy and Operational Plan which has been approved by the Council and is reviewed each summer to ensure that it remains 'fit for purpose'. In light of the extreme weather conditions experienced in December 2010, Cabinet requested that the policy be reviewed to take such extreme conditions into consideration and undertake a consultation exercise to seek the views of the community.

2.0 Consultation

- 2.1 A consultation exercise has been undertaken with Elected Members, Parish Councils, businesses, traders, community groups, emergency services and travel bodies. In addition, the consultation exercise was also posted on the Council's web site.
- 2.2 The issues raised by the consultation exercise can be summarised as follows:
 - Insufficient snow ploughing
 - Insufficient grit bins
 - Insufficient manual snow clearance
 - Perceived lack of gritting
 - Perceived slow response
 - Poor communication
 - Emergency response
- 2.3 Officers have considered the issues raised and held a Member Officer Working Party on 17th August 2011 to seek further views. This resulted in a letter to all Elected Members on 5th September 2011 which examined each issue and commented on possible solutions. This formed the basis of a report to Overview and Scrutiny (Regeneration and Environmental Services) Committee on 20th September 2011. A copy of that report is attached at **Annex A**.

3.0 Key Revisions to Policy

- 3.1 All of the above consultation and Elected Member involvement has been taken into account when drafting the revised Winter Service Policy and Operational Plan which is set out in Annex B with revisions highlighted. Annex B is included in the Documents Library which can be accessed on the Council's website via this link: http://modgov.sefton.gov.uk/moderngov/documents/s34857/WinterServiceAnnexB.pdf.
- 3.2 For ease of reference, the key revisions to the policy document (which are detailed more extensively in Annex A and Annex B) cover the following service elements:
 - Footway Snow Clearance Locations

Enhanced service by utilising footway gritters with snow plough blade attachments at key footway location

Carriageway Snow Clearance

All gritters now have snow blade attachments. Additional routes developed to increase ploughing coverage

Decision Making Process

Enhanced decision making by senior officers to plan response to forecast snow at the earliest opportunity

• Timing of Forecast Information

New forecast introduced to identify potential snow event at the earliest opportunity

Additional Gritting

Revisions to gritting routes based on consultation and experience in liaison with Merseytravel

Additional Salt Stocks and Equipment

Storage of bagged salt and snow shovels for use during an extreme weather event at the direction of the Director of Built Environment. This provides a flexible approach to deliver enhanced services where most needed, rather than increasing the number of grit bins

Communication

Enhanced communication in a more timely manner in extreme weather events, particularly by use of the Council's Twitter account which will be available for Elected Member sign up

Variable Message Signs

Use of VMS to give further enhanced information on conditions and gritting operations

• Extreme Weather Event Response

Establishment of an extreme weather event team (EWET) to coordinate the Council's response to extreme weather

Policy Compliance

Involvement of Cabinet Member (Transportation) and Spokespersons in both influencing response and also empowerment to deviate from policy where justified and appropriate

Resources

Identification of internal and external resources to be called upon in an extreme weather event at the direction of EWET

4.0 Issues for Determination

4.1 Members are requested to consider and resolve each of the following 11 items:

Option	Description	Detail	Indicative	Officer
			Cost	Comment
1	Purchase additional grit bins	Cost to purchase and locate and fill once	£38,000	This approach is not recommended to allow for
		Additional cost to refill 20 times for example	£113,000	greater flexibility of response where service is most needed
2	Stock bagged grit for targeted use	In place of an increase in grit bins	Included in item 6 below	This is recommended for approval
3	Purchase snow shovels	Assume 300	£1500	This is recommended for approval
4	Utilise existing footway gritters with plough attachments for additional footway snow clearance	All 3 footway gritters per day	Approx £2000 per occasion	This is recommended for approval
5	Implement new ploughing routes	3 routes per occasion. Locations identified. Mapped routes under development	TBC	This is recommended for approval
6	Purchase additional grit stocks for additional ploughing routes, replenishment of grit bins, bagged grit, additional footway operations and extreme weather events	Purchase an additional stock of 500 Tonnes to be stored separately from the usual stock for use solely in these situations	Approx £22,000	This is recommended for approval
7	Authorise the Director of Built Environment to approve any additional expenditure due to the need for additional snow clearance and gritting	Use of internal resources will not incur additional cost. Use of external resources in extreme conditions. Costs to be monitored daily	Call out charges provided by local contractors	This is recommended for approval

Option	Description	Detail	Indicative	Officer
		=	Cost	Comment
8	Inclusion of Cabinet Member and Spokespersons in EWET meetings	Facilitates Member involvement in approach to Sefton's response		This is recommended for approval
9	Purchase additional GPS services to monitor gritting and snow plough blade deployment	To be fitted to 8 gritters	£3000	This may enhance the service but could create cause for concern as only certain areas of the gritting route are suitable for ploughing. This could lead to unnecessary challenge and is not recommended for approval
10	Authorise the use of Twitter and electronic communications to Elected members and the press regarding notification of gritting operations (in extreme weather events) and Council press statements and other relevant information		Minimal	This is recommended for approval
11	Authorise the Director of Built Environment, Head of Investment Programmes and Infrastructure and Network Manager to agree with Cabinet Member and Spokespersons if there is a need on justifiable and reasonable grounds to deviate from policy.	Additional costs subject to decisions made	Minimal	This is recommended for approval

- 4.2 The recommendations and views of Overview and Scrutiny (Regeneration and Environmental Services) Committee have been taken into account in the compilation of this report
- 4.3 Cabinet is requested to note the views of Overview and Scrutiny (Regeneration and Environmental Services) Committee in their deliberations.

ANNEX A

Report to: Overview and Scrutiny (Regeneration and Environmental Services)

Date of Meeting: 20th September 2011

Subject: Review of Winter Service Policy

Report of: Alan Lunt, Director of the Built Environment

Wards Affected: All

Is this a Key Decision? No Is it included in the Forward Plan? No

Exempt/Confidential No

Purpose/Summary

To consider revisions to the current winter service policy and make recommendations to Cabinet for approval

Recommendation(s)

Consider the content of the report and make recommendations to Cabinet

How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		Х	
2	Jobs and Prosperity		Х	
3	Environmental Sustainability		Х	
4	Health and Well-Being		Х	
5	Children and Young People		Х	
6	Creating Safe Communities	Х		
7	Creating Inclusive Communities	Х		
8	Improving the Quality of Council Services and Strengthening Local Democracy	Х		

ANNEX A

Reasons for the Recommendation:

To make any required amendments to the winter policy in light of the extreme weather experienced in 2010.

What will it cost and how will it be financed?

(A) Revenue Costs

The costs of the service are weather dependent. Costs are monitored regularly throughout the winter season and are reported to Cabinet Member

(B) Capital Costs

Funding for an extensive increase in grit bins would need to be identified.

