

MEETING: CABINET
DATE: Thursday, 13 September 2012
TIME: 10.00 a.m.
VENUE: Town Hall, Southport

Member

Councillor

Councillor P. Dowd (Chair)
Councillor Cummins
Councillor Fairclough
Councillor Hardy
Councillor Maher
Councillor Moncur
Councillor Tweed

COMMITTEE OFFICER: Steve Pearce
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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 No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>	
1.	Apologies for Absence		
2.	Declarations of Interest Members are requested to give notice of any disclosable pecuniary interest, which is not already included in their Register of Members' Interests and the nature of that interest, relating to any item on the agenda in accordance with the Members Code of Conduct, before leaving the meeting room during the discussion on that particular item.		
3.	Minutes of Previous Meeting Minutes of the meeting held on 16 August 2012		(Pages 5 - 14)
* 4.	Transformation Programme 2012 - 2015 Report of the Chief Executive to follow	All Wards	
* 5.	Port Master Plan Working Group – Final Report Report of the Director of Corporate Commissioning	Church; Derby; Linacre; Litherland	(Pages 15 - 78)
* 6.	Troubled Families Programme Report of the Strategic Director - People	All Wards	(Pages 79 - 84)

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THE "CALL-IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON FRIDAY, 31 AUGUST 2012. MINUTE NOS. 38, 39, 42, 43, 46 AND 47 ARE NOT SUBJECT TO "CALL-IN"

CABINET

MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY, 16 AUGUST 2012

PRESENT: Councillor P. Dowd (in the Chair)
Councillors Cummins, Fairclough, Hardy, Maher,
Moncur and Tweed

33. APOLOGIES FOR ABSENCE

No apologies for absence were received.

34. DECLARATIONS OF INTEREST

No declarations of pecuniary interest were made.

35. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Cabinet meeting held on 19 July 2012 be confirmed as a correct record.

36. 2011/2012 GENERAL FUND OUTTURN AND 2012/2013 BUDGET UPDATE

The Cabinet considered the report of the Head of Corporate Finance and ICT on the General Fund Outturn Position for 2011/12, which highlighted the major variations compared to the budget; identified an overall revenue underspend position; and sought approval to the transfer of non-school revenue underspends to specific provisions and reserves.

The report also set out the current position on the achievement of the approved revenue budget savings for 2012/13.

RESOLVED: That

- (1) approval be given to the transfer of the 2011/12 General Fund revenue underspend to increase certain provisions and reserves to required levels, as set out in paragraph 4.3 of the report;
- (2) the progress to date on the achievement of approved savings for 2012/13, be noted; and
- (3) Members' appreciation of the efforts made by appropriate officers to efficiently implement the difficult decisions which were made in relation to the required budget savings for 2012/13, be recorded.

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37. VOLUNTARY SMOKEFREE CODE WITHIN PLAYGROUND AREAS

The Cabinet considered the report of the Director of Public Health on a proposal to introduce a voluntary smokefree code within all children's play areas managed by the Council, in order to reduce the exposure of young children to smoking behaviour and reduce the likelihood of them becoming smokers in the future.

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

RESOLVED:

That approval be given to the implementation of a voluntary code to make children's play areas managed by the Council smokefree.

38. MERSEYSIDE AND HALTON WASTE LOCAL PLAN - MODIFICATIONS ARISING FROM PUBLIC EXAMINATION

The Cabinet considered the report of the Director of Built Environment which provided an update on the progress and outcomes of the public examination process for the Merseyside and Halton Waste Local Plan, the proposed modification to the Plan, the consultation process on the modifications and the final stages to adoption.

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

RESOLVED:

That the Council be recommended to approve:

- (1) the modifications (both main and additional) to the Waste Local Plan;
- (2) public consultation on the modifications to the Waste Local Plan; and
- (3) District officers within the Waste Local Plan Steering Group being delegated to make necessary further minor and typographical changes to the Waste Local Plan prior to Council approval being sought for its adoption.

39. MERSEYSIDE LOCAL SUSTAINABLE TRANSPORT FUND MAJOR PROJECT

Further to Minute No. 39 of the meeting held on 18 August 2011, the Cabinet considered the report of the Director of Built Environment which provided an update on the Council's role in the Merseyside Local

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Sustainable Transport Fund (LSTF) major project which had been awarded funding by the Department for Transport.

RESOLVED: That

- (1) the elements of the Merseyside LSTF major project to be delivered in Sefton, be noted;
- (2) it be noted that Merseytravel is the lead accountable body for the Merseyside LSTF major project;
- (3) the Strategic Director - Place be authorised to enter into a formal agreement with Merseytravel for the funding, delivery and monitoring of the project;
- (4) the Council be recommended to approve the inclusion of £646,000 in the Capital Programme to be phased as indicated in paragraph 2.5 of the report;
- (5) the Council be recommended to approve the inclusion of £300,000 grant funding from Sustrans in the Capital Programme towards the delivery of the Hightown to Formby Coastal Path Improvements;
- (6) subject to the Council approving the recommendations in resolutions (4) and (5) above, officers be authorised to commence the commitment of the funds; and
- (7) it be noted that this proposal is a Key Decision but 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) Services had been consulted under Rule 15 of the Access to Information Procedure Rules of the Constitution, about 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 of the need to secure an amendment to the Capital Programme in sufficient time to deliver the elements required in 2012/13. The Department for Transport announcement of the overall allocation for the Merseyside major project was only made on 27 June 2012 and subsequently confirmed in a letter to Merseytravel dated 4 July 2012. However, this did not indicate which elements of the overall major project would be funded and confirmation of the level of funding for Sefton's elements of the project was only received from Merseytravel in a letter dated 19 July 2012. The project requires an amendment to the Capital Programme to include the grant allocation of £166,000 capital resources for 2012/13. The allocation for 2012/13 must be spent in 2012/13 and cannot be carried forward. Approval to amend the Capital Programme is therefore required at Cabinet on 16 August and Council on 6 September 2012. If the decision was deferred until the next Forward Plan, the amendment to the Capital

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Programme would not be made until Council on 22 November 2012. This delay would make it impossible to achieve the required spend of the 2012/13 allocation. The recent nature of the announcement and funding details meant that it was not included on the Forward Plan and the timing of future Cabinet and Council meetings means that it cannot be deferred to the next Forward Plan.)

40. NORTH LIVERPOOL AND SOUTH SEFTON STRATEGIC REGENERATION FRAMEWORK - GREEN PRINT FOR GROWTH AND 2011/12 DELIVERY PLAN

The Cabinet considered the report of the Director of Built Environment on the Green Print for Growth Initiative to create a Great Park connecting Liverpool City Centre, North Liverpool, South Sefton and the River Mersey Waterfront and the 2012/13 Delivery Plan for the North Liverpool and South Sefton Strategic Regeneration Framework.

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

RESOLVED: That

- (1) the Green Print for Growth Framework, as set out in the report, be approved; and
- (2) the 2012/13 Delivery Plan for the North Liverpool and South Sefton Strategic Regeneration Framework be approved.

41. COMMUTED SUM ADOPTED PRACTICE FOR ADDITIONAL HIGHWAY MAINTENANCE LIABILITIES

The Cabinet considered the report of the Director of Built Environment on a proposed adopted practice for securing commuted sums from developers through Section 38/278 legal agreements to fund future highway maintenance liabilities which result from the impact of new developments.

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

RESOLVED:

That the proposed adopted practice of securing commuted sums from developers through Section 38/278 legal agreements to fund future highway maintenance liabilities which result from the impact of new developments be approved and this be carried out in line with the advice and principles set out in the ADEPT (former County Surveyors Society) guidance document "Commuted sums for maintaining infrastructure assets", with information provided by the Sefton Transport Asset Management Plan being used to justify commuted sum charges.

42. REVIEW OF CONSTITUTION

The Cabinet considered the joint report of the Director of Corporate Support Services and the Director of Corporate Commissioning on proposed changes to the Council's Constitution. It was noted that a working draft was submitted at this stage and there were likely to be further minor amendments prior to publication linked to the Council summons.

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

RESOLVED: That the Council be recommended that

- (1) the amended Council Constitution be approved; and
- (2) the Head of Governance and Civic Services and the Head of Corporate Legal Services be given delegated powers to make legislative and any other necessary and urgent amendments to the Constitution and to report such actions to the next Council meeting as appropriate, in consultation with the Leader of the Council.

43. VEHICLE REPLACEMENTS - REFUSE COLLECTION FLEET AND SPECIALIST TRANSPORT VEHICLES

The Cabinet considered the report of the Director of Street Scene on the results of two recent tendering exercises in respect of the purchase of new refuse collection vehicles for the Cleansing Section and ten new coach-built welfare vehicles for the Specialist Transport Section, using a Prudential Borrowing facility arranged by the Finance Department.

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

RESOLVED: That

- (1) the tender submitted by Faun Zoeller UK Limited, of Llangefni, for the supply of new refuse collection vehicles for the Cleansing Section and by Treka Bus Limited, of Brighthouse for the supply of ten new coach-built welfare vehicles for the Specialist Transport Section be accepted;
- (2) approval be given to the ordering of the vehicles listed in Annex 1 of the report;
- (3) the Council be recommended to approve the sum of £4,384,175 being included in the capital programme and financed by a Prudential Borrowing facility;

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- (4) approval be given to the costs of the new Cleansing fleet vehicles being funded over the next 5 years by use of the Earmarked Reserve held for recycling, thereby alleviating the need for the utilisation of additional Council resources; and
- (5) approval be given to the costs of the new Specialist Transport Unit vehicle fleet being funded over the next 5 years from within the existing revenue budget.

44. ELECTED MEMBER REPRESENTATION ON AREA PARTNERSHIPS

Further to Minute No. 17 of the Adjourned Annual Council meeting held on 15 May 2012, the Cabinet considered the report of the Director of Corporate Commissioning on the proposed Elected Member representation on the five Area Partnerships.

RESOLVED: That

- (1) the Elected Member representation on the Area Partnerships be via the Area Committees to represent the local area context and that the Chair of each Area Committee be the nominated member; and
- (2) the Leader of the Council be requested to nominate a Cabinet Member for each of the five Area Partnerships to represent the strategic views of the borough.

45. 2ND BATTALION OF THE ROYAL REGIMENT OF FUSILIERS

The Cabinet considered the report of the Director of Corporate Commissioning which incorporated a letter from the Leader of Bury Metropolitan Borough Council, seeking support for their petition asking the Government to reconsider their proposal to disband the 2nd Battalion of the Royal Regiment of Fusiliers.

RESOLVED:

That a letter of support be sent to the Leader of Bury Council and a link to the Bury Council petition be provided on this Council's web site home page.

46. STEPCLEVER LEGACY FUND PROJECT

The Cabinet considered the report of the Director of Built Environment on the award of the Stepclever Legacy grant for the Stepclever Legacy Fund Project to support new and existing businesses in South Sefton and North Liverpool.

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

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RESOLVED: That

- (1) the award of Stepclever Legacy grant to the Council for the delivery of the Stepclever Legacy Fund Project be noted; and
- (2) the Council be recommended to give approval to the inclusion of the Stepclever Legacy Fund Project within the Council's Capital Programme for 2012/13 and 2013/14 (subject to the receipt of a written offer of grant), at a cost of £1,847,749 to be fully funded from the Stepclever Legacy Grant. (£563,020 of this sum is residual funding from the Stepclever Property Project and is already included in the current Regeneration Capital Programme).

47. CHANNEL DREDGING PROJECT

Further to Minute No. 110 of the meeting held on 16 February 2012, the Cabinet considered the report of the Director of Built Environment on the current position relating to the Regional Growth Fund Bid for the River Dredging Project and the negotiations with the Mersey Docks and Harbour Company on the legal agreement for the project.

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

RESOLVED: That

- (1) the progress with the grant offer letter from the Department of Business Innovation and Science for £35 million of Regional Growth Fund towards the cost of the Mersey Channel dredge project be noted;
- (2) the Council be recommended to include the Channel dredging project in the Capital Programme, subject to the receipt of the grant from the Regional Growth Fund;
- (3) the progress with the negotiation of a Co-operation Agreement between Mersey Docks and Harbour Company and Sefton Council in respect of the Mersey Channel dredge project and the extent of the proposed indemnity, be noted;
- (4) the financial, legal and construction risks associated with the project be noted and in the event of a grant award, the risks and corresponding mitigation plans be transferred to the Corporate and Community Risk Register;
- (5) it be noted that should the grant be awarded, the Council would commence procurement for the dredge work immediately; and

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- (6) a further report on progress with the project be submitted to the Cabinet.

48. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 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.

49. CHANNEL DREDGING PROJECT

Further to Minute No. 47 above, the Cabinet considered a further report by the Director of Built Environment relating to the negotiations with the Mersey Docks and Harbour Company on the legal agreement for the River Dredging Project to be funded from the Regional Growth Fund and the Wide Area Studies.

