

Revolving Investment Fund Committee Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ**

Wednesday, 16 September 2015 at 18:00

The Revolving Investment Fund Committee has delegated authority from Cabinet to manage the Revolving Investment Fund, which has been established for the commercial management, disposal of and investment into key assets in order to drive forward income generation projects.

Information for Members of the Public

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You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services. Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

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Revolving Investment Fund Committee

Terms of Reference

To make decisions regarding the following:

- (1) Develop and Set the re-investment strategy for the rolling 5 year programme including:
 - (a) Establishment of a pipeline of high rental growth projects (subject to approval by way of a business case process) and subject to a spending cap of £5m
 - (b) Agree annual capital funds to be set aside for opportunity purchase of land/new investment assets (subject to investment business case being made).
- (2) A Project selection process – Establish a process for spend on non-income producing regeneration projects (subject to business case).
- (3) Developing and monitoring a capital receipts programme.
- (4) Developing and monitoring investment performance against key financial targets.
- (5) Developing a monitoring framework for schemes being developed with RIF investment.
- (6) Develop a strategy for any borrowing activities within the fund (subject to the Council's overall treasury management strategy).
- (7) Project Appraisal – Development of a formal business case procedure to include the following criteria:
 - (a) Return on investment (or regeneration outputs for non-income producing regeneration projects) – would income from the proposed project meet rates of return required to invest the capital requested?
 - (b) Deliverability – including a review of the planning status, barriers to development, market conditions, ownership and legal limitations
 - (c) Strategic fit – does the project support Council Strategic Priorities?
 - (d) Timescale for commencement of income
 - (e) Risk versus reward – Does the projected income outweigh the deliverability risks from the investment of capital, what is the security of income?
 - (f) Wider economic impacts – the wider impact of the project on the local economy eg stimulating other local development, contributing to growth of local business or housing targets, local supply chain utilisation.
- (8) Development and overseeing the overall approach to investment risk management including appropriate reviews of risks within the RIF against wider Council risk register.
- (9) Developing the mechanism for new assets to be added to the RIF capital receipts programme.

The Committee will have the authority to commission any reports or external advice/advisors that it needs to fulfil its responsibilities.

COLCHESTER BOROUGH COUNCIL
Revolving Investment Fund Committee
Wednesday, 16 September 2015 at 18:00

Member:

Councillor Mark Cory
Councillor Annie Feltham
Councillor Bill Frame
Councillor Tim Young

Substitutes:

All members of Cabinet who are not members of this Committee.

AGENDA - Part A
(open to the public including the press)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

- 1 **Appointment of Chairman for 2015-16 Municipal Year**
To appoint a Chairman for the 2015-16 Municipal Year.
- 2 **Appointment of Deputy Chairman for 2015-16 Municipal Year**
To Appoint a Deputy Chairman for the 2015-16 Municipal Year
- 3 **Welcome and Announcements**
 - a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.
 - (b) At the Chairman's discretion, to announce information on:
 - action in the event of an emergency;
 - mobile phones switched to silent;
 - the audio-recording of meetings;
 - location of toilets;
 - introduction of members of the meeting.
- 4 **Substitutions**

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.
- 5 **Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent, to give reasons for the urgency and to indicate where in the order of business the item will

be considered.

6 Have Your Say!

a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

7 Minutes

To confirm as a correct record the minutes of the meeting held on 23 February 2015

23-02-15 minutes

9 - 12

8 Appointment of Main Contractor for the Redevelopment /Refurbishment of the Old Police Station into the Creative Business Centre

13 - 24

See report by the Head of Commercial Services

9 Colchester Northern Gateway - Disposal of 18 Acre Leisure Anchor Site at United Way

25 - 30

See report by the Head of Commercial Services and the Assistant Chief Executive

10 Exclusion of the Public (Cabinet)

In accordance with 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, including the press, from the meeting so that any items containing exempt information (for example personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

Part B

(not open to the public including the press)

11 **Minutes**

- This report is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (financial / business affairs of a particular person, including the authority holding information).