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal	The Highways Act 1980 sect	ion 41(1A) places a duty on a		
highw	ay authority to ensure, as far as is reasonably prac	ticable, that safe passage along		
a highway is not endangered by snow or ice				
Human Resources None				
Equa	lity			
1.	No Equality Implication	X		
2.	Equality Implications identified and mitigated			
3.	Equality Implication identified and risk remains			

Impact on Service Delivery:

The report seeks to improve the current service during extreme weather.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD996) and Head of Corporate Legal Services (LD335/11) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

The current policy could be retained

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting

Contact Officer: Jeremy McConkey

Tel: 0151 934 4222

Email: jerry.mcconkey@sefton.gov.uk

Background Papers:

Winter Service Policy

ANNEX A

1.0 Introduction/Background

- 1.4 Members will be aware of the extreme weather events experienced in Sefton during December 2010. While current practice ensures that the policy is reviewed after each winter, a more detailed consultation process has been undertaken as a result of that event and the Council's ability to respond effectively to those unique conditions.
- 1.5 A report was presented to Cabinet on 27th January 2011, which identified some potential additions to the service. Members resolved to authorise the purchase of additional snow plough blades for both carriageway and footway gritters. This resolution has been implemented.
- 1.6 In light of the events of December 2010 and taking into account the comments made as a result of the consultation process, an options paper has been sent to every Elected Member and Parish Council in advance of this meeting, seeking their views on the options. A copy of the options paper is attached at Annex A.

2.0 Proposals

- 2.1 With the agreement of the Cabinet Member, this report is being presented to Overview and Scrutiny Committee on 20th September 2011. The comments and recommendations of this committee will be included in a further report to Cabinet for the adoption of a revised policy for the coming winter season
- 2.2 Members of the committee are therefore requested to consider the options paper and make their recommendations accordingly

3.0 FINANCIAL IMPLICATIONS

3.1 Approximate costs have been included in the options paper for information. Typically with this service, the full costs are dependent on the severity of the winter and the need to repeat operations to deal with extreme weather conditions.

ANNEX A

Winter Service Review September 2011

A Introduction

Members will be aware of the situation faced by the authority last year in response to the extreme weather event which commenced on 17th December 2010. This was the second extreme weather event in Sefton in two years. 2009 saw a lesser sporadic snowfall between 19th and 23rd December. During that period, temperatures only fell to minus 4.8 degrees, and rose above freezing each day to assist with the thawing process. The timing and levels of snowfall made the response at that time more effective.

In comparison, 2010 saw temperatures fall to minus 17 degrees and fail to rise above freezing for over a week. This prevented any thawing from occurring and limited the effectiveness of the response. In reality, there was only one snow episode in 2010, but the severity and the lack of any thawing, coupled with the fact that salt is only effective to a temperature of minus 8 degrees, meant that the extreme conditions remained despite the continuous efforts employed.

A number of issues were brought to light during that period and a review of the winter policy has been ongoing throughout the summer months to enable the authority to be more explicit in stating what service we can deliver and therefore what everyone can expect in the event of a repeat of the conditions we all experienced.

It is important to understand that the extreme weather event we experienced was very rare and that any response should consider that such conditions may or may not be repeated. The conditions persisted for a relatively short period and the Council needs to consider the overall impact on a major investment in light of perceived benefits.

At the end of the last winter season, an interim report was presented to Cabinet who elected to authorise the purchase of additional snow plough blades for both the road and footpath gritters. This instruction has been implemented.

An extensive consultation exercise has been undertaken with a wide variety of bodies including PCT, CVS, Elected Members, Parish Councils, businesses, emergency services, travel authorities and also residents via Sefton's website. This is estimated at a catchment of over 2500 not including the potential coverage via the website.

B Issues

Approximately 100 responses were received to the consultation exercise and the issues raised therein, coupled with other comments received both during and after the extreme weather event have raised issues that the Elected Members will need to address in order that any revisions can be incorporated into the policy for the coming winter.

The main issues raised were as follows:

- Insufficient snow ploughing
- Insufficient grit bins
- Insufficient manual snow clearance
- Perceived lack of gritting
- Perceived slow response
- Poor communication
- Emergency response

This paper will address each of those issues for consideration

Insufficient Snow Ploughing

During last winter, based on the experience of previous winters and particularly the snow event in 2009, two gritting vehicles were fitted with snow ploughs as this was deemed sufficient for most circumstances. Indeed, this had been confirmed each time the policy had undergone annual review.

The extremity of the snow event in December 2010 has made a re-consideration of the number of snow plough blades necessary. As a result, snow plough blades have been purchased for all eight routes to ensure that the most extreme of events (perhaps only occurring once every 30 years) could be dealt with more effectively.

In addition, current routes are gritted in one direction. Therefore, they are currently only ploughed in one direction also. An exercise has been undertaken to identify those roads where we would be able to plough in both directions, and additional routes have been designed to allow for this to be done. This work has been undertaken in liaison with Merseytravel and based on main bus routes as advised by them. It is important to appreciate that not all roads can be ploughed, either due to their narrow width, or indeed the implication of where the snow would be deposited by the action of the plough. There are many situations were the action of ploughing the snow could result in obstructions being created by large piles of snow being deposited either across private driveways or across side roads. This can create more problems than it solves. Furthermore, a judgement will be needed on completion of ploughing and gritting initial routes whether to plough and grit them again or to grit and ploughing the new routes. There are insufficient resources to undertake both simultaneously.

Whilst the cost of the plough blades has already been accounted for, there will be an additional cost in ploughing and gritting the newly designed routes. This operation will also use more grit and additional stocks may need to be acquired. Please refer to section C for indicative costs.

Insufficient Grit Bins

The authority currently sites 58 grit bins throughout the borough. Locations of grit bins are based on the following criteria:

- 1, Bridges with made footways over railways and canals
- 2, Footways on steep inclines
- 3, Footways on sharp bends

Grit bins will not be provided at the following locations (except in exceptional circumstances to be determined by the Director of Built Environment)

- 1, Footways that are included on the footway gritting routes.
- 2, Areas where no footway exists

One suggestion from the consultation exercise was that we provide 10 grit bins per ward (totalling 220) in addition to the existing stock (the existing stock meets the above criteria) the locations to be determined by the ward councillors/parish councillors/communities. There will be an expectation that the new grit bins will be filled much more frequently as they will be in highly visible locations and emptied by the community regularly. There is anecdotal evidence that the existing grit bins are often emptied by persons who take the grit for private use. An increase in grit bins may not have the effect of improving highway conditions if we accept that grit bins located in much more prominent positions are much more likely to be emptied either for private use, or more frequently when not necessarily required.

Coupled with the concern over usage is an even greater concern over costs. Not only are the grit bins expensive, they are static and do not offer the necessary flexibility of approach. Last winter

there was a need to target resources at certain parts of the borough and locating grit bins on a ward basis can tie up resources and prevent the targeting that may be needed.

A preferable alternative to increasing the number of grit bins would be to stockpile bagged grit to be ready for deployment where there is most need. Locations could be as advised by Elected Members and communities that officers could inspect and provide bagged grit or even spread grit ourselves if necessary. This will afford the flexibility of approach needed to respond to targeted areas as required.

This approach would offer a much more targeted and cost controllable response with more likelihood that the grit would be used in an appropriate manner where most needed.

We could seek the support of the local communities in spreading the grit on the public highway however there is a health and safety risk involved in this. It is the highway authority that has the duty to maintain the highway. That is not a duty we can delegate. If we seek the assistance of private citizens we allow issues to go beyond our control. If someone acts in such a way as to cause an injury to themselves or others then they could deflect that onto the highway authority because we had asked them, or given them permission to act on our behalf.

Please refer to section C for indicative costs. To spread the grit ourselves would potentially add further costs unless internal resources were utilised. This is discussed further below.