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

RESOLVED: That

- (1) the Cabinet Member - Regeneration and Tourism be granted delegated authority to accept the unconditional offer of Regional Growth Fund;
- (2) the Cabinet Member - Regeneration and Tourism be granted delegated authority to agree the Co-operation Agreement between the Mersey Docks and Harbour Company and the Council;
- (3) officers be requested to establish the post of Project Co-ordinator in the Built Environment Department as a two-year appointment on the Council's payroll, funded by the Mersey Docks and Harbour Company at no cost to the Council, in anticipation of a successful grant award; and
- (4) officers be authorised to appoint a consultant for the Wide Area Studies associated with the channel dredge project.

50. DISPOSAL OF LAND AT KLONDYKE PHASE 1 TO BELLWAY HOMES LIMITED

The Cabinet considered the report of the Director of Built Environment seeking approval for the disposal of the Klondyke Phase 1 site to Bellway Homes Limited for the construction of 86 new homes for sale and rent.

CABINET- THURSDAY 16TH AUGUST, 2012

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

RESOLVED: That

- (1) approval be given for the disposal of the Klondyke Phase 1 site to Bellway Homes Limited;
- (2) the Director of Built Environment and the Head of Corporate Finance and ICT be authorised to agree the final terms of the disposal;
- (3) approval be given for the granting of a Development Licence to Bellway Homes Limited for the Klondyke Phase 1 site in order to carry out the development of 86 houses for sale and rent; and
- (4) approval be given for the freehold disposal of the site to Bellway Homes Limited upon the successful completion of the scheme.

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Report to: Cabinet

Date of Meeting: 13 September 2012

Subject: Port Master Plan Working Group – Final Report

Report of: Director of Corporate Commissioning

Wards Affected: Church, Derby, Linacre and Litherland.

Is this a Key Decision? Yes

Is it included in the Forward Plan? Yes

Exempt/Confidential No

Purpose/Summary

. To formally present the final report of the Port Master Plan Working Group.

Recommendations

The Cabinet is requested to approve the following recommendations:-

- (1) That the Director of Built Environment be requested to submit a monitoring report in relation to air quality to the Overview and Scrutiny Committee (Regeneration and Environmental Services) every six months.
- (2) That the Director of Built Environment request Peel Holdings to review all its tenancy agreements with a view to including a “good neighbour” clause to minimise dust, dirt and noise pollution.
- (3) That the Director of Built Environment be requested to approach Peel Holdings for a guarantee that Peel Holdings will recruit local residents, with the right attitude, to any additional job/post wherever possible.
- (4) That the Director of Built Environment request Peel Holdings to continue to attract a potential operator to run a regular rail service to/from various origins/destinations at Seaforth, in order to minimise container traffic on the roads, and that a progress report be submitted six monthly to the Port Health Authority, of which Sefton MBC has representation on.
- (5) That NHS Sefton be requested to report the results of the life style survey to the Overview and Scrutiny Committee (Health and Social Care) at their first opportunity.
- (6) That NHS Sefton be requested to report the results of the Health Impact Assessment, to the Overview and Scrutiny Committee (Health and Social Care) at their first opportunity.
- (7) That the Sefton Council representative(s) nominated to sit on the City Region Port Access Steering Group be requested to report progress regularly to the Cabinet Members for Communities and Environment, Regeneration and Tourism and Transportation in order that they may update the relevant Overview and Scrutiny

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Committees through their individual Cabinet Member Reports.

- (8) That the Sefton Council representative(s) nominated to sit on the City Region Port Access Steering Group be requested to continue raising the concerns in relation to the increased traffic and increased pollution in order that a sensible long term highway solution may be considered, to include pedestrian safety.
- (9) That the Director of Built Environment be recommended to introduce a process whereby the relevant Agency (Environment Agency) communicate regularly to Sefton MBC with regards the monitoring of noise pollution and the results collected by the monitoring systems already in place at the Port.
- (10) That the Director of Built Environment be requested to write to the Highways Agency, on behalf of the Council, requesting them to install a Hurry Call System at appropriate points along the A5036 to help in the plight to reduce pollution.
- (11) That the Director of Built Environment be requested to manage, on behalf of the Council, the requests of expenditure from the Community Environment Fund, to Peel Ports.
- (12) That the Director of Built Environment be requested to report progress on all areas of the Area Wide Study/Port Hinterland Study six monthly to the Overview and Scrutiny Committee (Regeneration and Environmental Services).
- (13) That the Director of Built Environment be requested to send a representative to the Port Access Regulators Forum in order that the Council's concerns may be raised.
- (14) That the Director of Built Environment request Peel Holdings to promote the guiding principles in relation to its Corporate Responsibility Report, to the companies operating on the Port in order that they create opportunities for the Community.
- (15) That the Director of Built Environment be requested to advise Peel Holdings on the publication of a newsletter in order that the Community may be updated on progress of the Port Master Plan and understand the ways in which they can raise their concerns.
- (16) That the Director of Built Environment be requested to review the arrangements, after 18 months, to determine progress and effectiveness of the actions.

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

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
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:

The Working Group has made a number of recommendations that require approval by the Cabinet.

What will it cost and how will it be financed?

The Director of Built Environment has agreed that any financial implications arising from the report can be met within existing resources and capacity.

Implications: N/A

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

Legal	
Human Resources	
Equality	<input type="checkbox"/>
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery: N/A

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What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT (FD 1778/12) has been consulted and has no comments on this report because the contents of the report have no financial implications for the Council.

The Head of Corporate Legal Services (LD 1099/12) has been consulted and has no comments on this report as there are no legal implications arising from the contents of this report.

Are there any other options available for consideration? N/A

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet.

Contact Officer: Ruth Harrison

Tel: ext. 2042

Email: ruth.harrison@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

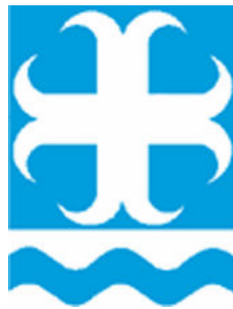
BACKGROUND:

The Port Master Plan Working Group, established by the Overview & Scrutiny Management Board, has undertaken a review examining concerns and issues surrounding the development of the Port Master Plan. The Working Group’s findings are detailed in the attached Final Report.

The Cabinet is requested to approve the recommendations.

SEFTON COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT BOARD



Port Master Plan Working Group

FINAL REPORT

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Foreword

Members of The Port Master Plan Working Group acknowledged the significant amount of investment being undertaken at the dock and the fact that this was a real opportunity for the Port of Liverpool to regain its position as the premier trading centre for the North of England. However, it was felt there were concerns that required closer examination, hence the establishment of this Working Group.

The report explains in greater detail the nature of the concerns:-

- The pollution levels - The Council has invested in new monitoring equipment and so therefore requested regular update reports to the relevant Overview and Scrutiny Committee (Regeneration and Environmental Services)
- The impact of increased port related traffic will have an impact on the road network and is also a cause of concern. We have requested that this be raised through the City Region Port Access Steering Group and progress be reported back to the relevant bodies regularly.

We hope that the recommendations will address the concerns raised by local residents.

I am very grateful to the Working Group for the incredible amount of hard work they have put in and their keenness to see the job done.

I would also like to thank Officers and witnesses for all their contributions and support throughout the review.



Councillor Steve McGinnity
Lead Member – Port Master Plan Working Group
August 2012

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1. INTRODUCTION – PORT MASTER PLAN REVIEW

The Overview and Scrutiny Management Board met on 30 August 2011, Cabinet Members and Directors of Services were invited to attend in order that they may raise any issues and suggest topics for relevant Overview and Scrutiny Committees to review. The Cabinet Member for Transportation suggested that a review on the Port Master Plan be undertaken, the Overview and Scrutiny Management Board agreed that the review should be a cross cutting one involving all four Overview and Scrutiny Committees. Minute No. 6 of the meeting of the Overview and Scrutiny Management Board held on 30 August 2011, agreed that the suggestion of a Port Master Plan Working Group be submitted to each of the four Overview and Scrutiny Committees seeking Member nominations to sit on the Working Group.

1.1 Membership

Working Group Members listed below:-

(Councillor Gibson was removed from the Membership due to a conflict of interest – he never attended any meetings).

Member	Appointed by Committee
Councillor McGinnity	Performance and Corporate Services (6.9.11)
Councillor Gibson	“ “
Councillor Robinson	“ “
Councillor L. Cluskey	Health and Social Care (13.9.11)
Councillor Roberts	“ “
Councillor K. Cluskey	Regeneration and Environmental Services (20.9.11)
Councillor Papworth	“ “
Councillor Mainey	Children’s Services 27.9.11
Councillor Page	Health and Social Care (29.5.12)
Councillor Dorgan	Children’s Services (26.6.12)

Port Master Plan Working Group: 10.11.11 (First Meeting)

It was reported that Councillor Gibson could no longer sit on the Port Master Plan Working Group due to a conflict of interest.

As a result of local elections May 2012 Councillor Mainey was no longer a Member of Sefton Council and Councillor Papworth was not a Member sitting on an Overview and Scrutiny Committee.

1.2 Terms of Reference and Objectives

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- Understand how the Port works
- Understand the benefits of the Port and the Maritime Cluster
- Examine the relationship between port and adjacent communities
 - Impact in relation to:- Traffic, Pollution including pollution caused by the massive diesel engines in the containers ships themselves and Air Quality; Life Expectancy and differences between North and South; and Wider Planning Implications
- Examine the Port Master Plan and its detailed proposals
- Review the Port Access study (Highways Agency)
 - Impact of increased traffic – Analysis of road usage
 - Investigate rail connections
 - Confirmation regarding the owners of Dunningbridge Road
- Examine and review the Community Engagement process

METHODS OF ENQUIRY

Investigative techniques/site visits

- Background reading
- Presentations:- How the Port works (Peel Ports)
Port Centric Logistics (TMP)
The Maritime Cluster (Mersey Maritime)
Port Access Study (Highways Agency & Sefton MBC)
Environmental Management of Port (Sefton MBC)
Others tbc
- Site visits: - Port, A5036, port-related businesses, affected communities etc

1.3 Meetings / Site Visits

The following Meetings have taken place:-

10 November 2011	Working Group Meeting	Bootle
7 December 2011	Access to the Port of Liverpool Study - Briefing	Bootle
31 January 2012	Working Group Meeting	Bootle
2 February 2012	Interviewed Representative – Liverpool Vision	Bootle
7 February 2012	Interviewed Representatives – Mersey Maritime	Bootle
5 March 2012	Working Group Meeting	Bootle
6 June 2012	Working Group Meeting	Bootle
2 July 2012	Site Visit to the Port	Bootle

3 July 2012	Working Group Meeting –	Bootle
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	Interviewed Witnesses	
11 July 2012	Working Group Meeting	Bootle
17 July 2012	Working Group Meeting	Bootle
24 July 2012	Site Visit to view a Monitoring Station	Bootle
24 July 2012	Working Group Meeting – Interviewed Peel Ports	Bootle
2 August 2012	Working Group Meeting	Bootle

2. BACKGROUND

2.1 The first meeting was arranged to meet with the Head of Economic Development and Tourism and to scope the review. The Scoping Document is attached as Appendix 1. It can be seen from the scoping document that the Working Group’s brief was a complex one.

2.2 Once the scope of the review had been identified Members requested further information in relation to the following:-

- How the Port works (Peel Ports)
- Port Centric Logistics (TMP)
- The Maritime Cluster (Mersey Maritime)
- Port Access Study (Highways Agency & Sefton MBC)
- Environmental Management of Port (Sefton MBC)

All the above information is available upon request – details at paragraph 12.

2.3 Members of the Working Group have been very busy in building their own knowledge base up of the Port and how it works. The preceding paragraph outlines the wide range of information which had to be considered, which included various approaches, from reading material to receiving presentations with question and answer sessions following on.

2.4 From the outset of the review Members of the Group made it clear that they welcomed the Mersey Ports Master Plan and the expansion of the Port. The Group agreed that the Port Master Plan and Expansion along with all the other schemes falling under the remit of the Liverpool City Region Deal provided a real opportunity for the Port of Liverpool to regain its position as the premier trading centre for the North of England. Members of the Group did emphasise that this opportunity should not be at any cost to the Community and the following key issues/concerns regarding the Port Master Plan and Expansion were identified as:-

- Environmental impacts upon nearby residential areas
- Additional port traffic and congestion and the impact on nearby motorway networks and roads

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- Need for local jobs, training and skills and procurement.

2.5 The Port Access Study considered the implications of port expansion on the local transport network, the potential for transfer of port related traffic to rail or water and the transport access options to accommodate the predicted growth. Alongside support for shorter term measures such as rail based and water based transport, which would need to be developed in partnership with Department for Transport and other agencies, there will still be a need to provide a long term highway intervention. This will include working with bodies such as Network Rail and the Highways Agency on option appraisal and scheme development work. It is the intention that the City region will facilitate the process via a Steering Group, with clear terms of reference and work programmes.