12 **Appointment of Main Contractor for the Redevelopment/Refurbishment of the Old Police Station into the Creative Business Centre (Part B)**

See report by the Head of Commercial Services

13 **Colchester Northern Gateway - Disposal of 18 Acre Leisure Anchor Site at United Way (Part B)**

See report by the Head of Commercial Services and the Assistant Chief Executive

**REVOLVING
INVESTMENT FUND
COMMITTEE
23 February 2015**

Present:- Councillor Turrell (Chairman)

Councillors Feltham, Smith and T. Young

Councillor Havis was also present in her capacity as
Chairman of the Trading Board

Also in attendance: - Councillors Davies and Jarvis

7. Minutes

RESOLVED that the minutes of the meeting held on 27 November 2014 be confirmed as a correct record.

8. Wonderhouse Business Case Proposal

The Head of Commercial Services submitted a report a copy of which had been circulated to each Member.

Councillor T. Young, Portfolio Holder for Community Safety, Licensing and Culture, and Councillor Turrell, Portfolio Holder for Economic Development and Regeneration, expressed their support for the Wonderhouse proposal. It was an exciting proposal which would benefit the whole borough. It would add to the visitor experience and also would provide a much better working environment for staff currently located in the Museum Resource Centre. In addition it would unlock a piece of Colchester history, as it would reveal a bastion and a stretch of Roman Wall that were currently hidden from public view.

In response to queries from members of the Committee Fiona Duhamel, Economic Growth Manager, stressed that it would be challenging to align all the potential funding streams. This may necessitate the continued occupation of the Museum Resource Centre for a period whilst it was under offer. In addition it would be possible to control the types of businesses able to occupy the commercial units through conditions in the leases for the units.

RESOLVED that:-

- (a) The proposals including high level building specification, costings, and delivery programme as identified in the confidential Business Case included in Part B of the agenda to create a new public facing facility which unlocks the potential of the Colchester Museums Collection as a new resource for creativity and learning be approved. This would provide for 6 ground floor retail/ workspace units, including the entrance to the Digital Collections Centre (total of 365m² GIA) and a first floor space for the new Digital Collections Centre (488m² GIA).
- (b) The recycling of the capital receipt from the sale of the current museum resource centre at Ryegate Road to provide match funding for the project be approved.
- (c) Bids be made to the relevant funding organisations as detailed in the funding strategy within the Business Case included in Part B of the agenda.

REASONS

The RIF was established to recycle capital receipts into projects that could deliver a number of Council objectives. The RIF can be used to support wider economic growth targets and deliver infrastructure supporting regeneration. This project directly supports these objectives by recognising the contribution that the outstanding heritage and heritage collections of the town make as a key element in its economic and cultural development. The creation of the Wonderhouse will give access to Colchester's unique and internationally significant collections in a new purpose built building adjacent to the town's Roman Wall, firstsite and the new Creative Business Centre in the St Botolph's regeneration area.

The project will also establish a new way of working for what has previously been a back office facility operating and fully funded by the Council as part of the Colchester and Ipswich Museum Service (CIMS). The development includes a number of income generating opportunities which collectively could be expanded to eventually reduce Council budget input and ensure the facility operates in a commercial way.

Funding is required to deliver the capital build and a number of potential external funding sources have been identified which will be pursued over the coming months. The capital receipt from the sale of the current Museum Resource Centre can be recycled through the RIF to provide the required match funding for the project.

ALTERNATIVE OPTIONS

The Council can consider a number of ways of using capital receipts, but it has established the RIF as a means of revolving funds for reinvestment to meet its objectives. The Committee needs to decide if the Wonderhouse proposal is the right opportunity for such investment, taking into account the ability to lever in external funding into the project.

9. Revolving Investment Fund – Financial Update

The Head of Commercial Services and the Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Smith, Portfolio Holder for Business and Resources, introduced the report and highlighted that both capital and revenue streams were being transferred into the Revolving Investment Fund (RIF), which gave it considerable flexibility in the schemes it could fund.

Ian Vipond, Strategic Director, Commercial and Place, highlighted that the revenue income streams into the RIF should continue to grow and develop into a sustainable income stream as investments began to deliver returns.

RESOLVED that:-

- (a) To note the financial position in the Revolving Investment Fund (RIF).
- (b) The transfer of revenue funds into the RIF as set out at paragraph 4.4 of the report by the Head of Commercial Services and the Assistant Chief Executive be agreed. .
- (c) The remaining capital programme balances set out at paragraph 4.6 of the report by the Head of Commercial Services and the Assistant Chief Executive be transferred into the RIF.
- (d) The allocations of funding set out in summary at paragraph 4.7 of the report by the Head of Commercial Services and the Assistant Chief Executive be agreed.