Insufficient Manual Snow Clearance

The extent of the snowfall created an expectation that Sefton would employ numerous operatives for footway snow clearance. We will, wherever possible, call upon the services of Council staff to undertake snow clearance and assist the elderly, disabled and those in need of access to hospital treatment. Operational Services has approximately 140 staff that may be available to be redeployed onto snow clearance if their substantive role is suspended by their Director. This could potentially be supplemented by another 50 staff from Leisure activities and Coast and Countryside. These staff could potentially be deployed to clear snow and spread grit at the locations detailed in the grit bins section above. This would negate to need to involve private citizens and therefore reduce the Council's risk. These services currently have 1 small tractor at Botanic Gardens, 2 4x4 tractors one Bobcat and 7 Landrovers at Ainsdale Discovery Centre, 6 small gritting spreading machines (3 North & 3 South) plus a snow plough attachment for the bobcat & forklift truck and 1 large spreader unit for the use on a 7.5 Tonne vehicle. Some or all of these operatives and equipment may be utilized as required at no additional cost to the Council.

In addition to this, snow plough blades have been purchased for the footway gritters. This will allow for a much quicker and more suitable response to snow clearance from footways. The first priority will remain the agreed footway routes; however this provision could then be targeted at other key locations to assist with snow clearance. Again, those areas could be identified by communities and ward Councillors. This would be at an additional cost to the Council. Please refer to section C for indicative costs.

Such operations will require additional grit supplies and further stocks should be purchased and retained for particular use in an extreme weather event.

We will also have contractors on stand by to call out if required which hopefully would be rare but nevertheless could be arranged and deployed swiftly. A number of local contractors have indicated that they would have both operatives and equipment available for hire by the Council in extreme weather situations. This would be at an additional cost; however the resource has been identified and can be called upon by the Director or chair of the extreme weather event team (EWET)

Perceived Lack of Gritting

Other comments received at the time and during the consultation was the perception that the gritters were either not operating or when they were, they were not spreading grit. Whilst this has been disproved by virtue of the processes we currently have in place (GPS tracking on the gritters with grit weighed into and out of the gritters before and after operations), this could possibly be enhanced by enhancing the GPS system to include indicators of both spreading operation and deployment of the snow plough blades. Please refer to section C for indicative costs.

Perceived Slow Response

The extreme weather event in December 2010 occurred on a Friday night. Despite continuously gritting and ploughing throughout that weekend, a meeting of senior officers did not occur until the afternoon of the following Monday. This led to the perception that the Council was inactive during the key time period of the extreme weather. Clearly this was not the case, however the opinion was difficult to refute to everyone's satisfaction at the time. This has now been addressed in a number of ways. A revised system has been incorporated into the policy document to involve more senior officers at the first forecast of any likely snow fall. An extreme weather event team (EWET) whilst already effectively in existence although not explicitly referred to in the policy document has now been detailed and includes key officers with responsibility to deliver a whole range of services. The appropriate officers will be called upon from those identified in the policy dependant on the extent and nature of the extreme weather event. In a repeat of the situation experienced in December 2010, the Cabinet Member and Spokes Persons (Transportation) will be invited to attend meetings of EWET

Poor Communication

The public response, both at the time of the extreme weather and during the consultation, was the poor quality of information available from the Council so they could understand both what was going on and what the Council's response was. In the coming winter, more frequent updates will be posted in a prominent position on the Council's web site to advise of gritting operations with the potential for weekend updates if required by EWET.

The Council will also use Twitter to post messages as necessary. The most efficient way to keep Councillors informed would be to sign them up to Twitter to access the most up to date information. The press will also be updated. Wherever possible, information will also be displayed on Variable Message Signs across the borough. The processes for these initiatives are currently being explored.

Emergency Response

There is a need to ensure that officers have the opportunity and authorisation to respond with flexibility should any extreme weather event occur again. The Director of Built Environment, Head of Highways and Infrastructure and Network Manager will need to be available in another extreme weather event, whenever that may occur.

Further authorisation is required to allow these officers to agree with Cabinet Member and Spokespersons if there is a need on justifiable and reasonable grounds to deviate from policy. This would be a positive response to the accusation that the Council was too rigid in its deployment and delivery of its' winter service policy.

C Options

Option	Description	Comments	Indicative Cost
1	Purchase additional grit bins	Cost to purchase and locate and fill once Cost to fill 20 times This approach is not recommended	£38,000 £113,000
2	Stock bagged grit for targeted use	See 6 below	
3	Purchase snow shovels	Assume 300	£1500
4	Utilise existing footway gritters with plough attachments for additional footway snow clearance	All 3 footway gritters per day	Approx £2000 per occasion
5	Implement new ploughing routes	3 routes per occasion. Still under development	TBC
6	Purchase additional grit stocks for additional ploughing routes, replenishment of grit bins, bagged grit, additional footway operations and extreme weather events	Purchase an additional stock of 500 Tonnes to be stored separately from the usual stock for use solely in these situations	Approx £22,000
7	Authorise the Director of Built Environment to approve any additional expenditure due to the need for additional snow clearance and gritting	incur additional cost. Use of	Call out charges provided by local contractors
8	Consider inclusion of Cabinet Member and Spokespersons in EWET meetings	Facilitates Member involvement in approach to Sefton's response	

Option	Description	Comments	Indicative
9	Purchase additional GPS services to monitor gritting and snow plough blade deployment	To be fitted to 8 gritters	£3000
10	Authorise the use of Twitter and electronic communications to Elected members and the press regarding notification of gritting operations (in extreme weather events) and Council press statements and other relevant information		Minimal
11	Authorise the Director of Built Environment, Head of Highways and Infrastructure and Network Manager to agree with Cabinet Member and Spokespersons if there is a need on justifiable and reasonable grounds to deviate from policy.	Additional costs subject to decisions made	Minimal

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Report to: Cabinet Member Transportation Date of Report: 12th October 2011

Cabinet Date of Meeting: 13th October 2011

Subject: Thornton to Switch Island Link - Progress Update and Commencement of

Detailed Design

Report of: Director of Built Environment Wards Affected: Park, St Oswald,

Netherton and Orrell, Molyneux, Manor,

Sudell

Is this a Key Decision? Yes Is it included in the Forward Plan? Yes

Exempt/Confidential No

Purpose/Summary

To advise Members of current progress with the scheme, to seek Members' approval to commence the detailed design stage of the project and of the revised project management arrangements. To advise Members of the current scheme programme and cost profile.

Recommendation(s)

Cabinet Member - Transportation:

1) Notes the report, supports the recommendations to Cabinet and recommends Cabinet to approve the commencement of the detailed design for the scheme.

Cabinet:

- 1) the progress in the preparation of the necessary statutory Orders for the scheme be noted.
- 2) approval be given to the commencement of the detailed design of the scheme in parallel to the Orders process.
- 3) the revised Project Management arrangements and Project Board representation for the scheme be approved.
- 4) the revised indicative programme for the scheme be noted.
- 5) the revised spend profile for the scheme be noted.

How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		$\sqrt{}$	
2	Jobs and Prosperity	√		
3	Environmental Sustainability	V		
4	Health and Well-Being	V		
5	Children and Young People	V		
6	Creating Safe Communities	V		
7	Creating Inclusive Communities	V		
8	Improving the Quality of Council Services and Strengthening Local Democracy		V	

Reasons for the Recommendation:

To keep Members appraised of progress and to seek approval to commence the detailed design stage of the scheme and to advise Members of changes in project management arrangements and to confirm the current programme and cost profile for the scheme.

What will it cost and how will it be financed?