3. PEEL PORTS – BRIEF BACKGROUND

- 3.1 For the purpose of this report and those reading it, Members of the Working Group felt that the reader should have some background knowledge about Peel Ports and Port Master Planning.
- 3.2 For more than a century, the Port of Liverpool and The Manchester Ship Canal were arch rivals competing with each other for cargo going to, and arriving from, every corner of the globe.
- 3.3 In September 2005 The Port of Liverpool and The Manchester Ship Canal were brought together, as one, under the banner of Peel Ports. The acquisition of Mersey Docks and Harbour Company transformed Peel's ports sector from a group handling 20 million tonnes of cargo a year into the UK's second largest port operator handling 65 million tonnes. With some 40 million tonnes of freight a year moved through its docks, Mersey Ports represents almost two-thirds of Peel Port's trade.
- 3.4 The Port of Liverpool is one of the UK's major international gateways. It is the fifth busiest English port by tonnes of cargo. A diverse but balanced range of goods and commodities are handled at the port.
- 3.5 The Port makes a significant contribution to the Mersey economy and is a vital source of employment for the local community. It is recommended that Sefton residents be considered for future employment at the Port, wherever possible.
(Reference Recommendation 3 of the report)
- 3.6 There are plans in place to develop a Post-Panamax container terminal at the port which would allow the largest container ships to call at the port (Appendix 2 illustrates the size of a post-panamax container vessel).
- 3.7 In order for the post-panamax container vessels to call at the port, the river will require dredging, Sefton Council are currently in the process of completing all the legalities associated with such a huge project. The intricacies of the project are complicated and so the administrative process has taken longer than expected.
- 3.8 In June 2011, Peel Ports published the "Mersey Ports Master Plan, A 20 Year Strategy for Growth", for the Port of Liverpool and the Manchester Ship Canal. The consultation document presents further details of the plans for investment in port facilities and supporting resources. The introduction of distribution warehousing at the port, as identified in the Master Plan, has further potential to increase port traffic.

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- 3.9 Peel Ports have acknowledged that a significant constraint to the development of the port of Liverpool is traffic congestion in the local area, and the associated impacts of the congestion on the operation and future growth of the port. There was therefore a clear need to investigate how access to the port could be improved and establish the potential to minimise the transport of freight by road, through the development of a long term port access strategy.
- 3.10 The Port Access Study doesn't fall within the brief of the Port Master Plan Working Group. However, please see paragraph 12 which gives details of how you can obtain a copy of the study.

4. PORT MASTER PLANNING – SETTING THE SCENE

- 4.1 As part of the Government's Interim Ports Policy Report of July 2007, it was recommended that all major ports produce Port Master Plans, and consult upon those plans with local stakeholders, including planning authorities, in order to help co-ordinate medium-term planning. The subsequent "Guidance on the Preparation of Port Master Plans", published in 2008, indicated the threshold for preparation of such plans to be those ports handling at least a million tonnes throughput per annum, which the Port of Liverpool does.
- 4.2 The guidance sets out the main purpose of a Port Master Plan is to:-
- Clarify the port's own strategic planning for the medium to long term.
 - Assist regional and local planning bodies and transport network providers in preparing and revising their own development strategies.
 - Inform port users, employees and local communities as to how they can expect to see the port develop over the coming years.
- 4.3 It is envisaged that the Port will drive economic development by "adding value" business to the facilities through the following initiatives:-
- Development of single and multi user port centric warehousing.
 - Development of new processing facilities for imported commodities.
 - Development of more customer-focused operating practices.
- 4.4 In addition to driving more added value activities across the Port, there are a number of key strategic business drivers within the period of the Master Plan including:-
- The planned Seaforth River Terminal a deepwater container port expansion planned for 2014.
 - The development of a number of multi-modal inland ports upon The Manchester Ship Canal – Port Wirral, Port Bridgewater, Port Ince, Port Warrington and Port Salford.
 - The wide diversity of Port operations both now and into the future.

- Entry into new sectors – including biomass energy, offshore wind, waste to energy and recycling.

4.5 Members of the Port Master Plan Working Group have recorded that they welcome the opportunities that the Port Master Plan will bring along with those from the expansion of the Port. However, they have consistently emphasised that this shouldn't be at any cost to the local community.

5. AIR POLLUTION MONITORING AND MODELLING IN SEFTON

Members of the Working Group felt that as part of its brief they should obtain an understanding of how air pollution was monitored in Sefton and what elements were actually monitored. They noted that as port related traffic increased from 4,100 HGV vehicles/week (current statistic) to 8,000 HGV vehicles/week (forecast 2017) then so would the pollution levels, which would have an adverse impact on the quality of the air. The proposed increase of working hours on the dock to an estimated 18 – 24 hour day was highlighted to also have a detrimental effect on air quality.

(Reference recommendation 1 and 10 to the report)

The following information is what Members of the Working Group found:-

5.1 Introduction

5.1.1 Air pollution has been identified as an important priority by residents of some areas of Sefton. Sefton Council also has a statutory duty to 'Review and Assess' air quality in its area. The Council has responded to these two drivers by establishing a comprehensive network of air pollution monitors and developing an Emissions Inventory, a database of polluting emissions, and an air pollution modelling capability. As a result of the Review and Assessment process, Sefton has declared 5 Air Quality Management Areas (AQMAs).

5.2 Air Pollution Monitoring

5.2.1 The number and types of pollution monitors deployed in Sefton and the pollutants monitored have changed over the years. Monitoring has evolved to meet legislative requirements, the growing understanding of which pollutants may exceed the Government's Objectives, and therefore need to be monitored, and those that comfortably comply with the Objectives, and therefore no longer need to be monitored, and resource constraints / availability. The monitoring strategy is reviewed annually to identify the suitability of existing monitoring equipment, areas where concerns have arisen about possible exceedences of standards, and therefore screening monitoring should be undertaken, areas where Objectives are being met and monitoring can be discontinued and which pollutants need to be monitored.

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5.2.2 The statutory Local Air Quality Management (LAQM) Framework identifies which pollutants and Objectives from the National Air Quality Strategy (NAQS) the local authority is responsible for ensuring compliance with, these are:-

- Benzene
- Carbon monoxide
- 1:3 butadiene
- Sulphur dioxide
- Lead
- Nitrogen dioxide – **(non compliant in some areas)**
- Fine particles (PM10) – **(non compliant in some areas)**

(Appendix 4 details the air quality standard and objectives for each of the above pollutants).

5.2.3 Sefton complies with all the above National Air Quality Strategy objectives with the exception of nitrogen dioxide and PM10 in some areas. In those specific cases Sefton has declared Air Quality Management Areas. Further investigations of those areas are currently being undertaken which will result in Action Plans being produced. It's worth highlighting that screening to identify non compliance of the above objectives is ongoing.

5.2.4 There are 3 types of monitoring equipment currently in use in Sefton:

- 5 electronic real time monitoring stations.
 - Site of the former St Joan of Arc School, Bootle. Measuring nitrogen dioxide (NO₂) and fine particles (PM₁₀).
 - Millers Bridge, Bootle. Measuring NO₂ and PM₁₀.
 - Crosby Road North, Waterloo. Measuring NO₂ and PM₁₀.
 - Princess Way, Seaforth. Measuring NO₂ and PM₁₀.
 - Junction of Hawthorne Road and Church Road, Litherland. Measuring NO₂.
- 89 Diffusion Tubes (65 on street furniture, 15 tubes used for quality control purposes and 19 Community Airwatch tubes on residents' properties), located across the Borough. Measuring NO₂.
- 6 'sticky pad' DustScan monitors, used for short term monitoring programmes to identify sources or potential nuisance, located as required by the programmes. Measures Dust. (Appendices 4, 5 and 7 are examples of some of the equipment currently provided)

5.2.5 Having identified Air Quality Management Areas, the Council must, in consultation, devise mitigation plans to reduce air pollution to below the National Air Quality standards. Compliance is ultimately regulated by European Directive for which the UK is currently in breach.

5.2.6 The majority of Sefton's Air Quality Management Areas are related to traffic intensity and flow in link roads to and past the Port of Liverpool. This includes the mix of general commuter traffic and HGV traffic generated in South Sefton by economic activity arising directly from port import / export activities and other related businesses on the port estate and hinterland and other non port related commercial activities.

5.2.7 It would be wrong to blame solely, the Port owner for the poor air quality in south Sefton. However, as well as the general (outside recession) increase in general traffic levels, the desired expansion of the port for economic benefit and future jobs will predictively increase HGV traffic on surrounding link roads and exacerbate the problems of poor air quality in south Sefton. Sefton Council must consider the air quality mitigation options available to accommodate increases in traffic levels along identified routes.

(Reference recommendation 8 to the report)

5.2.8 Although there are ambitions to get more import/export freight onto rail and waterways, the predicted additional volume of material will be far beyond the capacity of these modes of transport to accommodate the increase, meaning an inevitable significant increase in road related HGV traffic. (Ref Port Access Study and HGV survey on A5036 to inform Air Quality Action plan).

(Reference Recommendation 4 to the report).

5.2.9 The A5036, Dunnings Bridge Road and the A565 (Derby Road / Rimrose Road) are the key corridors that will require special attention for future transport planning in relation to the Port expansion. Unchecked/unmitigated traffic growth will result in greater exposure and possibly the need for the declaration of more or enlarged Air Quality Management Areas in these corridors alongside increased Local Authority risk exposure.

(Reference recommendation 10 to the report)

5.2.10 There has been consideration regarding the longer term solutions for traffic and environmental quality tensions along these routes over the past forty years, including the consideration of relief roads and the potential removal of affected residential property. Indeed the Eurogateway project of the late 1990s invested several millions in mitigation measures along these corridors but alas, failed to create a long term solution. Given the aspiration to reinvigorate economic activity via the Port of Liverpool for the benefit of the North of England and to ease the cost of national congestion, (reference The Port Master Plan) these issues will again need active consideration and the potential solutions will need to be more radical.

This will need further discussion at the City Region Port Access Steering Group.

(Reference recommendation 8 to the report)

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- 5.2.11 In relation to health, there is reportedly a ten year life expectancy difference between those living in our most deprived communities in south Sefton and those living just three miles away. The most deprived communities do live, for historic housing reasons, close to the working port.
- 5.2.12 The factors affecting health are multiple and poor air quality is just one of a number of environmental conditions and lifestyle factors that affect health. These are considered as the multiple deprivation factors that act together to create a shorter and less healthy life.
- 5.2.13 The factors include smoking, excessive drinking, poor diet, lack of exercise, poor hard to heat or damp housing, poor internal air quality from open grate solid fuel heating, worklessness and poverty. Poor external air quality and environmental conditions such as transport noise will also be contributory factors for those living close to the main roads, but they are not in themselves the main causal factors for the shorter life expectancy. A study by the Liverpool University, School of Tropical Medicine (circa 2000) concluded that the biggest cause of upper respiratory disorder, such as cough wheeze and asthma in these deprived communities was not from external environmental air pollution but was from primary and secondary tobacco smoking.
- 5.2.14 NHS Sefton is working closely with Sefton Council in the monitoring of factors affecting health with regards the Port Master Plan. A Life Style Survey and a Health Impact Study will be carried out in the near future. Members were reassured that this was high on the Agenda of NHS Sefton and was being monitored closely.
(Reference recommendations 5 and 6 to the report)
- 5.2.15 Members of the Working Group share concerns that the increase in traffic will have a detrimental effect on the quality of air in certain wards of the Borough (Linacre and Derby). Members believe that the pollution from the port traffic along with that from the Coal Mountain and the Scrap Metal located at the Port are major contributors to the reduced life expectancy statistics in those wards compared to other wards across the Borough. Members also raised concerns regarding the pollution that may occur from the engines of the post-panamax container vessels whilst calling/docking at the Port.
- 5.2.16 Members were made aware of the measures already in place to reduce pollution. The monitoring stations referred to in paragraph 5.2.4, will provide Officers with statistics in relation to the impact of the increase in port traffic. The Hurry Call system in place at Millers Bridge will also help to reduce pollution. The Hurry Call system detects HGVs travelling up Millers Bridge and allows uninterrupted passage through traffic lights to reduce pollution. The Hurry Call system as illustrated at Appendix 6 does not operate during the rush hours and members would like to see a

commitment given by the Highways Agency to take some responsibility for reducing pollution levels along the A5036, Dunnings Bridge Road.

(Reference recommendation 10 to the report)

- 5.2.17 Other concerns raised were in relation to the industrial noise that can be heard from the Port throughout the night and early hours of the morning. Whilst on a visit to the Port Members witnessed various operators using different methods of moving the materials around. Some operators were taking measures to place the materials on the ground or onto a vessel maintaining minimum noise disruption whilst others were dropping the materials straight onto the ground or vessel causing noise and vibration across the Linacre and Derby wards and it is considered that action should be taken by Peel Ports to address this issue with its tenants.

(Reference recommendation 2 to the report)

6. SEFTON COUNCIL - REGULATORY POWERS AVAILABLE TO DEAL WITH ENVIRONMENTAL ISSUES RELATING TO THE PORT

Members of the Working Group agreed that it was important to have an understanding of the regulatory powers available to deal with environmental issues relating to the Port.

The following information is what they learned:-

6.1 Regulatory Controls

- 6.1.1 A large number of industrial activities take place within the dock complex ranging from animal feed and vegetable oil manufacture, storage of potentially dusty and odorous material, Scrap metal and oil processing along with the import / export of various commodities. Mersey Docks and Harbour Company (MDHC) manage the Port area on behalf of Peel Ports Limited and crime and disorder issues are dealt with by the Port Police force.

