

**REVOLVING
INVESTMENT FUND
COMMITTEE**

10 August 2016

Present:- Councillors Smith, T. Young

Substitutes:- Councillor Graham for Councillor Cory
Councillor Scott attended as an observer in her capacity as Chairman of the Trading Board

Also in attendance: - Councillors Barlow, Davies and D. Ellis

38. Election of Chairman

RESOLVED that Councillor Cory be elected as Chairman for the 2016-17 municipal year.

39. Election of Deputy Chairman

RESOLVED that Councillor T. Young be elected as Deputy Chairman for the 2016-17 municipal year.

40. Election of Chairman for the meeting

RESOLVED that Councillor Smith be elected as Chairman for this meeting.

41. Minutes

RESOLVED that the minutes of the meeting held on 8 March 2016 be confirmed as a correct record.

42. Urgent item//Purchase of Properties at Osborne Street, Vineyard Street and Arthur Street

The Committee considered a report from the Head of Commercial Services about strategic land purchase of properties at Vineyard Street, Osborne Street and Arthur Street. The Leader of the Council and Chairman of Cabinet had agreed that this item should be added to the agenda as an urgent item. The opportunity to purchase these properties had arisen at short notice and the Council had had to move quickly to take advantage of the opportunity. He thanked Councillor Davies, Chairman of Scrutiny Panel, for agreeing that this item could be added to the agenda, notwithstanding that due to the need to proceed quickly the provisions of the Access to Information Regulations 2012 had not been met.

Councillor Davies, Chairman of Scrutiny Panel, attended and with the consent of the

Chairman addressed the Committee. Whilst she had given her consent for the item to be considered, this did not mean that all her concerns about the decision had been allayed, and she was disappointed that a press statement had been issued before she had the opportunity to fully consider the issues. To prevent a repetition, Councillor Davies suggested that the Chairman of the Scrutiny Panel should in future be consulted at the same time as the Chairman as Cabinet needed to take the role of Scrutiny Panel seriously and place its trust in the Chairman of the Panel. She also proposed that the Leader should meet with her to discuss how this could best be achieved.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, thanked Councillor Davies. He expressed his regret that there had been issues with the consultation process with Councillor Davies on this occasion due to the need to move quickly and confirmed that he was happy to meet with her.

RESOLVED that:-

- (a) The confidential report on Part B of the agenda for the purchase of land and buildings at 8-13 Osborne Street, car park at Vineyard Street and 4 Arthur Street be noted.
- (b) The request in Part B of the agenda for delegated authority to the Strategic Director for Commercial and Place in consultation with the Portfolio Holder for Culture and Regeneration to conclude the purchase within a set time period as required by the vendor.

REASONS

In a report to Cabinet on 17 March 2014 Cabinet agreed to set aside funds in the RIF to acquire land required for the development of the Vineyard Gate scheme.

Whilst negotiations are still ongoing to bring forward a scheme on the land, an opportunity has arisen to purchase land belonging to Caddick Developments as they now wish to dispose of their ownerships in Colchester. The ability to secure a greater land holding in this area provides the Council with a stronger negotiating position in any future discussions but also gives it the ability to accelerate the process of delivery.

The vendor has indicated that they wish to complete any sale within 4 weeks of issue of legal document.

ALTERNATIVE OPTIONS

The Council could have decided not to purchase these sites, however, if they were purchased by a third party, who improved them, then this could result in a higher compulsory purchase price for the Council when redevelopment and full site assembly is required.

43. Purchase of Properties at Osborne Street, Colchester

The Committee considered a report about a strategic land purchase of properties at Osbourne Street. Howard Davies, Regeneration Project Manager, presented the report to the Committee and explained that the properties that were the subject of this report were in addition to the properties identified in the previous item. The properties had come up for

auction in late July and therefore the Council had had to move quickly to purchase them. They had been purchased at below the guide price and would add to the Council's property holdings in the area.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, thanked officers for identifying the opportunity and moving quickly to secure the purchase of the properties.

RESOLVED

(a) The purchase of the two identified properties in Osborne Street which were purchased at auction on 27th July 2016, pursuant to the provisions of Cabinet Procedure Rule 22. (Matters of Urgency), be noted.

(b) Authority be delegated to the Strategic Director for Commercial and Place in consultation with the Portfolio Holder for Regeneration to conclude the purchase within a set time period as required by the auction process.

REASONS

In a report to Cabinet on 17 March 2014 Cabinet agreed to set aside in the RIF up to £6million to acquire land required for the development of the Vineyard Gate scheme.

Whilst negotiations with the developer have still to be concluded, there was an immediate opportunity to acquire two key properties which are within the original land acquisition boundary. The ability to secure a greater land holding in this area provides the Council with a stronger negotiating position in any future discussions.

The auction process provided the Council with the opportunity to acquire the properties at a price which is less than Compulsory Purchase Order values.

ALTERNATIVE OPTIONS

The Council could have decided not to bid for these sites, however, if they were purchased by a third party, who improved them, then this could result in a higher purchase price for the Council when redevelopment and site assembly comes forward.

44. Appointment of an Operator for the Colchester Borough Council Town Centre Fibre Network

The Committee considered a report concerning the appointment of a network operator for the town centre fibre network. Nigel Myers, Economic Development Manager, presented the report. This would provide ultra-fast broadband in the town centre, which was a considerable improvement on superfast broadband. It would put Colchester in the top 5 places in the country for connectivity.

RESOLVED that authority be delegated to the Strategic Director for Commercial and Place, in consultation with the Portfolio Holder for Resources, to select the most suitable and commercially viable bid from among companies responding to the tender for a fibre network operator, and to conclude the appointment of the successful bidder.

REASONS FOR DECISIONS

To ensure that a network operator is appointed to run the Council's newly completed fibre network in the Town Centre which provides the best possible commercial return on the asset and provides the opportunity for all town centre businesses to connect to ultrafast broadband.

To meet a proposed start date of 1st September 2016 for provision of the service.

ALTERNATIVE OPTIONS

The alternative would be to rely on other infrastructure providers to bring forward this exciting opportunity, which would be likely to take considerable time and would not necessarily offer the upload and download speeds possible through this project.

The Committee resolved under Section 100A(4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 to exclude the public from the meeting for the following items as they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

45. Minutes

RESOLVED that the not for publication extract from the minutes of the meeting held on 8 March 2016 be confirmed as a correct record.

The Committee resolved under Section 100A(4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 to exclude the public from the meeting for the following items as they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

46. Purchase of Properties at Osborne Street, Colchester

This minute is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any particular person (including the authority holding that information)).

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47. Appointment of an Operator for the Colchester Borough Council Town Centre Fibre Network

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48. Urgent item//Purchase of Properties at Osborne Street, Vineyard Street and Arthur Street

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