(A) Revenue Costs – N/A

(B) Capital Costs

Cabinet approved the spend profile for the scheme for 2009/10 - 2012/13, totalling £5.912m on the 1st October 2009. The allocations were included in the Capital Programme 2010/11 - 11/12 approved by Cabinet on the 4th March 2010. Revised allocations for 2011/12 - 2012/13 were approved by Cabinet as part off the Capital Programme on 3rd March 2011.

The proposed commitment is contained within Council's previously approved allocation in the medium term financial plan. A revised funding profile for the Council's allocation is provided in this report.

Implications:

Agenda Item 6

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal - The legal implications are contained within the body of the report. The statutory powers for making the Orders are Sections 14, 125, 239, 240, 246, 249 and 250 of the Highways Act 1980.					
Human Resources None					
Equal	l ity No Equality Implication	✓			
2.	Equality Implications identified and mitigated				
3.	Equality Implication identified and risk remains				

Impact on Service Delivery:

None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT (FD1029) has been consulted and any comments have been incorporated into this report.

Head of Corporate Legal Services (LD386/11) has been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

It would be possible to start the detailed design stage once the statutory Orders have been confirmed, as per the original project programme. This would avoid the risk of potentially abortive spend on the project, but would mean that the delays that have occurred during the Orders process would not be mitigated and the project delivery would be delayed. The implications of this are discussed below in the report.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting

Contact Officer: Stephen Birch **Tel:** 0151 934 4225

Email: stephen.birch@sefton.gov.uk

Background Papers:

None

- 1.1 A report to Cabinet on the 3rd March 2011 advised Members of progress on the Thornton to Switch Island Link. Cabinet was advised that the Department for Transport had approved the Council's Best and Final Funding Bid (BAFFB) and that a DfT contribution of £14.5m towards the scheme was confirmed. Cabinet was also advised that the Secretary of State would not intervene in the planning process, so there would be no Public Inquiry on the planning issues and that planning permission for the scheme had been granted.
- 1.2 Cabinet noted that work had commenced on the preparation of the statutory Orders for the scheme (a Side Roads Order and a Compulsory Purchase Order) and approved the resumption of work on the scheme, including the land acquisition process.
- 1.3 The purpose of this report is to:
 - Advise Members of progress in the delivery of the scheme and the next stages of the project.
 - Seek approval for work to commence on the detailed design stage of the scheme.
 - Seek approval for revised Governance arrangements due to the impacts of departmental re-organisation.
 - Advise Members of the revised Programme and Funding Profile.

2.0 Scheme progress

- 2.1 Recent work on the project has concentrated on the completion and publication of the statutory orders, a Compulsory Purchase Order and a Side Roads Order, and negotiations with land owners for potential land acquisition by agreement. This process has been delayed due to technical legal issues relating to Government owned land along the route.
- 2.2 The Council's legal advice regarding the Orders publication is that the Orders should not be published unless it is sure that there are no remaining obstacles or impediments to the scheme. This means that the Council needs to have certainty about all elements and areas of the scheme. In addition, in accordance with the regulations on compulsory purchase, Government owned land cannot be included in the Compulsory Purchase Order unless a Section 327 agreement has been reached. A s327 agreement makes allowance for Government owned land to be included in a CPO and these agreements need to be approved by the Government Minister responsible for the Department that owns the land. There are two areas along the proposed link road where this applies as described below.
- 2.3 Towards the western end of the scheme there is some land in the ownership of the Department of Environment, Food and Rural Affairs (Defra), under the management of the Forestry Commission. At Switch Island, the land that was formerly part of the trunk road network as part of the junction, much of which is now occupied by VOSA for a vehicle inspection and testing site, is owned by the Department for Transport.

- 2.4 The Council has been negotiating with the Forestry Commission since March has year about some areas of land towards the western end of the scheme. It was not possible to include the land in the CPO for the scheme because the Forestry Commission advised the Council that they were not prepared to enter into a s327 agreement, but wished to reach a negotiated transfer of land. The Forestry Commission does not object to the scheme and Forestry Commission officers have worked constructively with the project team to initiate the process of land transfer. Nevertheless, the requirement of the Commission to negotiate a land transfer has delayed the publication of the Orders. The principle and details of a land exchange and a series of accommodation works have now been agreed with the Forestry Commission. The formal agreement with the Forestry Commission to enable the land transfer is now being finalised. No completion date has yet been agreed, but it is hoped to be able to request Cabinet approval to publish the Orders at the November Cabinet meeting.
- 2.5 At Switch Island, the land that was formerly part of the trunk road network as part of the junction, much of which is now occupied by VOSA (Vehicle Operator Services Agency) for a vehicle inspection and testing site, is owned by the Department for Transport. The Council has been seeking clarification over the status of this land, in terms of whether it remains designated as highway land, but the information currently available indicates that the land remains both highway and trunk road. As the Switch Island land remains existing highway land, it does not need to be included in the CPO, but the sections of the new link that cross the existing highway land at Switch Island will need to be de-trunked to transfer responsibility for those sections to the local highway authority.
- 2.6 Both the HA and VOSA have confirmed their willingness to enter into agreements with the Council to enable the works to take place and the scheme to be constructed. It is expected that this will take the form of a Highways Act Section 6 agreement with Sefton to enable the necessary works to be undertaken. The basis of this agreement is being discussed with both VOSA and the HA.
- 2.7 Sefton's Property Management consultants, Capita Symonds, are in contact with the other landowners along the route and discussions about possible acquisition by agreement have commenced. These are all making progress, although efforts have mainly been concentrated on the discussions with the Forestry Commission.
- 2.8 A schedule of the planning conditions for the scheme has been compiled and the scope of works required to satisfy each of the conditions is being prepared. Discussions will be held with the Council's Planning Department to ensure that the proposals will satisfy the conditions. A review of the project risk register and programme was also undertaken in September.

2.9 Recommendation

(i) Members note the progress in the preparation of the necessary statutory Orders for the scheme.

3.0 Detailed Design stage

3.1 The scheme programme presented to Cabinet in March 2011 has been disrupted by the delay in publishing the Orders due to the negotiations with government departments and agencies. The publication date for the statutory Orders depends on the completion of the transfer agreement with the Forestry Commission and the

- Agency Lem 6

 Section 6 Agreement with the Highways Authority and VOSA. Given the delay in publication of Orders, an initial review of the remainder of the scheme programme has been undertaken. The option of undertaking the detailed design phase in parallel with the Orders process as a means of recovering some of the time lost has been investigated and is discussed below.
 - 3.2 Under the existing Conditions of Contract, the detailed design falls within Phase 2 of the project contract i.e. during the construction phase of the works. However it has always been the intention, endorsed by the Project Board, to commence this design once the statutory Orders have been confirmed. This will enable the Construction Target Cost to be prepared on the basis of the detailed design, providing greater confidence in the cost estimates and reducing the risk of changes during the construction period.
 - 3.3 The implications of initiating the detailed design before the Orders have been confirmed as a means of managing the scheme programme has been assessed. The risks, costs and benefits of either commencing detailed design early or of remaining with the original programme have been considered. The current position of the scheme in relation to planning, funding and legal processes is also important in assessing the likelihood of the scheme proceeding.