- 6.1.2 There are 2 main regulatory regimes available to deal with pollution issues that arise from within the Port boundary. The main and most complex regime is known as The Environmental Permitting regime, this requires operators of certain processes, known as Installations, to obtain an Environmental Permit to allow them to operate. The permit is a detailed document containing site specific conditions which the operator has to comply with, to ensure pollutant emissions are kept to acceptable levels. This regime cannot prevent all pollutant emission completely, however, the operators have to ensure that Best Available Techniques (BAT) are used to minimise emissions from their installations. The detailed legal requirements for installations covered by this regime are contained in the Environmental Permitting Regulations 2010. There are 2 regulators responsible for ensuring compliance with this legislation. The Environment Agency enforced sites are known as Part A1 Installations and the Local Authority enforced sites are known as PART A2 and Part B installations.

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6.1.3 In addition to the controls described above the Local Authority has certain enforcement powers available to it under the statutory nuisance provisions of the Environmental Protection Act 1990. The following issues may constitute statutory nuisances:

- Noise
- Artificial Light
- Odour
- Smoke
- Dust
- Fumes or gases

6.1.4 Where the Local Authority establishes any one of these issues constitutes a nuisance (i.e. is significantly interfering with the use or enjoyment of someone's premises) or is prejudicial to health they have powers serve an abatement notice on the person responsible. Failure to comply with the notice could result in the business or person being prosecuted. Statutory nuisance powers do not apply to sites that hold an Environmental Permit.

6.1.5 There are 3 regulators responsible for controlling environmental issues that arise in and around the dock complex:-

- The primary regulator of the majority of processes within the Dock Area is the Environment Agency. The Agency's powers are discussed below.
- The Local Authority has limited powers to deal with certain environmental issues arising from the docks complex; again these will be discussed below.
- The Port Health Authority mainly deals with the inspections of foodstuffs entering and leaving the port and their role in relation to environmental issues is limited.

6.2 Environment Agency

6.2.1 A large proportion of the processes within the dock estate that have the potential to cause complaints to local residents are controlled by The Environment Agency. The following are sites that the Environment Agency regulates.

- Carghills Brocklebank - Vegetable oil refining
- Carghills Seaforth - Animal feed processing
- Oil Salvage - Waste oil processing
- Dasca Limited - Dry corn processing

- CHP – E.on - Combined heat and power plant

- European Metal Recycling - Scrap metal processing
- S. Norton & Co. Limited - Scrap metal processing

6.2.3 The Environment Agency is the legal Regulator for these installations and issues each of the operators with an Environmental Permit allowing them to operate. The permit contains a list of conditions which the operator must comply with. The permit is a legal control and limits emissions to air, land and water. Noise is also a factor that is controlled by the Environmental permit. Complaints about these processes have to be investigated by the Environment Agency as the Local Authority has no legal powers in respect of these sites. The Local Authority has to refer complaints to the Environment Agency and request they are investigated. The Environment service endeavours to work in partnership with the Environment Agency. However, it is ultimately the Environment Agency who have the responsibility and legal controls to deal with complaints relating to these sites.

6.3 Environment Service

Along with the Environment Agency the Council's Environment Service has certain powers to deal with environmental pollution complaints resulting from the port area.

The Environment service issues the following sites with an Environmental Permit.

- Mersey Asphalt - Road coating manufacturer
- E.on - Bulk coal handling terminal

Both these sites have been issued with a permit containing detailed conditions controlling the way the site operates to ensure emissions to air are minimised and kept within acceptable levels.

The Local Authority also investigates complaints made to it in relation to statutory nuisance arising from the docks.

Appendix 8 illustrates Port Usage by Sector and illustrates the sectors that are forecast to growth.

6.4 Air Quality

6.4.1 Details of Air Quality regulation are set out in paragraph 5 to the report.

6.5 Members of the Working Group have included this information in their report as they agreed that you the reader should be aware of all the facts and have an understanding of the regulatory powers your Council has to deal with environmental issues relating to the port.

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- 6.6 In essence the Local Authority doesn't have any direct legal powers to address complaints about the processes at the Port, they have to refer complaints to the Environment Agency and request that they are investigated.

The Local Authority has to refer complaints to the Environment Agency and request that they are investigated. As stated earlier the Councils Environment services endeavours to work in partnership with the Environment Agency, however, it is ultimately the Environment Agency who have the responsibility and legal controls to deal with complaints relating to the all sites at the Port with the exception of those listed in paragraph 6.3.

- 6.7 As indicated in paragraph 5.2.17, Members agreed that Peel Ports should be approached and a request made seeking them to review their tenancy agreements with a view to including a "good neighbour" clause to minimise dust, dirt and noise pollution.

(Reference recommendation 2 to the report)

7. FINDINGS/EVIDENCE TO QUESTIONS RAISED

- 7.1 Members of the Working Group gathered evidence through various methods, presentations and briefings, receiving of reports and a site visits to the Port of Liverpool and the viewing of a Monitoring Station. Evidence was also given when Members had the opportunity to interview key witnesses, various Officers/Partners.

- 7.2 During the process of interviewing witnesses the following questions/concerns were raised by the Working Group:-

(a) The issue regarding Freight / Containers not travelling to Garston by rail Investigate rail Connection

Members raised concerns regarding the increased HGV traffic carrying containers by road and the reduced use of the Olive Mount Chord since it re-opened in 2008. Upon investigation it seems that prior to the re-opening of the Olive Mount Chord, Freightliner were running a daily train to/from Seaforth and Coatbridge, Scotland. Shortly before the actual opening of the Chord, Freightliner announced that they were switching the Coatbridge train to the Garston Terminal which is owned and operated by Freightliner themselves rather than Mersey Docks. It is understood that this decision was made because Freightliner wished to spread their overheads at Garston across more traffic as their terminal had in turn lost out to Stobarts who are handling more and more container traffic rail traffic at Widnes. Therefore any rail traffic which Freightliner handles to/from ships at Seaforth is now taken by road to/from Garston across the Pierhead through the centre of the city.

The Business Development Manager at Peel Ports further reported that Mersey Docks had tried to persuade an alternative rail operator to run a regular Seaforth to Scotland rail service since Freightliner moved. He stated that communication would continue with potential operators about the potential rail container traffic

to/from various origins/destinations at Seaforth as container volume through the Port increases and going forward with the increased potential of the Post panamax Terminal.

(Reference recommendation 4 to the report)

(b) Approach Peel Holdings for statistics regarding numbers of employees from the Borough of Sefton.

Members of the Working Group are keen to ensure that any new job vacancies at the Port are recruited to by local residents wherever possible. With this in mind Members were interested to understand how many current jobs were held by local residents.

Peel Ports stated that 2 out of every 3 people who live within 3 miles of the Port work for companies based at the Port and 9 out of every 10 people who live within 10 miles of the Port work for companies based at the Port.

(Reference recommendation 3 to the report)

(c) Examine the Wider Planning Implications – the impact on local communities, activities at the dock have a huge impact.

Members of the Working Group acknowledged that the Port Expansion was a completely separate project to that of the Master Plan however the group felt it was important to highlight the following points within their report as some of the issues/concerns duplicated into a common concern in both projects.

1. The expansion of the Port could potentially raise a number of amenity issues for residents living nearby. Historically, nuisance produced from activities at the Port have generated a large numbers of complaints from local people. The impact of the extension of the Port will require careful examination. The Port has significant degree of control over development that takes place in its area under Permitted Development rights afforded to Port Authorities. Large port-related buildings can often be constructed without the need for planning consent from Sefton Council. The effect of the design of new Port-related buildings on the outlook of nearby properties is therefore potentially an important issue.

Peel Holdings may consider consulting Sefton Council and those properties directly affected/closest to the Port on the design of buildings.

2. The expansion of the Port could also have significant ecological implications. The Seaforth Nature Reserve (at the northern end of the Port) is identified as an "area for change" in the draft Port Master Plan, and this is designated as a Site of Special Scientific Interest (SSSI), and a potential SPA and Ramsar site - i.e. it is of international importance. Accordingly, the acceptability of development at this site and any necessary compensation measures would need to be subject to a Habitat Regulations Assessment (HRA) and agreed with Natural England.
3. In addition, the expansion of the Port would likely generate more freight and traffic onto an already congested local road network.

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A larger number of freight movements could create more pollution and noise, and have a negative affect on air quality. In this respect, the Council would need to know what the nature of the proposed expansion would be, and the rail, road and shipping traffic this would generate, so that these impacts could be properly assessed.

(Reference recommendations 1, 9 and 10)

4. There are potential conservation issues in respect of the proposed port expansion on land between Regent Road / Derby Road / Nelson Street / Dacre Street. In particular, Mast House and the adjacent buildings have historic interest, being the former Bootle Hospital, and displaying attractive architectural qualities. They may be of 'listable' quality.
5. So far the Core Strategy has assumed that the Port would meet its development needs within the operational Port area. This was a basic premise of the Employment Land and Premises Study which concluded that apart from North Sefton (where more employment land is required post 2020) the Council had just enough employment land to meet local B1/B2/B8 employment needs to 2026. Were the Port to expand onto some of our allocated employment sites, or decant significant numbers of local businesses from their premises, then we may need to review the Employment Land & Premises Study, particularly with regard to South Sefton. This could affect the amount of land we may need to seek to allocate through the Core Strategy.
6. It has been suggested that Port expansion could involve development on some of the strategic Employment Sites along Dunnings Bridge Road. This could be problematic, particularly if storage / distribution facilities (that tend to generate poor job outputs) were proposed. Sefton has a very limited supply of employment land, and the major sites along Dunnings Bridge Road are the largest and most prominent sites that remain in South Sefton. When these sites are developed, it is important that this is for uses that generate high employment outputs, preferably including modern offices. In this respect, we would be resistant to Port related storage / distribution facilities unless these generated good job outputs.

(d) Examine the possibility of initiating a survey or investigating if one has been carried out recently regarding the amount of traffic using the A5036. Traffic and Impact on life.

There are three permanent traffic count sites on the A5036, two that we manage (on Princess Way and on Dunnings Bridge Road) and one managed by the Highways Agency (on Church Road). The implications of that traffic on quality of life could be reviewed if desired and specific references to air quality and noise can be calculated in conjunction with colleagues in Environmental Protection.

(Reference recommendations 5 and 6 to the report).

A survey of HGVs has been jointly commissioned between Traffic Services and Environment Services which looked specifically at the numbers of heavy goods vehicles on the A5036 and the points at which they either enter or leave the A5036.

A review of traffic on the A5036 would need to address the general traffic as well as any port-related traffic, because non-port traffic exceeds port related traffic along the whole route.

(e) Analysis to be carried out over a week, road usage compared with the theoretical capacity.

The traffic flows and capacities along the A5036 were assessed as part of the Port Study and the details of this analysis are included in the study reports. Existing traffic flows and capacities (2009 data) are described in the Stage 1 report, and predicted flows and capacities in 2027 are described in the Stage 2 report. Under current conditions (2009 data), the A5036 operates within capacity during the afternoon peak and inter-peak periods. During the morning peak period, the sections between Switch Island and Copy Lane and between Orrell Road and Hawthorne Road operate at or close to their capacity.

(f) Investigate and examine what leverage the Council has in requesting Peel Holdings to contribute to developing the environment in order that the impact on Communities is reduced (Corporate Responsibility) – Health Inequalities – the expansion of the Port will affect two of the poorest wards in the Borough

As part of the legal agreement referred to in question (b) above, the Council is currently discussing with Peel Ports the need to set the Port Expansion project in a wider strategy for the Port environs. It would be beneficial to carry out a Port Area spatial masterplan and investment programme study. The Homes & Communities Agency and Liverpool City Council have also expressed their support for a strategic approach and, with Peel, will consider funding the study. **(Reference recommendation 12 to the report)**

The need for a Master Plan is to allow the Council to take bold action to resolve longstanding conflicts between port operations and quality of life. In particular, the plan will ensure opportunities arising from Peel's investment are fully maximised, and that a range of community benefits is generated from collateral investment in the regeneration of the Seaforth area.

The Master Plan will define key investment opportunities for homes and communities, environment & mitigation measures, Seaforth district centre, energy efficiency & low carbon, business development, employment and skills. It is important that both short-term action to contain issues and medium-term action to tackle outstanding issues are taken forward in an open, participatory and co-ordinated way. This may require innovative approaches to finance and delivery to overcome resource constraints.

(Reference recommendation 7 to the report)

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(h) Confirmation regarding who owns Dunnings Bridge Road.

This is less an issue of ownership, but more a responsibility for management. The A5036 is a trunk road, so responsibility for the management and maintenance of the highway rests with the Highways Agency. However, there was an unresolved issue about who was responsible for the service roads alongside the main A5036. The Council considers that the service roads are still part of the trunk road and are therefore the responsibility of the Highways Agency. The Highways Agency, however, didn't, until recently, agree. The Highways Agency has now agreed that the service roads are part of the trunk road and are therefore its responsibility. There is ongoing discussion regarding the Council adopting the trunk road however it has been stipulated that the Council will only adopt if the roads in question undergo a maintenance programme and are brought up to an acceptable standard.