REASONS

The RIF was established to recycle capital receipts into profitable high income producing assets. The report by the Head of Commercial Services and the Assistant Chief Executive sets out the updated financial position of the RIF and proposes allocations of funding to specific projects.

ALTERNATIVE OPTIONS

It would be possible to consider different allocations to projects, however, the proposals in the report by the Head of Commercial Services and the Assistant Chief Executive represent a considered view of the cost to deliver a number of projects and income budget targets.

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.

10. Minutes

RESOLVED that the not for publication extract from the minutes of the meeting held on 27 November 2014 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.

11. Wonderhouse Business Case

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)).

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.

12. Revolving Investment Fund – Financial Update: Appendices

RESOLVED that the appendices to the report by the Head of Commercial Services and the Assistant Chief Executive be noted.

16th September 2015

Report of	Head of Commercial Services	Author	Lee Spalding/Teresa Hogsbjerg ☎ 282 118/505 842
Title	Appointment of Main Contractor for the redevelopment/refurbishment of the Old Police Station into the Creative Business Centre		
Wards affected	Castle Ward		

This report concerns the approval by the RIF Committee to appoint the main contractor for the Creative Business Centre following the recent tender exercise.

1. Decision(s) Required

- 1.1 To appoint the recommended main contractor for the redevelopment/refurbishment works of the Old Police Station to transform the building into a Creative Business Centre.

2. Reasons for Decision(s)

- 2.1 The Old Police Station located at 37 Queen Street, Colchester which was purchased by the Council in 2010 in order to redevelop into a Creative Business Centre.
- 2.2 Funding was secured from Essex County Council and from S106 and New Homes Bonus monies in order to bring this derelict building back to life and works are now sufficiently progressed to enable a build contract to be let.

3. Alternative Options

- 3.1 To not proceed with the works. However, this would mean the Council forfeiting the funding granted by ECC towards the project. Furthermore, if works are not undertaken now then the condition of the Old Police Station will continue to deteriorate resulting in a situation where the building would be deemed an unsafe structure and remedial works would have to be undertaken by default to make the structure sound.

4. Supporting Information

- 4.1 The development of the Creative Business Centre on Queen Street in the Town Centre is a key piece of infrastructure in Colchester to support the growth of the Creative Sector.
- 4.2 The town has the largest concentration of creative businesses in Essex and the Haven Gateway with over 3,500 people employed in the Creative sector, across over 600 companies. The total turnover of the creative and digital industries in Colchester was £290million in 2012 and GVA was £165million
- 4.3 The Old Police Station was acquired by CBC in 2010. Development of the site to a creative business centre is being partly funded by Essex County Council and S106 monies. The new facility is due to open in May 2016.

- 4.4 The project will provide 43 units equalling overall 831 square meters of space to let. 116m² is incubation space which will be let to new businesses, micro businesses and virtual companies.
- 4.5 The building will also offer ground floor café space and kitchen, 181m² courtyard and a screening room for presentations.
- 4.6 The centre will be in the heart of the emerging Creative Quarter of St Botolph's, close to the planned Curzon cinema, firstsite, the Minories and the Waiting Room, together with a range of restaurants and cafés proposed in the adjacent development by Building Partnerships.
- 4.7 Colchester Borough Homes (CBH) was appointed to work with project architects Ash Sukula (AS) to develop the project to RIBA stage 4 and build a tender package and invitation to tender documents for pricing by external contractors. AS completed the final building layout design and building and architectural specification and drawings. CBH completed the mechanical and electrical system designs, managed the tender process and will manage the building project and works on site, including fulfilling the Council's responsibilities with regards to the Construction Design and Management regulations 2015.
- 4.8 Works are to be split between two phases as follows:
- Phase 1: All external works, internal fit out works to ground floor of main building and ground, first and second floors of annexe, including all main plant and wiring so that building operator can move into phase 1 once works are complete and ahead of Phase 2 works completion.
 - Phase 2: Internal fit out works to first and second floor of main building.
- 4.9 Timings for the work Phases are as follows:
- Phase 1: Start on site October 2015 and complete by May 2016. Please note that the contract will be let to complete both phases with suitable break clauses.
 - Phase 2: Proposed to start on site immediately following completion of Phase 1 pending the Council securing the necessary funding to deliver Phase 2. Phase 2 works to be undertaken with building operator in residence within Phase 1.
- 4.10 Expressions of interest (EOI) were sought from suitably qualified contractors via the BIP Delta Web Portal hosted by the Procurement Agency of Essex. The EOI and PQQ stages were managed by the Council's Procurement Team in conjunction with the Essex Procurement Hub and CBH.
- 4.11 Three tenders were received on 28th August 2015 and opened in the presence of the Council's Monitoring Officer.
- 4.12 The tenders were analysed by CBH to ensure that they were compliant and then scored based upon the contractor's tender submission. Tenders were scored based on a split of 70% price and 30% quality. Part of the quality score criteria also included 10% allocated towards the benefit to the local economy that the contractor would deliver via their undertaking of the project.