Current status of the scheme

3.4 The scheme has already received planning permission and also has funding approval through the Department for Transport. These are two major commitments to the delivery of the scheme. The remaining statutory process is the land acquisition and side roads order. The land acquisition is being pursued both through negotiation and through the CPO process and the SRO process is being pursued in parallel to the CPO. The Council has taken rigorous precautions to ensure that the Orders are valid. Both the CPO and SRO and the Statement of Reasons have been reviewed by legal Counsel and his recommendations have been incorporated into the relevant documentation. There is a very strong case for the scheme to proceed, so it is expected that the CPO and SRO should be confirmed, although there may still need to be a Public Inquiry to examine either or both of the Orders.

Detailed design as programmed

- 3.5 The main risk associated with undertaking the detailed design in accordance with the original programme (once the Orders have been confirmed) is that it does not address the delay already incurred through the Orders process, allowing and, to some extent, reinforcing a situation of 'project drift'. 'Project drift' occurs where a series of delays to a project build up, are not addressed, the project loses momentum and ends up with significant and often costly delays.
- 3.6 Accommodating the delay within the programme is already affecting the momentum of the project. There will be costs associated with delays to the scheme (see below) and the Council's reputation and public support for the scheme may also be adversely affected. Leaving the detailed design until after the Orders are confirmed and working towards a target start date for the works may also place time pressure on the process, with the risk that some areas of potential savings and innovative design may not be able to be explored. The scope for working with statutory undertakers, statutory authorities and sub-contractors to achieve best practice design, value for money and best tender prices may also be limited.

- 3.7 An estimate of the potential inflation costs arising from the string degree or delay to the scheme has been made. Although these costs do not compromise the overall project budget at this stage, they do represent potential additional costs that would be incurred by the project.
 - Inflation design & management 3 months @ £5k/month
 £ 15k
 - Inflation construction 3 months @ £50k/month £ 150k
- 3.8 There are benefits to retaining the detailed design stage as programmed. It ensures greater certainty for the project, because the statutory Orders will have been confirmed. Any requirements arising from a potential Public Inquiry for either the CPO and SRO will also be known and will have been dealt with. It also reduces or avoids the risks of abortive work associated with the early start of the detailed design.

Early detailed design

- 3.9 The main risk of commencing detailed design work at an early stage is that some or all of the work may be abortive, either due to future changes in the project or the risk of the project being cancelled. The risk of the project being cancelled is very small, given the level of political commitment and public support and that planning approval and funding confirmation have been achieved. Nevertheless, there is a small risk that the statutory Orders process (e.g if either or both the Side Roads Order and the Compulsory Purchase Order are not confirmed by the Secretary of State), possible Public Inquiry and associated land acquisition could compromise the delivery of the scheme. The Council has made significant efforts to ensure that the case for the scheme is as robust as possible, which should minimise those risks. There is also some risk that by initiating the detailed design process the Council could be perceived as presumptuous in expecting the scheme to go ahead.
- 3.10 The cost of the detailed design process (approximately £350k) will be incurred whichever option is taken, so that cost is not considered in the comparison of the options, except for the inflationary element, which is an additional cost on the later implementation of the detailed design. Implementation of the detailed design process would affect the spend profile of the scheme, which can be accommodated within the existing budgets. Potential additional costs associated with starting the detailed design early relate mainly to the risk of design amendments, for example, resulting from a possible Public Inquiry. These are difficult to estimate, but a significant change to the design could cost in the region of £150-200k.
- 3.11 The potential benefits of an early detailed design are significant, both qualitatively in terms of the project momentum and quantitatively in terms of cost savings. As indicated above, the project has lost some momentum due to the delays in completing the Orders process. Commencing the detailed design at an early stage would re-energise the project team and deliver new momentum to the project in a way that cannot be valued but would bring large benefits to the scheme. It demonstrates a positive and proactive approach to managing the project programme and seeking to mitigate the risks of delay. It would also signal a significant statement of intent by the Council and demonstrate the Council's ongoing commitment to delivering the scheme.
- 3.12 The contractor/designer team have identified a range of potential savings for the project that could be achieved through an early detailed design. This would provide greater scope for negotiations with statutory undertakers, sub-contractors and

Agendation authorities and other interested parties, enabling early resolution of concerns and agreement of accommodation works where necessary. This process will also provide greater certainty in the target cost, because it will be based on a fully developed detailed design and has had the necessary input from all parties. This will reduce the risks of additional costs arising during construction. An indication of the potential savings that could be achieved, including inflation costs, is provided below.

•	Inflation savings – 3 months @ £55k/month	£	165k
•	Savings on statutory undertaker diversions/works	£	100k
•	Best value deals with sub-contractors	£	100k
•	Resolution of design issues, e.g. drainage	£	100k

Detailed design proposal

3.13 The scheme is currently in a strong position to move forward and the risks of the scheme being cancelled or significantly amended are very small. There are risks, costs and benefits associated with either option for the detailed design stage. However, based on the assessment that has been undertaken, the benefits (both qualitative and quantitative) for the scheme of commencing detailed design in parallel with the Orders process outweigh the risks and costs of leaving the detailed design until later. For these reasons, the Project Board has recommended that the detailed design stage should be started as soon as possible (e.g. from the 1st November 2011) and Cabinet is requested to support that recommendation and approve the start of work on the detailed design for the scheme.

3.14 Recommendation

ii) Cabinet gives approval for the detailed design of the scheme to be commenced in parallel to the Orders process.

4.0 Governance arrangements

- 4.1 The Department for Transport expect formal and comprehensive Project Management procedures to be in place throughout the duration of the project. Cabinet at the meeting on the 8th February 2007 approved Project Management arrangements based on the Office of Government Commerce (OGC) methodology "Managing Successful Projects with Prince 2". This process requires management levels and key responsibilities to be formally recognised, and the establishment of a Project Board involving representatives of the Council, delivery partners and prospective users of the project. To date these arrangements have proved very positive in managing the delivery of the scheme.
- 4.2 The Senior Responsible Owner is the Council's Contract Project Manager, chairs the Project Board and provides the senior link with the Department for Transport. Cabinet at the meeting of the 3rd March 2011 approved that the duties and responsibilities of the Contract Project Manager be delegated Director Environmental Services. Following the recent Departmental re-organisation, this position is no longer applicable.
- 4.3 It will be important to maintain the responsibility at an appropriate level both within the project team and in liaison with DfT. It is therefore proposed that the designated

officer for the role of Senior Responsible Owner and Agen Christ Project Manager within the Project Management structure for the scheme be amended to the Director of the Built Environment. The DfT will be advised accordingly.

4.4 Recommendation

(iii) Cabinet approves the revised Project Management arrangements and Project Board representation for the scheme.

5.0 Scheme Programme

5.1 The scheme programme has been reviewed to take account of the delays in the Orders process. Subject to completion of the land transfer from Defra, the completion of the Section 6 Agreement with the Highways Agency and VOSA, the following indicative key programme dates have been identified. This assumes that the detailed design will be commenced in accordance with the recommendation in this report:

Cabinet approval of Orders (SRO, CPO) November 2011

Publish Orders (SRO, CPO) November 2011

SoS decision on need for Orders Inquiry February 2012

Public Inquiry (if required)

August 2012

SoS Decision following Inquiry February 2013

Statutory Objection Period April 2013

Approval of target cost April 2013

Construction start May 2013

Construction complete May 2014

Scheme open to traffic Summer 2014

5.2 Recommendation

(iv) Members note the revised indicative programme for the scheme.