8. WITNESS INTERVIEWS

Mersey Maritime

8.1 *As Mersey Maritime, a private sector led organisation, acts on behalf of the regions 1700 maritime sector companies, Members agreed that it would be useful to receive their views on the Port Master Plan. Mr Jim Teasdale, Chief Executive of the group reported on the four main themes that were consistently in the minds of those companies they represent:-*

- *Support Collaboration Business Development*
- *Represent – Communication Profile*
- *Infrastructure – Work with other parties*
- *Education and Skills*

It was highlighted that although Mersey Maritime hadn't had any direct involvement with the plan it was felt that the port master plan brought together a number of issues around the port and that the potential negative was with regards land availability and planning issues.

Mr Jim Teasdale referred to the concerns regarding the freight community transporting containers from the Dock at Liverpool by Road to Garston. It was reported that rail or sea carriage would be cleaner and greener however that was something out of Peel Holdings control. It was not economical for the freight community to use the rail link at the Olive Mount Chord, there was not any attraction, and it was more economical to use Road.

Mr Dave Pendleton of Mersey Maritime stated that there were currently an estimated 800 HGV trucks entering the port per day and he questioned whether the increase would be realised and managed.

It was suggested that lobbying on a bigger scale was required in terms of World Trade by Rail and how Merseyside could benefit from having the right infrastructure in place to serve such trade from the Atlantic.

(Reference Recommendation 7 and 8 to the report)

Liverpool Vision

- 8.2 *Throughout the report we have referred to the Liverpool City Region with Government. The Working Group agreed to interview a representative from Liverpool Vision to receive their views on the Port Master Plan. The Lead Member explained the concerns of the Port Master Plan Working Group in relation to the environmental impacts the master plan and the extension of the Port on the Community (detailed throughout the report). Mr David Bundred of Liverpool Vision acknowledged that all the concerns were real legitimate points. He highlighted that the Council has power in getting it's voice hear through the City Region Port Access Steering Group, it was noted that there were things that couldn't be stopped however the Council had influencing powers and could request for conditions to be placed on certain activities at the Port.*

Cabinet Member - Transportation

- 8.3 *Due to concerns regarding the increase in traffic members of the group requested Councillor Fairclough, Cabinet Member for Transportation to attend as a witness. Councillor Fairclough highlighted that the Port Master Plan (SuperPort) was one of many projects being discussed under the umbrella of The Liverpool City Region Deal with Government. He informed Members that an Officer Steering Group was due to be formed in order that key partners from the various groups of the Liverpool City Region had a Forum, namely The City Region Port Access Steering Group, in which to debate matters. He emphasised the importance of having a voice in that debate in order that concerns maybe heard. **(Reference recommendation 7 to the report).** He also reiterated that the Port Master Plan wasn't about one scheme/project (Peel Holdings) it was about all the schemes fitting in together and working hand in hand to find solutions to the concerns raised. Councillor Fairclough referred to the Port Master Plan as a fantastic opportunity in terms of potentially providing more employment for Sefton's Community however he did highlight that the impact on the Community regarding the increase in traffic and the Environmental factors associated with that would need to be addressed and mitigated. Members were interested to learn that should the Port grow then every £1 earned in Sefton was estimated to be worth £1.79. Members of the Working Group were reassured that the concerns in relation to the increase of port related traffic and how that traffic travels in and out of the dock would be addressed as part of the Liverpool City Region Deal.*

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**Head of Environment;
Principal Environment Protection Officer; and
Consultant in Public Health**

- 8.4 *As stated in paragraph 5.2.11 Members raised concerns regarding pollution and more specifically the impact of air and noise pollution on health. In this respect Members requested Mr David Packard, Head of Environment and Mr Gary Mahoney, Principal Environmental Protection Officer to attend. They also felt it was appropriate to invite Ms Linda Turner, Consultant in Public Health, NHS Sefton to the same Meeting. Whilst giving evidence Ms Turner agreed that Linacre and Derby Wards were the most deprived in Sefton, life expectancy statistics show a 10 year difference to those in other wards. A life style survey was expected to be carried out over the following 12 months.*
- (Reference recommendation 5 to the report)** Ms Turner also referred to a Health Impact Assessment which should be carried out once planning applications for the Port expansion have been received by the Council. **(Reference Recommendation 6 to the report)**. The assessment will include all areas within the remit of Environment and so consequently Sefton Council and NHS Sefton have already been working closely together and will continue this partnership working to ensure the impact assessment is specific, measurable, accurate, relevant and timely.*
- Paragraph 5.0 details the background information in relation to Air Pollution, what is currently being monitored, where the monitoring stations are located and the types of monitoring equipment used. It was also reported that a dust monitoring programme would be introduced in the future.*

Member of Parliament for the Bootle Constituency

8.5 *Mr J.E. Benton, J.P., M.P. attended a meeting of the Group where Peel Ports were in attendance and he highlighted that he welcomed the opportunities presented by the Port Master Plan and the Expansion in terms of job opportunities however he emphasised that this shouldn't be at any cost. He stated that he was duty bound to raise the following concerns on behalf of the public:-*

- *Environmental effects (pollution from the increased traffic, coal mountain, scrap metal, the vessels themselves, noise pollution etc) – recommends that more emphasis needs to be placed on environmental protection, a commitment from Peel Ports to address the issue. At present no satisfaction, there is a lack of environmental guarantees.*
- *The movement of cargo ship to shore needs to be a smooth transition. Do not want to see the Port as a dumping ground.*
- *The volume of traffic along roads that are totally inadequate and the increase in traffic, measures need to be in place to cope with the stress in terms of increase.*
- *The requirement to form a larger group where all agencies/partners can meet to examine issues/concerns and agree and assign solutions to the appropriate body to take responsibility to address.*

Mr Benton emphasised the need to communicate progress consistently in order that all bodies, especially the public are well informed and have an opportunity to contribute observations and concerns.

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Port Health Authority

8.6 *The following evidence was submitted by the Port Health Authority:-*

Members of the Group requested information regarding the relationship between the Port Health Authority and Peel Ports.

Mersey Port Health Authority is consulted under the Mersey Port Health Authority Order. This order creates the Port Health district and makes Liverpool City Council the Port Health Authority for the area within the district which encompasses a coastal and river waterfront reaching westward to Eastham, across the river to Speke and then north beyond Southport to Banks.

Mersey Port Health Authority is a statutory responsible authority for Environmental Protection, Imported Food Controls, International Health regulations, Food Hygiene enforcement, Public Health requirements and International Catering Waste control matters at the Port.

The Port Health Authority conducts checks at the Port to determine whether the food is acceptable into the EU for free-circulation.

Ship Sanitation Inspections, visits and routine boarding inspections are conducted aboard vessels attending Ports under the jurisdiction of the Authority. The ship sanitation inspections are primarily concerned with the control of possible vectors of contamination and protecting the national borders against the introduction of infectious agents.

Peel Ports are the Port operator and have responsibility for the site and manage the operations conducted at the Royal Seaforth Container Terminal and associated ports.

The port Health Authority is a statutory authority that remains independent of Peel Ports. The statutory work of the Port Health Authority is conducted within the port to ensure Peel Ports, shipping agents and other businesses operate in compliance with relevant legislation.

Members of the Group were interested to understand how the Port Health Authority communicates with Peel Ports.

There is regular communication between the Port Health Authority and Peel Ports, this can be in the form of telephone calls, e-mails or pre-arranged formal meetings. There is regular dialogue with regard to the day to day operational matters at the Port, particularly at the Border Inspection Post. Strategic issues, e.g. the development and growth of the Port will be discussed at formal meetings, usually involving a number of enforcement agencies which conduct their operations within the port e.g. United Kingdom Border Force (UKBF), Department of Environment Food and Rural Affairs (Defra) and other agencies.

Port Health Authority Continued

Mersey Port Health Authority capture data relating to the interventions and activities undertaken with regard to imported food and international health regulations, there is no specific requirement for Peel Ports to report to the Authority.

Members wanted to understand what, if any, role the port Health Authority had in accidents at the Port.

Mersey Port Health Authority does not have the relevant authority to conduct Health and safety enforcement matters within the dock estate; this is considered a commercial activity that fall within the jurisdiction of the Health and Safety Executive.

Members requested the Port Health Authority to share any concerns they had with regards the Port Master Plan.

Mersey Port Health Authority has provided a response to the consultation. The primary matter for the authority is planning for the increase in consignments which will require inspection at the Border Inspection Post. Merseyside Port Health Authority has requested that Peel Ports keep the authority fully informed at all stages of their planning process.

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Peel Ports

8.7 *Peel Ports were invited to attend a Meeting of the Working Group to give evidence. Members of the Working Group requested the following information:-*

How will Peel Ports work with port operators to reduce transport emissions?

Peel Ports neither own any freight nor can directly control the method of delivery. However where specific opportunities arise we can and will seek to effect modal shift. For example:-

- The development of multi modal logistics facilities along the banks of the Ship Canal will be a key driver in diverting goods away from road and onto barges.*
- To support the above we will deploy larger inland container vessels (i.e. Monica) linking Royal Seaforth Dock with the Manchester Ship Canal.*
- Elimination of shunting of Animal Feedstuffs around the Port through an extension of the existing Merlin Store removing some 5,000 HGV movements (planning application pending decision).*
- Elimination of off-site disposal of residual waste from EMR through development of a Waste to Energy plant removing 6,000 HGV movements (planning application approved)*
- Promotion of projects which do not rely upon road transport. For example, development of RES Biomass power Station which entails import of wood pellets for power generation and hence no inland HGV traffic being generated (planning application in preparation).*

Can Peel's Community Environment Fund be applied to mitigation of harmful missions and congestion along the A5036?

The mechanics of the Community Environment Fund have yet to be defined in terms of the governance or the allocation of funds under the Atlantic Gateway Initiative. The operational responsibility for the A5036 rests with the Highways Agency who will need to be fully informed of any measures applicable to the A5036 corridor.

Peel Ports Continued

Are companies responding to Peel's offer of a barge service to send cargo up the Manchester Ship Canal?

There is an increasing interest in utilising the barge service to transport containers along the Manchester Ship Canal. In 3 years the volumes have increased threefold from 5,000 TEU to 15,000 TEU. Peel has recently deployed a larger vessel to accommodate increased capacity and the service is now running to a regular daily schedule. However the next stage in growing the barge traffic will be the development of logistics sites down the canal.

How is Peel progressing with its company refinancing, to attract investment for Liverpool 2 and other schemes in the Port plan?

Refinancing is progressing well, albeit in a very difficult financial environment; however financial institutes do see value in what Peel ports has to offer across the group. A lot depends on Peels ability to deliver the Ports plans and that is currently subject to lots of due diligence but finance is expected o be in place by the end of December 2012.

Will Peel ensure that development inland on L5 does not extinguish local companies?

The aspiration to expand the port into the area between Regent Road and derby Road will only be undertaken in full liaison with Sefton and Liverpool Councils particularly in securing alternative sites and premises for existing businesses.

What progress is being made with a protocol for targeted recruitment & training so local people can better access jobs?

Peel are still in the early stages of discussion around the mechanics of this but it remains an absolute desire of the company to ensure that if we have local people with the right skills and attitude that they benefit from our developments. We are very pleased that currently 66% of our workforce lives within 10 miles of the Port and we want to see that grow. Peel is currently recruiting an intake of 11 apprentices to join the company on electrical and mechanical apprenticeships and 8 of the applicants are within Sefton. (Reference Recommendation 3 to the report).

Why is working on the Port an attractive career for a local jobseeker?

Individuals always need to decide what they want as a career, however we believe we can offer, not just strong employment opportunities but real career opportunities for the people with the right attitude.

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Peel Ports Continued

Peel Ports as an industry probably cover more individual disciplines than any other industry you can name so we can offer real diverse roles and responsibilities – Finance and IT, Property & Planning, Business Development & Marketing, Cargo Operations, Marine Operations, Health & Safety, Electrical and Mechanical Engineering, to name but a few.

In addition we can offer long term opportunities for people with a willingness to learn different skills as we have a real long term growth aspirations, the economy at large will always have an impact on business but if we manage this business in the right way with all of Peels stakeholders then we all have a great long term future.

What will be the net gain in terms of jobs? How many jobs will be created and in what areas (job titles)?

Peel's Master Plan indicates that over the ensuing 20 year period some 8,000 new jobs will be created through the development of Liverpool 2 and the multi modal developments along the Manchester Ship Canal. A significant proportion of those opportunities will be in the logistics and distribution sector, across a whole range of disciplines.

Will Peel sponsor community initiatives in the hinterland of the Port?

Peel ports are already active in terms of sponsoring community initiatives. Some examples of local beneficiaries are reflected in Peels published Corporate Social Responsibility Report. In My 2012 Peel Ports sponsored and supplied prizes for the Bootle Games and the Y Kids Bootle Awards.

Whilst attending the site visit – Members noticed that different methods o handling scrap metal were being used, some operators were placing the metal whereas others were dropping. Is there a reason for the different methods or is it at the operators' discretion?