5. Proposals

- 5.1 To appoint the recommended contractor to undertake the works within the agreed project programme.

6. Strategic Plan References

- 6.1 By undertaking these works at the Old Police Station, the Council will be ensuring that an important heritage building asset is brought back into service and good repair, clearly demonstrating its commitment to making Colchester a place that people want to visit and helping to define the town as a destination for the creative and cultural industries to locate and grow.

7. Consultation

- 7.1 The specification and proposal for the works has been developed in close consultation with the Council's Conservation Planning Team and Building Control Team.
- 7.2 The works follow a successful planning application and listed building consent which was consulted upon in the usual way.
- 7.3 Consultation through the Creative Colchester Partnership as a key piece of infrastructure in the development of the Creative Sector in Colchester.

8. Publicity Considerations

- 8.1 This prominent heritage building and its future use as a Creative Business Centre is important to the St Botolph's area and the wider town and Borough and therefore the Council's Communications team will continue to release important updates on the redevelopment progress to the general public and in particular to the Creative Community.

9. Financial Implications

- 9.1 The recommended contractor's tender figure when combined with consultant fees is within the budget currently allocated to the project within the RIF Capital Programme.

10. Equality, Diversity and Human Rights implications

- 10.1 The EQIA for the project can be found in Appendix 1.
- 10.2 In addition to the above, Contractors that have tendered for the project have been asked a set of equality and diversity questions at the PQQ stage of the tender process to ensure that they are fully committed to equality and diversity.
- 10.3 These questions included:
- Requesting that a copy of the contractor's equal opportunities policy (if they have one) is submitted along with their tender.
 - Confirmation that they are able to fully meet the requirements that all local authorities have, i.e. a statutory duty to outlaw discrimination based on race, sexual orientation, disability, age, religion or belief, gender and human rights, as this duty extends to organisations carrying out functions or works on the council's behalf also.

11. Community Safety Implications

- 11.1 None directly arising from this report.

12. Health and Safety Implications

- 12.1 Due to the nature of the works to be delivered, the project falls within the jurisdiction of the Construction Design and Management (CDM) Regulations 2015 and as such, the Council as the “Employer” has appointed CBH as “Principal Designer” as it is required to do to properly fulfil its obligations under the Regulations.

13. Risk Management Implications

- 13.1 There are no major risks associated with this project. However, the project will have its own risk management plan to ensure that potential risks are identified and mitigated wherever possible.

14. Standard References

- 14.1 None

Appendix 1 Project EQIA

Background Papers

Part B Report

Equality Impact Assessment Form - An Analysis of the Effects on Equality

Section 1: screening stage

Name of policy, service or strategy to be assessed:

- Convert the old Police Station into a Creative Business Centre

1. What is the main purpose of the policy, service or strategy?

- Job creation in the town centre for a growth industry, and developing the Council's experience of new building technology

2. What main areas or activities does it cover?

- Regeneration of the town centre, specifically a landmark listed building

3. Who are the main audience, users or customers who will be affected?

- Those working in the creative sector
- Prospective workers in the creative sector
- People using the services based there

4. What outcomes do you want to achieve from the policy, service or strategy?

- Increased employment and access to employment opportunities
- Provide employment space close to transport hubs, i.e. Colchester Town rail station and the bus station
- Provide networking space, both physical and virtual for those involved and interested in the creative sector
- A central hub for St Botolphs as a creative space within Colchester Town Centre

5. Are other service areas or partner agencies involved in delivery? If so, please give details below:

- Colchester Borough Homes
- CBC Enterprise Team
- CBC Regeneration
- CBC Finance
- CBC Legal
- CBC procurement

6. Does the policy, service or strategy help to further or facilitate to our 'general duty'¹ to:

- (a) eliminate unlawful discrimination, harassment and victimisation?
- (b) advance equality of opportunity between people who share a 'protected characteristic'² and those who do not?
- (c) foster good relations between people who share a protected characteristic and those who do not?