6.0 Scheme Costs

6.1 Cabinet on the 17th May 2007, approved a council contribution to the Thornton to Switch Island Link scheme of £5.912m over the financial years 2008/09 to 2012/13. The profile of the Council's commitment has been reported to Cabinet at the following meetings to keep the Medium Term Financial Plan up-to-date: 17th May 2007, 29th November 2007, 2nd October 2008, 1st October 2009 and 10th June 2010

- Age with the inclusion of the scheme by the new Government in the 'Supported Pool' of major schemes, the DfT have introduced revised funding arrangements. The DfT requested Local Authorities to identify a <u>fixed</u> contribution from the DfT that cannot be altered in the future and that showed a reduction on the amount previously approved at Programme Entry stage. This would mean that any additional costs after the funding package is approved will fall on the Council as promoting authority.
 - 6.3 The Council's Best and Final Funding Bid (BAFFB) was prepared on this basis and was approved by Cabinet on 16th December 2010. Based on the BAFFB, the Council's funding can therefore be summarised as:

Local Authority Contribution	£4.088m
Ineligible Costs	£0.650m
Contingency	£1.174m
TOTAL	£5.912m

6.4 Based on the indicative programme a revised spending profile for the Council's contribution is proposed. This assumes that the detailed design will be commenced in accordance with the recommendation in this report and the revised spending profile is provided in the table below.

		August 2009		August 2011	
	Total Approved £'m	Spend to Date £'m	Spend Profile £'m	Spend to Date £'m	Spend Profile £'m
2007/08	-	-	-	-	-
2008/09	0.830	0.114	0.114	0.114	0.114
2009/10	0.958	0.051	1.122	1.098	1.098
2010/11	0.512		0.712	0.407	0.407
2011/12	1.597		1.949	0.073	0.618
2012/13	2.015		2.015		1.555
2013/14					1.920
2014/15					0.200
Total	5.912	0.165	5.912	1.692	5.912

6.5 Recommendation

(v) Members note the revised spend profile for the scheme.

7.0 Financial Implications

7.1 The Head of Corporate Finance and ICT comments that all expenditure forecast to be incurred on the scheme can be contained within Council's previously approved allocation in the medium term financial plan. A spending profile for the Council's allocation is provided above, however should the scheme not progress any expenditure incurred would be classed as abortive and would be required to be charged to revenue and be funded from General Fund Balances.

8.0 Conclusions

8.1 The Council has been promoting this scheme for many years and it is important to maintain the momentum of the project. Progress is being made in the statutory Orders process, but the project has experienced some delays. Discussions about land acquisition will continue, but proposals to mitigate the delays by commencing the detailed design stage early have been prepared and recommended to Cabinet. Revised governance arrangements reflecting departmental re-organisations have been proposed and the scheme programme and spend profile have been updated.

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Report to: Cabinet **Date of Meeting:** 13th October 2011

Subject: Green Waste (Composting) Service - Award of Contract

Report of: Director of Street Scene Wards Affected: All

Is this a Key Decision? Yes Is it included in the Forward Plan? Yes

Exempt/Confidential No

Purpose/Summary

On 26th May 2011 it was agreed by Cabinet to re-tender the Green Waste (Composting) Contract. The re-tendered contract is for a 2 year period commencing 1st November 2011 plus an optional period of 1 year. Officers have completed the formal re-tendering process and evaluated all bids accordingly as detailed in this report, and are now in a position to award the contract to the preferred bidder, subject to Cabinet approval.

Recommendation(s)

That Cabinet agrees to award the Contract for the Green Waste Composting Service to Tenderer No. 3 for a 2 year period from 1st November 2011 with an option to extend for a further 1 year period from 1st November 2013 subject to satisfactory performance.

How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		✓	
3	Environmental Sustainability	✓		
4	Health and Well-Being		✓	
5	Children and Young People		✓	
6	Creating Safe Communities		✓	
7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy	√		

Reasons for the Recommendation:

To establish a secure outlet by means of a new contract for the delivery and composting of green waste collected within Sefton.

What will it cost and how will it be financed?

(A) Revenue Costs

It is anticipated that the overall costs of using the highest scoring tenderer is c£1,1m, which can be contained within existing budgetary provision.

(B) Capital Costs

None.

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal	Legal – The legal implications are incorporated within the report					
Huma	n Resources					
None						
Equal	ity					
1.	No Equality Implication	\checkmark				
2.	Equality Implications identified and mitigated					
3.	Equality Implication identified and risk remains					

Impact on Service Delivery:

Failure to make secure long term arrangements for the delivery and composting of green waste could lead to disruptions in collections from households across the borough.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD965) has been consulted and any comments have been incorporated into the report.

Head of Corporate Legal Services (LD333/11) has been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

None.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting.

Contact Officers: Gary Berwick / Clare Bowdler

Tel: 0151 288 6134 / 6144

Email: gary.	berwick@seftor	n.gov.uk/clare.	.bowdler@sef	ton.gov.uk

Background Papers:

None

Introduction/Background

- 1. The current contract for the Provision of a Green (Composting) Waste outlet expired on 31st March 2011. In order to maintain service provision and continue to provide an outlet for composting of green waste Sefton entered into a formal OJEU (Tendering) contract renewal exercise in Autumn 2010. As a result of this exercise a new Contract was awarded in January 2011 to the winning bidder. The new Contractual arrangements were due to begin on 1st April 2011.
- 2. Cabinet will recall the report of 6th April 2011: GREEN WASTE (COMPOSTING) EXTENSION OF EXISTING ARRANGEMENTS. This reported problems encountered by the proposed new incoming green waste contractors and advised of the need to extend the existing green waste composting arrangements for an additional 8 weeks until said issues had been resolved. These issues were not resolved within the given timescales and as such the incoming contractor failed in respect of the Conditions of Contract. In order to progress the situation in a fair and open manner, and after consultation with Finance and Legal Departments, it was considered appropriate to re-tender for the Award of the Green Waste Composting Contract, and to immediately commence a formal re-procurement process.
- 3. The formal re-procurement process has now been completed and resulted in the submission of 3 bids from companies listed alphabetically below.

White Moss Horticulture Ltd WSR Recycling Ltd WRS Composting Ltd (Walkers Organic Solutions)

This alphabetical listing does not relate to the 'Tenderer Number' quoted further in this report. In order to retain anonymity in the process, each tenderer was randomly allocated a 'Tenderer Number'.

- 4. The three compliant bids were first analysed in respect of 'price' against the specified evaluation process and estimated volumes of green waste. A formula, developed in conjunction with Sefton Council's Procurement Section, was applied to transform the prices into scores. The price element of the score contributed to 60% of the overall scoring.
- 5. All of the bids were scored in respect of the non-price related criteria, this 'quality' element of the score contributed 40% to the overall scoring and included:
 - Environmental Impact
 - Viability of proposed site(s)
 - Commercial and Technical Sustainability of proposals
 - How well the proposal fits with the operational needs of Sefton Councils green waste services
 - Added Value

6. The evaluation was conducted by officers in the Central Purchasing, Finance Department and Cleansing Section of Street Scene Services Department. The staff involved scored each section against the agreed criteria. The scores from the evaluation teams were then added into the overall bid scoring. The final scoring results are as follows:

Final scoring following evaluation of tenders by officers at the Finance Department (Central Purchasing) & Street Scene Services Department (Cleansing)

Rank	Tender No.	Quality Score	Price Score	Overall score
1	3	81.00	100	92.40
2	1	29.00	98.58	70.75
3	2	67.00	78.86	74.21

- 7. A full financial assessment of all bids has been undertaken. Based upon current volumes of green waste and anticipated fuel expenditure over the next two years, it is expected that the tendered prices obtained will require no additional expenditure over the period of the contract.
- 8. The Head of Corporate Finance would comment that the overall cost of using the proposed tenderer over a two year period would be c£1.1m, and it is anticipated that these costs can be contained within the existing recycling budget.