The handling of scrap metal and the loading o ships is entirely down o the operators working practises.

Are operators under pressure to move a certain amount within a timescale?

The main determinant for the operators concerns the loading and unloading of vessels taking into account high tides and access through Gladstone and Langton Locks. The movement of scrap metal and aluminium commodities are dictated by world prices, with metals being stockpiled and stored at the Port during times when prices are low.

Peel Ports Continued

Noise Regulation – what are the regulatory levels and are they being met?

The Port Authority undertakes noise measurements in various locations at the port boundaries and shares the results with the Local Authority. In cases where noise complaints arise incidents are fully investigated in conjunction with the regulatory authorities with mitigation measures identified. There are a number of dedicated telephone numbers to enable complaints to be logged (including out of hours)

How clean is the water?

The quality of the water within the impounded dock system is subject to the regulatory requirements of the Water Framework Directive. Peel works in close collaboration with the Environment Agency to ensure that European legislation is adhered to.

*Mr Gary Hodgson, Managing Director, Mersey Ports addressed the Working Group and reassured Members that the Environmental impacts of the Port Master Plan were high on Peel Port's agenda. It was emphasised that Peel Ports had inherited the negative legacy left behind by its predecessor. It was acknowledged that Peel Ports were working hard to eradicate the negative public perception of the Port. It was reported that Peel Ports had been out to Housing Associations and other Public groups and that they would continue to do so in order to work in partnership and agree solutions to concerns/issues raised by the Community. **(Reference recommendation 15 to the report).***

Peel Ports stated that they expected the following modal shift in the way containers were transported:-

- 70% by road*
- 15% by Inland Barge*
- 10% Coastal Shipping*
- 5% Rail*

Currently 4,100 Container HGV's entered the Port per week it was reported that the forecast for 2017 was an increase of 3,900 totalling 8,000 Container HGV's per week. It was highlighted that if the modal shift is accurate i.e. 70% by road then the figure for 2017 will be 5,600 Container HGV's per week.

*Peel Ports acknowledged the concerns in relation to the increase in pollution and the additional stress on the road networks and agreed to support the Council in it's plight to raise the concerns at the City region Port Access Steering Group. **(Reference recommendation 8 to the report).***

*Mr Gary Hodgson of Peel Ports undertook to support the Council in the request to the appropriate body for an investigation in relation to any founded complaint with regards breach in the terms of any operators licence. He also reassured Members that all contracts with tenants were written and emphasised that there weren't any verbal agreements. **(Reference Recommendation 2 to the report).***

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Peel Ports Continued

Members sought assurances with regards employment opportunities for the local community. It was reported that within 3 miles of the Port every 2 out of 3 people work for companies based on the Port and within 10 miles every 9 out of 10 people work on companies based on the Port. (Reference recommendation 3 to the report)

Mr Gary Hodgson stated the importance in having the right people with the right attitude in relation to work ethic.

Mr Gary Hodgson reassured Members that Peel Ports would work with Sefton and Liverpool Councils to ensure that local businesses currently operating in the Derby Road/Regent Road area were relocated to areas they want to relocate to with minimum disruption. Sefton Council and Peel Ports have built a good strong working relationship which is leading towards a genuine partnership. It was clear from the witness interview with Peel Ports that they are passionate about working with the Council to find solutions to the concerns raised. They did highlight that a regulators forum had been established but attendance had been more, attendance from all partners is essential in order that issues maybe resolved.

(Reference recommendation 13 to the report)

The issue of the Seaforth Nature Reserve was raised and Peel Ports stated that the land at that location was the only logical piece of land and was critical to the extension of the Port. It was further reported that their business case would need to meet the requirements of The Habitats Directive in terms of “overriding public interest” and demonstrating the lack of alternative solutions. It was explained that the suitability and delivery of compensatory habitat would need to be identified and evaluated in a responsible way. It was reported that Peel Ports were investigating habitat near an estuary. (Reference recommendation 18 to the report)

Peel Ports have committed a sum of money to support a Community Environmental Fund.

(Reference recommendation 11 to the report)

9. SITE VISITS

9.1 The Port

9.1.1 Members of the Working Group undertook a site visit to the Port.

9.1.2 Amongst the gathering of evidence Members were furnished with the following information:-

- 150 tenants in the whole Port of Liverpool estate employ approx 2,500 employees
- Broader Merseyside Maritime Cluster (outside Port estate) employs 20,500
- Peel itself directly employs 450 people
- Independent labour providers contracted to provide stevedoring services (dock labourers) e.g. Drakes International
- Principle trade through the Port is containers & liquid bulks (oil) – attached for latest (2008) analysis – Appendix 8 to the report.
- Process industries:
 - Scrap metal (EMR, Norton)
 - Edible oils (Cargill, New Britain Palm Oil)
- Emerging uses:
 - offshore wind assembly site (Cammell Laird)
 - energy from waste (RES)
 - onshore wind (Peel Energy)

9.2 The Monitoring Station – Millers Bridge, Bootle

9.2.1 In order that Members of the Working Group had a clear understanding of how substances entered the station and where then processed, members requested a site visit to a monitoring station.

9.2.2 Appendix 4 illustrates the inside of the station, you will note the funnel situated on top of the station, this is where the substance enters the station and is then processed and monitored. As stated earlier in the report this information is processed and updated on the Councils web site. Please note that monitoring stations are only located in areas where the Council has declared Air Quality Management Areas, as detailed at paragraph 5 to the report.

9.2.3 Members of the Working Group were satisfied that the Air Quality monitoring in Sefton was being carried out at an excellent level and were impressed with the processing of information from the station onto the website on an hourly basis.

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10. CONCLUSION

- 10.1 The importance of ports for the national economy was acknowledged in the Chancellor of the Exchequer's recent Autumn Statement and accompanying National Infrastructure Plan. The Chancellor emphasised the importance of having infrastructure in place that can support and accommodate growth in the economy and identified a package of funding for infrastructure projects that would support the growth of the economy and generate jobs. The Government announced support for the London Gateway Port terminal, the expansion of the Mersey Multimodal Gateway, the Western gateway enabling scheme at Port Salford and for Network Rail in improving connectivity to major ports.
- 10.2 The Port of Liverpool is a key national gateway and the major port of north west England and is situated at the western end of the Trans-Pennine Strategic National Corridor (see Appendix 9). The significance of the Port of Liverpool was recognised by Lord Heseltine and Sir Terry Leahy in their recent report, which recommended that,
“Liverpool City Region and Government should work closely to ensure that the strategic infrastructure, and necessary environmental protection, is in place to support Liverpool's renaissance as a major Post Panamax European port, for example improving rail freight and strategic road access at Seaforth and dredging for post Panamax ships.”.
- 10.3 The Mersey Ports Master Plan – A 20 year Strategy for Growth was published in June 2011 and set out a vision for the growth of the Port of Liverpool and other port facilities on the Mersey and along the Manchester Ship Canal. The construction of a new river terminal at Seaforth and associated facilities in the Liverpool Docks was a key element of the port development proposals. Across the City Region the growth of the ports and logistics sector has been identified as one of the key areas for growth and the implementation of the SuperPort Action Plan is expected to create 29,500 jobs by 2030.
(Reference recommendation 3 to the report)
- 10.4 A significant part of that growth (6,000 jobs) is anticipated within the Port of Liverpool – principally arising from the new river terminal, with consequential implications for land and access. The Mersey Ports Master Plan acknowledged the 'paramount importance' of port access routes to enable the Port to grow as planned.
- 10.5 The findings of a two-year Access to the Port of Liverpool Study were published in December. The study was commissioned by 4NW to review the predictions for port growth; the implications for the transport network in the area, particularly on the main highway link to the motorway network;

the potential for transfer of freight traffic from road to rail or water and; the transport access options to accommodate the predicted growth. The study concluded that the existing highway network will cope with additional traffic flows in the short to medium term providing that a package of local improvements is delivered. In the long term, however, even with as much freight transferred to sustainable modes as possible, there will be issues with the capacity of existing principal routes. Options for addressing the long term future of access to the port will need to be considered seriously and a major investment in the local highway network will be needed by 2020. Failure to address the long term access issues would create a significant constraint on the growth and economic success of the Port.

(Reference recommendation 8 to the report)

- 10.6 The Highways Agency advises that the development stages for any such major highway infrastructure improvement take at least 6-7 years before a scheme is ready for any construction work. This means that if the improvements that need to be in place from 2020 are to be ready by then, the process of appraising options and developing a business case needs to be started straight away.

(Reference recommendation 8 to the report)

- 10.7 Sefton Council is also in the process of preparing its Core Strategy as part of its Local Development Framework. The issue of access to the Port of Liverpool has significant implications for land use planning, housing and for nearby local communities. The Council is seeking to address these issues through the Core Strategy, but it is difficult to develop those plans until there is a preferred option identified for the long term access to the Port. This should be raised through the City Region Port Access Steering Group.

- 10.8 The Council has already declared two Air Quality Management Areas along the main highway route to the Port due to vehicle emissions, particularly from heavy goods vehicles. The options for tackling the air quality (and noise) issues along the route are already limited, and the Port expansion and resulting increases in traffic will exacerbate the situation considerably. This will need to be monitored and appropriate measures taken. **(Reference recommendation 1 to the report)**

- 10.9 For the desired growth in the Port of Liverpool and the associated jobs and increased economic activity to be achieved, it is essential to invest in the transport infrastructure in the vicinity of the Port. Such investment would also have much wider benefits across the North West and beyond. However, it is also essential to ensure that the local communities in the vicinity of the Port not only benefit from that growth but are also protected from some of the adverse impacts, especially those resulting from increases in road traffic.

(Reference recommendation 8 to the report)

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10.10 The Secretary of State for Transport, Justine Greening has been requested, by Sefton Council and its partners, to instruct the Highways Agency and provide them with the necessary resources to commence the option appraisal and scheme development process for an improved access to the Port of Liverpool as a matter of urgency. This is deemed essential if the Port expansion proposals and associated economic benefit for the North West and beyond are to be fully realised.
(Reference recommendation 8 to the report)

10.11 Working Group Members are satisfied that they have conducted a thorough investigation in relation to the Port Master Plan and the Extension of the Port. They accept that, at this moment in time there aren't any guarantees with regards how events will unfold however they agreed that the issues and concerns will remain the same as highlighted throughout the report.

10.12 Working Group Members were informed that the City Region Port Access Steering Group would be the arena to raise the concerns as set out above, and agree solutions that will not only see the Port of Liverpool thrive but will see a Community with more employment opportunities which will benefit their health and wellbeing.

10.13 The Port Master Plan and Expansion of the Port along with the other projects that fall under the remit of the Liverpool City Region Deal will provide a real opportunity for the Port of Liverpool to regain its position as the premier trading centre for the North of England. The benefits for the Community, both working and residing, shouldn't be underestimated. There is a genuine commitment from all parties to support the development of the Port Master Plan. We believe that with genuine partnership working the most appropriate solutions to all concerns will be arrived at making Sefton an attractive area to live and work.

11. Acknowledgements

11.1 The Working Group is grateful to all those witnesses and other persons who have assisted with research, provided and shared information and given up time to attend interviews.

11.2 The Overview and Scrutiny Officer will circulate the Final report to all witnesses who have taken part in the review.

12.0 Supporting Information

12.1 During the process of this review, the Working Group has gathered a substantial amount of information and data, which has been invaluable in helping it to form its conclusions and recommendations.

12.2 The following is a sample of the documents used to compile the report:-

- Mersey Ports Master Plan – A 20 Year Strategy for Growth – June 2011
- Access to the Port of Liverpool Study – Non Technical Summary – November 2011
- Mersey Ports Master Plan – Interim Consultation Report – March 2012
- Various Council reports – snapshot of some include:-
 - Declaration of Air Quality Management Areas
 - Air Quality and Health
 - Presentation – The Port of the North – expansion plans or the Port of Liverpool
 - HGV Study on A5036 to Inform Air Quality Action PPlan

12.3 Any background information that has been gathered so far is available on request from Ruth Harrison, Scrutiny Support Officer (telephone 0151 934 2042 e-mail: ruth.harrison@sefton.gov.uk)

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13. Recommendations

- (1) That the Director of Built Environment be requested to submit a monitoring report in relation to air quality to the Overview and Scrutiny Committee (Regeneration and Environmental Services) every six months.
- (2) That the Director of Built Environment request Peel Holdings to review all its tenancy agreements with a view to including a “good neighbour” clause to minimise dust, dirt and noise pollution.
- (3) That the Director of Built Environment be requested to approach Peel Holdings for a guarantee that Peel Holdings will recruit local residents, with the right attitude, to any additional job/post wherever possible.
- (4) That the Director of Built Environment request Peel Holdings to continue to attract a potential operator to run a regular rail service to/from various origins/destinations at Seaforth, in order to minimise container traffic on the roads, and that a progress report be submitted six monthly to the Port Health Authority, of which Sefton MBC has representation on.
- (5) That NHS Sefton be requested to report the results of the life style survey to the Overview and Scrutiny Committee (Health and Social Care) at their first opportunity.
- (6) That NHS Sefton be requested to report the results of the Health Impact Assessment, to the Overview and Scrutiny Committee (Health and Social Care) at their first opportunity.
- (7) That the Sefton Council representative(s) nominated to sit on the City Region Port Access Steering Group be requested to report progress regularly to the Cabinet Members for Communities and Environment, Regeneration and Tourism and Transportation in order that they may update the relevant Overview and Scrutiny Committees through their individual Cabinet Member Reports.
- (8) That the Sefton Council representative(s) nominated to sit on the City Region Port Access Steering Group be requested to continue raising the concerns in relation to the increased traffic and increased pollution in order that a sensible long term highway solution maybe considered, to include pedestrian safety.
- (9) That the Director of Built Environment be recommended to introduce a process whereby the relevant Agency (Environment Agency) communicate regularly to Sefton MBC with regards the monitoring of noise pollution and the results collected by the monitoring systems already in place at the Port.

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- (10) That the Director of Built Environment be requested to write to the Highways Agency, on behalf of the Council, requesting them to install a Horry Call System at appropriate points along the A5036 to help in the plight to reduce pollution.
- (11) That the Director of Built Environment be requested to manage, on behalf of the Council, the requests of expenditure from the Community Environment Fund, to Peel Ports.
- (12) That the Director of Built Environment be requested to report progress on all areas of the Area Wide Study/Port Hinterland Study six monthly to the Overview and Scrutiny Committee (Regeneration and Environmental Services).
- (13) That the Director of Built Environment be requested to send a representative to the Port Access Regulators Forum in order that the Councils concerns may be raised.
- (14) That the Director of Built Environment request Peel Holdings to promote the guiding principles in relation to its Corporate Responsibility Report, to the companies operating on the Port in order that they create opportunities for the Community.
- (15) That the Director of Built Environment be requested to advise Peel Holdings on the publication of a newsletter in order that the Community maybe updated on progress of the Port Master Plan and understand the ways in which they can raise their concerns.
- (16) That the Director of Built Environment be requested to review the arrangements, after 18 months, to determine progress and effectiveness of the actions.

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SEFTON COUNCIL



PORT MASTER PLAN WORKING GROUP

SCOPING EXERCISE

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MEMBERSHIP

Councillors: K. Cluskey, L. Cluskey, Gibson, Mainey, McGinnity, Papworth, Roberts and Robinson.

(Councillor Gibson was removed from the Membership due to a conflict of interest – he never attended any meetings).

Performance and Corporate Services: 6.9.11

RESOLVED: That Councillors McGinnity, Gibson and Robinson be appointed to sit on the Port Master Plan Working Group

Health & Social Care: 13.9.11

RESOLVED: That the establishment of a cross-cutting working group on the Port Master Plan be supported and Councillors L. Cluskey and Roberts be appointed to sit on it, in order to represent this Committee

Regeneration & Environmental Services: 20.9.11

RESOLVED: That the establishment of the cross-cutting Port Master Plan Working Group be endorsed and Councillors K. Cluskey and Papworth be nominated to serve on the Working Group;

Children's Services: 27.9.11

RESOLVED: That the establishment of a cross-cutting working group on the Port Master Plan be supported and Councillor Mainey be appointed to it, in order to represent this Committee

Port Master Plan Working Group: 10.11.11 (First Meeting)

It was reported that Councillor Gibson could no longer sit on the Port Master Plan Working Group due to a conflict of interest.

As a result of local elections May 2012 Councillor Mainey was no longer a Member of Sefton Council and Councillor Papworth wasn't a Member sitting on an Overview and Scrutiny Committee. The following Members were nominated to sit on the Working Group:-

Health and Social Care: 29.5.12

RESOLVED: That Councillor Roberts be re-appointed, and Councillor Page be appointed, to represent this Committee on the Port Master Plan Working Group.

Children's Services: 26.6.12

RESOLVED: That progress, to date of the Port Master Plan Working Group be approved and Councillor Dorgan be appointed to represent this Committee on the Working Group.

TERMS OF REFERENCE AND OBJECTIVES

- Understand how the Port works
- Understand the benefits of the Port and the Maritime Cluster
- Examine the relationship between port and adjacent communities
 - Impact in relation to:- Traffic, Pollution including pollution caused by the massive diesel engines in the containers ships themselves and Air Quality; Life Expectancy and differences between North and South; and Wider Planning Implications
- Examine the Port Master Plan and its detailed proposals
- Review the Port Access study (Highways Agency)
 - Impact of increased traffic – Analysis of road usage
 - Investigate rail connections
 - Confirmation regarding the owners of Dunningbridge Road
- Examine and review the Community Engagement process

METHODS OF ENQUIRY

Investigative techniques/site visits

- Background reading
- Presentations:- How the Port works (Peel Ports)
Port Centric Logistics (TMP)
The Maritime Cluster (Mersey Maritime)
Port Access Study (Highways Agency & Sefton MBC)
Environmental Management of Port (Sefton MBC)
Others tbc
- Site visits: - Port, A5036, port-related businesses, affected communities etc

TIMESCALES

See Planning Chart

Phase One – Background reading and presentations

Phase Two – Develop a detailed plan

OFFICER SUPPORT

Lead Officer – Mark Long, Head of Economy & Tourism

As and when required:-

Amanda Langden, Head of Investment Programme & Infrastructure

Stephen Birch, Team Leader Strategic Planning & Transportation Unit

Steve Matthews, Local Planning Manager

Support and Management of Process – Ruth Harrison, Overview and Scrutiny Officer

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OTHERS WHO WILL BE INVOLVED (Key Witnesses)

- Representatives from Peel Ports.
- Representatives of Rail Freight Company.
- Representatives of Mersey Maritime.
- Representatives of the Mersey Partnership.
- Representatives from port user organisations.
- Representatives from the Environmental Agency.
- Representatives from Natural England.
- Cabinet Member – Transportation.
- Cabinet Member – Regeneration and Housing.
- Head of Environment – Mr David Packard.

ARRANGEMENTS FOR REPORTING TO CABINET/COUNCIL

Timetable of committees, link into the planning chart, type of report/minute

It has been highlighted that the work of this Working Group is likely to be incomplete by the end of the Municipal Year 2011/12. In this event an interim report will be produced.

- Interim Report to the Overview and Scrutiny Management Board
6 March 2012
- Interim report to the Overview and Scrutiny Committee (Performance and Corporate Services) 6 March 2012
- Interim report to the Overview and Scrutiny Committee (Health & Social Care) 13 March 2012
- Interim report to the Overview and Scrutiny Committee (Regeneration and Environmental Services) 20 March 2012
- Interim report to the Overview and Scrutiny Committee (Children's Services) 27 March 2012
- Interim report to the Cabinet 29 March 2012 / 26 April 2012

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PLANNING CHART

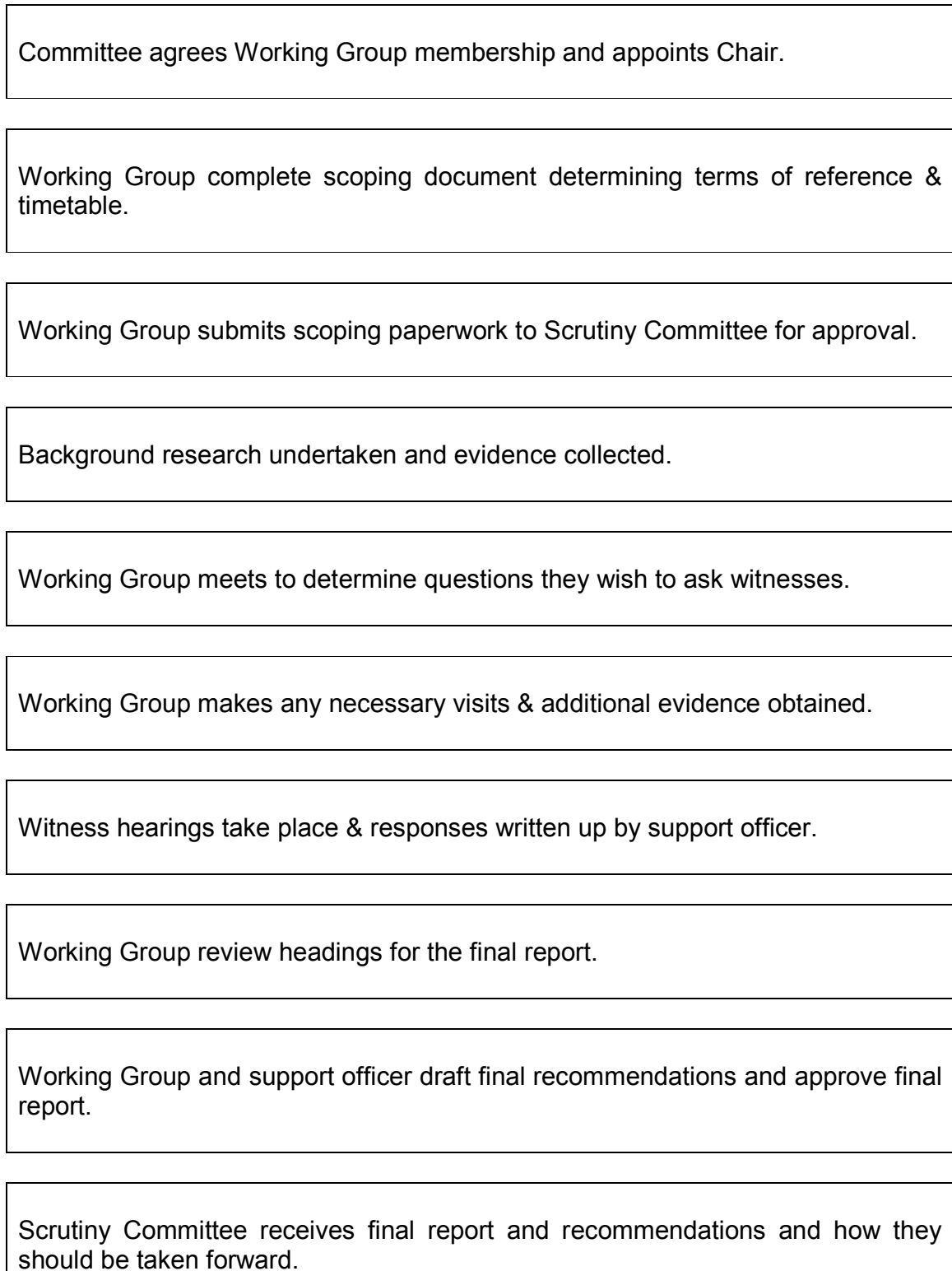
The Planning Chart is an example of the way reviews could/should be planned.

It is recommended that realistic time frames in which to carry out tasks should be considered including possible delays for public holidays and Council business. Effective planning suggests that more planning time be built into the chart.

Activity	Nov 11	Dec 11	Jan 12	Feb 12	March 12	June 12	July 12	Aug 12	
Scoping									
Consider Documents									
Witnesses									
Draft Progress Briefing Note									
Site Visits									
Initial Findings									
O&S Man Board Considers									
Submit to Cabinet (if appropriate)									

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Ten Step Process Flow Chart



Appendix 2

Panamax and post-Panamax vessels compared



Panamax: max. load 5000 containers



Post-Panamax: max. load 12,000 containers

Container vessel Cosco Yantian – This post-panamax container vessel is 350 metres long, almost 43 metres wide, has a deadweight tonnage of 107,000 and a teu capacity of 9,450.



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Appendix 3

Air Quality Standards and Objectives

Pollutant	Concentration	Measured as	Date achieved on
Benzene	16.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
	5.00 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2010
1,3-Butadiene	2.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
Carbon monoxide	10.0 mg/m^3	Running 8-hour mean	31.12.2003
Lead	0.5 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
	0.25 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2008
Nitrogen dioxide	200 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2005
Particles (PM₁₀) (gravimetric)	50 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
Sulphur dioxide	350 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

The Inside of a Monitoring Station



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Appendix 4

The pollutants are measured through entering the funnel and travelling down to the monitor where the relevant pollutants are recorded on an hourly basis and published on the Councils website.