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Report to: Cabinet **Date of Meeting:** 13th October 2011

Subject: Transformation Programme Update

Report of: Chief Executive Wards Affected: All

Is this a Key Decision? No.

Is it included in the Forward Plan? Yes

This report is not a key decision in itself but forms part of the process for setting the Council's budget and Council Tax.

Exempt/Confidential

No

Purpose/Summary

To report the progress of the Transformation Programme in the delivery of approved budgetary savings.

Recommendation(s)

That the progress to date on approved savings proposals, reviews and cessation of external funding be noted

How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community			$\sqrt{}$
2	Jobs and Prosperity			V
3	Environmental Sustainability			V
4	Health and Well-Being			V
5	Children and Young People			V
6	Creating Safe Communities			V
7	Creating Inclusive Communities			
8	Improving the Quality of Council Services and Strengthening Local Democracy			V

The 2011/12 budget contains £44m savings and it is imperative that implementation continues to be closely monitored so that any necessary corrective action can be taken in a timely way.

In addition, the Council continues to forecast a significant budget gap over the next three years and additional budget savings will need to be identified over the coming months to ensure that future years' budgets can be balanced. A separate report Transformation Programme 2011- 2014 appears elsewhere on the agenda.

What will it cost and how will it be financed?

FD1031 The Head of Corporate Finance and ICT has been involved in the preparation of this report.

(A) Revenue Costs

The forecast revenue gaps for the years 2012/13 to 2014/15 are £20.05m, £7.6m and £10.9m respectively. The Council needs to take action over the coming months in order for a balanced budget to be agreed for 2012/13.

(B) Capital Costs

This matter is considered in further detail in the Transformation Programme 2011-2014 report elsewhere on the agenda.

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal LD 394

There are no direct legal implications arising from the contents of this report. However in the course of each of the individual approved proposals to achieve the previously agreed savings detailed consideration should be given to the legal, human rights and equality implications. Such consideration will also need to be evidenced to ensure that the Council's decision making processes are defendable.

Human Resources ; Currently there are 35 individuals formally at risk of redundancy as						
It of service reorganisations and cessation of external f	unding.					
ity See Section 5						
No Equality Implication	x					
	 					
Equality Implications identified and mitigated						
Equality Implication identified and risk remains						
	It of service reorganisations and cessation of external for ity See Section 5 No Equality Implication Equality Implications identified and mitigated					

Impact on Service Delivery:

Previously reported

What consultations have taken place on the proposals and when?

Strategic Directors, Director of Corporate Support Services and Director of Commissioning, Head of Personnel, Head of Corporate Finance &ICT and Head of Legal Services.

Are there any other options available for consideration? None

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet

Contact Officers: Jan McMahon, Head of Transformation Services

Tel: 0151 934 4431

Email: <u>jan.mcmahon@sefton.gov.uk</u>
Mike Martin, Strategic Finance Manager

Tel: 0151 934 3506

Email: mike.martin@sefton.gov.uk

Background Papers:

The following papers are available for inspection by contacting the above officer(s).

Reports to Cabinet and Council 3 March 2011: Transformation Programme and Final Revenue Budget Items 2011/12

Report to Cabinet 14 April 2011: Transformation Programme 2011/12
Report to Cabinet 26 May 2011: Transformation Programme 2011-2014
Report to Cabinet 23 June 2011: Transformation Programme 2011-2014
Report to Cabinet 21 July 2011: Transformation Programme 2011-2014
Report to Cabinet 18 August 2011: Transformation Programme 2011- 2014

Transformation Update Report September 2011

1. Introduction/Background

- 1.1 The approved savings within the 2011/12 budget continue to be implemented. The implementation of these savings continues to be very closely monitored and this report identifies progress made; current indications are that good progress continues to be made.
- 1.2 The forecast revenue gaps for the years 2012/13 to 2014/15 are £20.05m, £7.6m and £10.9m respectively. Early identification and consideration of options as to how these savings can be achieved will be required and this will build on the consultation and engagement being undertaken.
- 1.3 A separate report, Transformation Programme 2011- 2014, appears elsewhere on the agenda. That report, when considered together with the Medium Term Financial Plan 2012/13 2014/15, underpins the detailed financial position of the Council for the coming years and provides a framework for Revenue planning for the three years 2012/13, 2013/14 and 2014/15.

2. Transformation Programme Update

2.1 Annex A identifies current progress in terms of approved savings proposals, service reviews and cessation of external funding.

Achieved (Reported to August 2011)	£34,687,820
Achieved to 5 October 2011	£2,428,431
Total Savings Achieved to date (A1)	£37,116,251
Progress is satisfactory (Green) (A2)	£603,600
Review scheduled/risk of saving not being fully achieved	£4,698,000
(Amber) (A3)	
Known shortfalls/significant risk of saving not being fully	£1,494,431
achieved (Red) (A4)	
Total Approved Savings	£43,912,282

2.2 The tables below detail the latest position of expressions of interest in Voluntary Early Retirement/Voluntary Redundancy (VER/VR) and the savings that have been and will be made from the requests that have been agreed.

Expressions of Interest approved by Cabinet December 2009				
Expressions of Interest approved by Chief Executive (since 3 rd	226			
December 2009)				
Expressions of Interest declined since September 2009 – this includes				
potential bumps				
Expressions of Interest decision pending				
Expressions of Interest withdrawn by employee	35			

Year	Savings
	£000
2010/2011	2,526
2011/2012	3,310
2012/2013	527
Total	6,363

The above savings have been incorporated into approved savings proposals, where appropriate. The opportunity for staff to express interest in VER/VR remains open, and is positively promoted.

2.5 The Council continues to offer a range of support measures for employees who have or are being placed "at risk" of redundancy.

3. Conclusion

3.1 Members will be fully aware that we are on track to achieve the vast majority of the £44m savings that were approved in March.

Approved Savings Proposals Tracking Report September 2011

A1 - Savings Achieved to Date

Ref.	Description	Owner	Value 2011/12
Reported to	Cabinet 14 April 2011	1	£19,595,136
Reported to	Cabinet 26 May 2011		£10,898,684
Reported to	Cabinet 23 June 2011		£2,082,000
Reported to	Cabinet 21 July 2011		£870,000
Reported to	Cabinet 18 August 2011		£425,000
Total savir	ngs achieved reported previously		£33,870,820
	Review of Learning & Development	Mike Fogg	£75,000
Tier 2	Sure Start – Aiming High	Peter Morgan	£79,000
CS M4(a)	Cease 14-19 Partnership	Peter Morgan	£203,431
4	Commissioned Services	Robina Critchley	£2,000,000
7	Staff savings (delete 15 vacant posts)	Robina Critchley	£238,000
	Management & Support Costs - 25% reduction	Margaret Carney	£662,000
SCL12 (b)	Tourism - Reduce opening hours and staffing levels in Tourist Information Centre – anticipated saving overstated in August report	Tony Corfield	-£12,000
Total Savi	ngs Achieved to Date		£37,116,251

A2 - Progress is Satisfactory (e.g. contractual notice periods are being observed)

Ref.	Description	Owner	Value 2011/12	Progress	Comment
CE15	CAA Fees	Margaret Rawding	£50,000	Green	Notice Period to be observed £50,000 2012/13. Short term savings in audit costs have been used to meet the 2011/12 budget saving until this can be delivered.
	Cease Merseyside Policy Unit / North-West Policy Forum	Graham Bayliss	£75,600	Green	Notice period
	Review of Specialist Transport - Reduction in overspend.	Jim Black		Green	New ICT system for optimising transport provision introduced, new bus & taxi contract established, revised staffing arrangements implemented. Further details and financial implications to be reported separately.
CM64	Building Cleaning - Raise income target by £100k	Jim Black	£100,000	Green	Based on current projections the revised income target will be achieved.