Appendix 5

DustScan Sticky Pad Directional Monitor

Sites not in Sefton but show what the equipment looks like



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Appendix 6

Hurry Call system at Millers Bridge to detect HGVs travelling up Millers Bridge and allow uninterrupted passage through traffic lights to reduce pollution



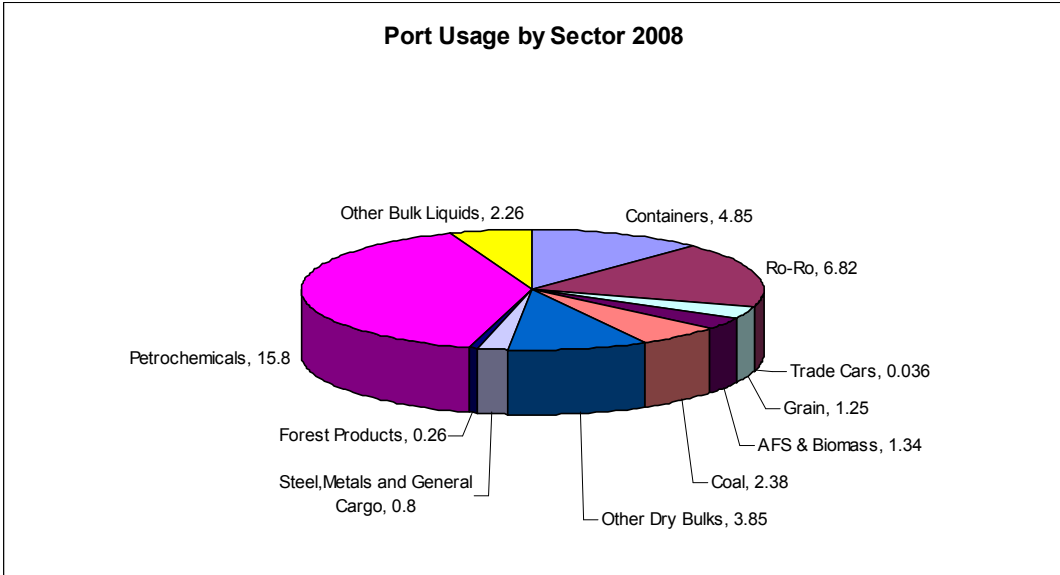
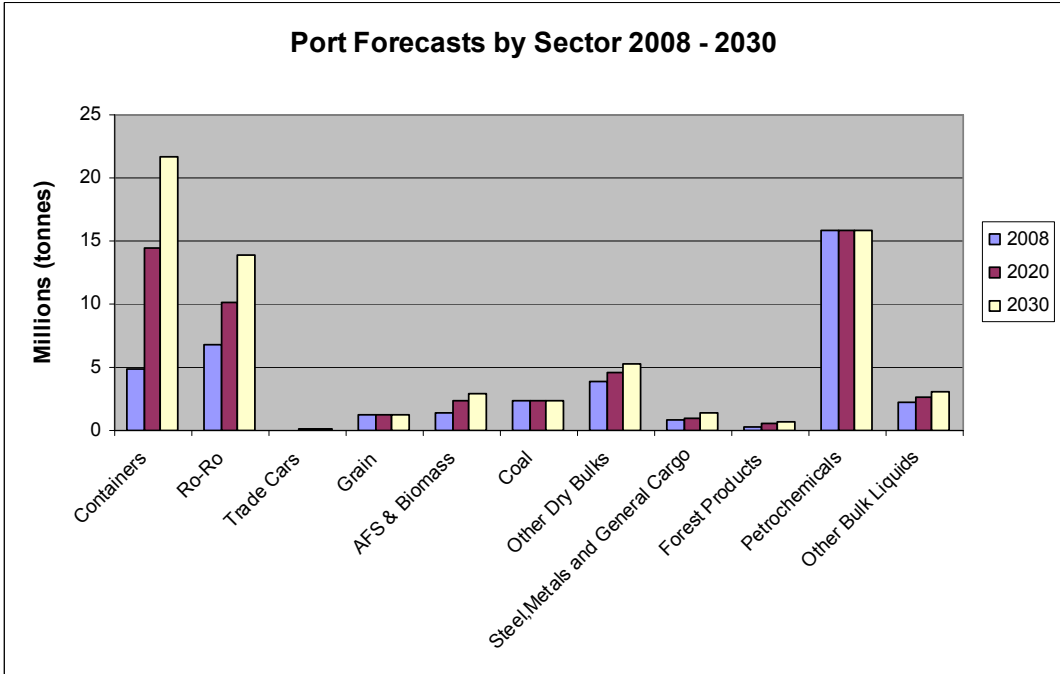
Millers Bridge Hurry Call

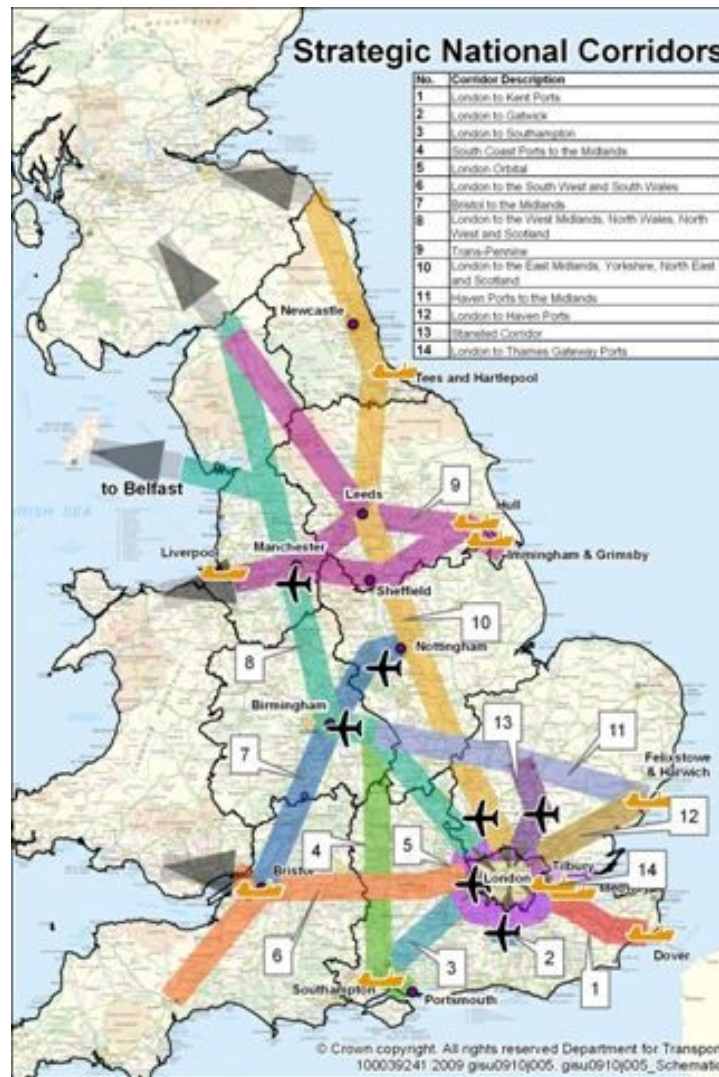


Members of the Port Master Plan Working Group – Visit to view a Monitoring Station – Millers Bridge, Bootle



Appendix 8





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Agenda Item 6

Report to: Cabinet **Date of Meeting:** 13 September 2012

Subject: Troubled Families Programme

Report of: Strategic Director, People **Wards Affected:** All

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

Exempt/Confidential No

Purpose / Summary

The Department for Communities and Local Government (DCLG) has made revenue funding of £585,600 available to work with troubled families in Sefton. A further sum, up to £146,666 may become available as a result of successful outcomes being achieved against a payment by results schedule.

Permission from Members is required to allocate this funding to specific interventions to tackle problems experienced by troubled families across the Borough and assign relevant income / expenditure codes.

Recommendation(s)

Cabinet is asked to approve:

1. the inclusion of the £585,600 Troubled Families Programme funding in the Council's revenue budget for 2012/13; and
2. that the Cabinet Member – Children, Schools Families & Leisure receives updates on the delivery of the programme and successful outcomes of interventions

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

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

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Reasons for the Recommendation: to tackle the root causes of problems experienced by troubled families and reduce the long-term cost burden to public services in responding to their unmet needs

What will it cost and how will it be financed?

(A) Revenue Costs – £585,600 is being made available by DCLG. An additional sum, up to £146,666 may also be payable as a result of successful outcomes being achieved against a payment by results schedule.

Sefton Council may incur redundancy costs at the end of the programme. There is currently no indication of succession funding.

(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 advice is included in the contents of the report.	
Human Resources	
Equality	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery:

The proposed programme will enhance the Council offer to families experiencing problems driven by unemployment, poor educational attainment and offending behaviour.

What consultations have taken place on the proposals and when?

Since October 2011, regular (monthly) consultation regarding the development and delivery of the Troubled Families programme has taken place between Local Authority leads (including Sefton) and the national Troubled Families Team.

Partners from Merseyside Police, Merseyside Probation Trust, Safer Stronger Communities, One Vision Housing, Job Centre Plus, Health and Sefton CVS met on 27 April 2012 to discuss local approaches to delivering the Troubled Families agenda. The Head of Corporate Finance and Head of Corporate Legal Services have been consulted and any comments have been incorporated into the report.

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The Head of Corporate Finance (FD1686/12) and Head of Corporate Legal Services (LD 1024/12) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

Not at this time

Implementation Date for the Decision

Contact Officer: Michael Hanrahan

Tel: 0151 934 3972

Email: michael.hanrahan@sefton.gov.uk

Background Papers:

The Troubled Families programme – Financial framework for the Troubled Families programme's payment-by-results scheme for local authorities (DCLG, March 2012)

Agenda Item 6

1.0 Executive Summary

- 1.1 As part of the national Troubled Families Programme, the DCLG has estimated that Sefton has 650 families that would benefit from inclusion in the initiative. The programme is currently funded for three years. In year one, Sefton has committed to work with up to 220 families. This attracts an “attachment fee” of £3200 per family. However, to avoid “double payments” for families that will be turned around via other initiatives, for example European Social Fund programme to tackle worklessness, DCLG will only pay 5/6s of the attachment fees resulting in an initial investment of £585,600 for 2012/13.
- 1.2 In the event of successful outcomes being achieved with Sefton’s troubled families, a further payment of up to £146,666 is available according to a payment by results schedule. A portion of the all the monies received may be distributed amongst partner agencies for specific contributions to achieving positive outcomes.
- 1.3 Significant progress is being made in identifying families that meet the criteria to be included in the programme and local partners are keen to engage and deliver the work.

2.0 Background

- 2.1 In December 2011, Government announced a programme to radically transform the lives of the country’s most troubled families. Almost £450 million has been made available in a cross-government drive to turn around the lives of 120,000 of some of the country’s most troubled families by the end of this Parliament.

3.0 Introduction

- 3.1 In December 2011, Sefton Council was provided with an indicative figure of 650 troubled families in the Borough. The figure represents the number of families that local services will be required to work with and turn around.
- 3.2 This report will advise Members of:
 - The process for identifying the families that will be targeted by this programme
 - The criteria used to identify troubled families in Sefton

4.0 Identifying Families

- 4.1 Troubled families are defined as households that:
 - Are involved in crime and disorder
 - Have children not in school
 - Have an adult in receipt of out-of-work benefits
 - Result in high costs to public finances
- 4.2 Many, if not all, of these families will be already known to Sefton Council and its partners. These families will have been receiving services, benefits and interventions for long periods, and in some cases, over generations. This programme represents an opportunity to take a systemic and strategic approach to the most challenging families that have concerned public agencies for years.
- 4.3 The first stage is to compile a list of those families that will be part of the programme. This consists of several steps, checking familial behaviour against criteria that include crime and antisocial behaviour, education and work. Any families that meet all three of these criteria will be automatically included in the programme.

- 4.4 These families will also experience many other problems, and a fourth set of *locally derived* filters will provide Sefton Council and partners the ability to target families with known local risk factors.

5 Criteria

The nationally determined criteria being used are outlined below.

1. Crime / Antisocial Behaviour

Identify young people involved in **crime** and families involved in **anti-social behaviour**, defined as:

Households with 1 or more under 18-year-old with a proven offence in the last 12 months

AND / OR

Households where 1 or more member has an anti-social behaviour order, anti-social behaviour injunction, anti-social behaviour contract, or where the family has been subject to a housing-related anti-social behaviour intervention in the last 12 months (such as a notice of seeking possession on anti-social behaviour grounds, a housing-related injunction, a demotion order, eviction from social housing on anti-social behaviour grounds).

2. Education

Identify households affected by **truancy** or **exclusion from school**, where a child:

Has been subject to permanent exclusion; three or more fixed school exclusions across the last 3 consecutive terms;

OR

Is in a Pupil Referral Unit or alternative provision because they have previously been excluded; OR is not on a school roll;

AND / OR

A child has had 15% unauthorised absences or more from school across the last 3 consecutive terms.

3. Work

Once families have been identified using one or both of the criteria above, a third filter can be used to identify families which also have an adult on Department for Work and Pensions (DWP) out-of-work benefits (Employment and Support Allowance, Incapacity Benefit, Carer's Allowance, Income Support and/or Jobseekers Allowance, Severe Disablement Allowance).

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4. Local Discretion

Partners in Sefton are in active discussion regarding the selection of a number of local filters that will identify families in Sefton that will benefit from being included in the programme. Suggestions include mental health, domestic violence, substance misuse and predictors of future dysfunctional behaviour such as parents or older siblings involved in crime and disorder.

5.1 In summary:

- Any household matching criteria 1 (crime / antisocial behaviour) **and** criteria 2 (truancy / exclusion) **and** criteria 3 (receiving out-of work benefits) will be automatically included on the programme.
- Any household identified as having a family member meeting criteria 1 **or** criteria 2 will be checked to discover whether an adult of working age is receiving out-of-work benefits. If a claimant is identified within the household, then the family will be included on the programme.
- Any household identified as meeting **two of the three** criteria outlined above **and** criteria 4 (local risk factor) will be included on the programme.