CM29	Introduce a charge for Development Control advice	Jane Gowing	£30,000	Green	Public consultation underway
22	Car Parks Fees and Charges	Alan Lunt	£200,000	Green	
CM42	Increase fees for Network Mgt activities	Alan Lunt	£30,000	Green	Consultation ongoing
Tier 2	Tourism	Alan Lunt	£60,000	Green	Notice Periods being observed
	Review of Emergency Planning	Mike Fogg	£58,000	Green	Review now complete and implementation is underway
	Total		£603,600		

A3 - Review is scheduled to commence at a later date (outcomes unknown and risk of savings not being fully achieved)

Ref.	Description	Owner	Value 2011/12	Progress	Additional Comments
	Management & Support Costs - 25% reduction	Margaret Carney	£960,000	Amber	The completion of the Senior Management Review (third tier) and additional VR/VERs has helped to reduce the amount of saving at risk. A number of other reviews are currently being undertaken, which should provide further savings.
	Changes to Terms & Conditions	Mark Dale	£110,000	Amber	£2,890,000 achieved.
	Neighbourhoods Review	Graham Bayliss	£859,000	Amber	Review should be resolved by end of October
	Strategic Review of Sure Start Children's Centres	Peter Morgan	£900,000	Amber	Review progressing well; community consultation process has started.
	arvato contract	Mike Fogg	£70,000	Amber	Part achieved £360k Negotiations ongoing. Full saving £430k.
	Review of Learning & Development	Mike Fogg	£65,000	Amber	Part achieved, review is ongoing.
6	Inflation (withhold inflation elements to all providers)	Robina Critchley	£1,513,000	Amber	Judicial Review has now taken place and we await judge's decision which is anticipated in October 2011.
	Capita contract	Bill Milburn	£112,000	Amber	Negotiations ongoing
Tier 2	Affordable Warmth	Alan Lunt	£49,000	Amber	Reviewing options including exploring external funding opportunities.
	E&TS – Pest Control	Alan Lunt	£30,000	Amber	Reviewing Options
CE5	Rationalisation of Point of Sale & Bookings Software	Linda Price	£30,000	Amber	Review will commence this month. The rationalisation of other software and printing has exceeded its target and will meet the 2011/12 slippage in this project
	Total		£4,698,000		

A4 - Known shortfalls or significant risks that savings will not be achieved or a scheduled review is late in commencing

Ref.	Description	Owner	Value 2011/12	Progress	Comment
CE19(b)	Cease membership of North West Employers	Graham Bayliss	£28,000	Red	12 month notice period to be observed, saving will be delivered in 2012/13
Tier 1	Leisure Centres	Steve Deakin	£95,000	Red	£95,000 shortfall identified Full Saving will be achieved in 2012/13.
Tier 2	Arts & Cultural Services	Steve Deakin	£40,000	Red	£40,000 shortfall identified. Full Saving will be achieved in 2012/13.
Tier 2	Coast & Countryside	Rajan Paul	£10,000	Red	£10,000 shortfall identified Full Saving will be achieved in 2012/13.
Tier 2	Tourism	Tony Corfield	£27,000	Red	£27,000 shortfall identified. Full saving will be achieved in 2012/13
CM61	Charge for replacement Grey/Green Wheelie Bins	Jim Black	£10,000	Red	Charging for delivery of replacement w/bins has now been agreed and will commence by July 2011 however the full income target will not be achieved in 2011/12. Income will be monitored and reported as collected.
CS M4(a)	Cease 14-19 Partnership	Peter Morgan	£203,431	Red	Consultation and notice periods observed and this will impact on the saving that can be achieved in 2011/12. Full Saving will be achieved in 2012/13.
SCL12(b)	Tourism - Reduce opening hours and staffing levels in Tourist Information Centre (balance of £30,000)	Tony Corfield	£21,000	Red	Delayed owing to negotiations with MerseyTravel. Full Saving will be £18,000 additional savings being sought.
SCL12(c)	Tourism - Relocate Tourism offices to Southport Town Hall (balance of £20,000)	Tony Corfield	£8,000	Red	Move delayed until 15 August. Full Saving will be achieved in 2012/13.
4	Commissioned Services	Robina Critchley	£1,000,000	Red	Delay in negotiating liabilities and Terms & Conditions has resulted in only a part year saving being achieved. Full Saving will be achieved in 2012/13.
3	Income Increase (Disability Related Expenditure: increase % of people's disposable income from 65% to 80%)	Robina Critchley	£52,000	Red	Shortfall identified to Cabinet 3 rd March 2011 £52k
	Total		£1,494,431		
	Grand Total of Savings		£43,912,282		

A5 - Savings to be delivered in future years

Ref.	Description	Owner	Value 2012/2013	Progress	Comment
CE19(a)	Cease membership of the LGA	Graham Bayliss	£60,000	Green	Notice Period to be observed £60,000 2012/13
CM23	Increase Charge to Schools for Energy Advice	Alan Lunt	£10,000	Green	
CM24	Charge schools for Env Education or stop service	Alan Lunt	£17,500	Green	
23	Car Parks Contract Review (Retendering of Car Park Enforcement Contract from April 2012)	Alan Lunt	£100,000	Green	
26	Homelessness	Alan Lunt		Green	
27	House Renovation Grants	Alan Lunt		Green	
	Total		£187,500		

A6 - External Funding Changes (Funding Ceased or Reduced Activities Complete)

Ref.	Description	Owner
CS-M1	Aim Higher Funding Ceased £89,350	Peter Morgan
CS11	Contact Point Funding Ceased £37,787	Mike McSorley
CS - M5	Community Learning - Funding Reducing	Peter Morgan
PE1	Planning for Play Early Years Team - £175,313 - Temporary reduction in staffing hours in place, for £38k, wider review of Early Years to be progressed to find this element permanently.	Peter Morgan
External Funding	Youth Offending Service N/A There is a reduction of to 20% in external YJB funding	Colin Pettigrew
	MELS Funding Ceased	Alan Lunt
PE44	Coastal Defence - Project Delivery Funding Ceased	Alan Lunt
PE46	Recycling Education Funding Ceased	Alan Lunt
PE35	Southport Partnership Funding Ceased	Alan Lunt
PE15	Learning Disabilities Project	Robina Critchley

A7 - External Funding Changes (New Funding Confirmed & Being Monitored)

Ref.	Description	Owner
PE47	Work Place Travel team Funding has been confirmed for a further 12 months	Alan Lunt
PE45	Environmental Monitoring (Emissions Inventory) Funding for a further 12 months has been confirmed	Alan Lunt
PE3 & 4	Cease TDA funded School Workforce Development Team Additional funding found to deliver the function until end of the 2011 academic year	Peter Morgan

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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