- Yes

If you have answered 'no', please give details of the reasons for this decision:

-

¹ these 3 points summarise the 'general duty' as it applies to public sector organisations in the Equality Act 2010

² The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

7. If you answered 'yes' to any of the sections in Question 6 (above), please complete the following in order to identify how the policy, practice or strategy furthers the aim of the 'general duty':

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
Age	Older people (60+)		The building will be for small businesses and individuals creating new opportunities for individuals to start their own business and offer new employment opportunities. The centre will offer opportunities for collaborative working between businesses and a location where other companies can find creative businesses within Colchester	The building will be for small businesses and individuals creating new opportunities for different groups to come together. The Centre will provide both a physical and virtual hub for networking in the creative space of the town centre
	Younger people (17-25) and children (0-16)			
Disability	Physical	The building will be fitted out to meet the requirements of the DDA, including a new lift and a new main entrance set at pavement level.	The building will be fitted out to meet the requirements of the DDA. Intelligent environment systems will be installed to allow facilities in the building to be adapted to meet individual needs. The building is located close to transport hubs, i.e. Colchester Town rail station and the bus station.	The building is for small businesses and individuals creating new opportunities for different groups to come together.
	Sensory	The building will be fitted out to meet the requirements of the DDA, including a new lift and a new main entrance set at pavement level.	Intelligent environment systems will be installed to allow facilities in the building to be adapted to meet individual needs where possible in the listed building	
	Learning			
	Mental health issues			
	Other – <i>please specify</i>			

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
Ethnicity ³	White		The building will be for small businesses and individuals creating new opportunities for individuals to start their own business and offer new employment opportunities.	The building is for small businesses and individuals creating new opportunities for different groups to come together.
	Black			
	Chinese			
	Mixed Ethnic Origin			
	Gypsies/ Travellers			
	Other – <i>please state</i>			
Language	English not first language			
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks			
Religion or Belief	People with a religious belief (or none) ⁴			The building is for small businesses and individuals creating new opportunities for different groups to come together.
Sex	Men			The building is for small businesses and individuals creating new opportunities for different groups to come together.
	Women			
	Transsexual / gender reassignment			
Sexual Orientation	Lesbian, gay and bisexual			
Marriage and Civil Partnership ⁵	People who are single, married or in a civil partnership		not applicable	not applicable

³ Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British); African, Caribbean, Other Black (Black or Black British); White and Black African, White and Asian, White and Black Caribbean (Mixed); British, Irish; Other White (White); Chinese, Other (Other ethnic group).

⁴ For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.

⁵ Our legal duty in respect of 'marriage or civil partnership' extends only to the need to eliminate unlawful discrimination.

8. Are there any concerns that the policy, service or strategy could have a differential impact in terms of equality?

- No

Please use the table below to indicate how the policy, service or strategy could have a positive or negative effect on any of the following equality groups (known under the Equality Act as 'protected characteristics'). Include reference to any consultation, data or information that you have used in making this assessment about positive or negative effects.

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Age	Older people (60+)	X	Access to new business and employment opportunities.		
	Younger people (17-25) and children (0-16)	X	The building is for small businesses and individuals creating new opportunities for different groups to come together.		
Disability	Physical	X	Access to new business and employment opportunities.		
	Sensory	X			
	Learning				
	Mental health issues				
	Other – <i>please specify</i>				
Ethnicity	White	X	Access to new business and employment opportunities. The building is for small businesses and individuals creating new opportunities for different groups to come together.		
	Black	X			
	Chinese	X			
	Mixed Ethnic Origin	X			
	Gypsies/ Travellers	X			
	Other – <i>please state</i>				
Language	English not first language				
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks				

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Religion or Belief	People with a religious belief (or none)				
Sex	Men	X	Access to new business and employment opportunities. The building is for small businesses and individuals creating new opportunities for different groups to come together.		
	Women	X			
	Transsexual / gender reassignment	X			
Sexual Orientation	Lesbian, gay and bisexual	X			
Marriage and Civil Partnership	People who are single, married or in a civil partnership				

9. Could the policy, service or strategy discriminate⁶ against any 'protected characteristic', either directly or indirectly?

No

10. If you have identified any negative impacts above, have you been able to minimise or remove them, and if so, how?

Not applicable

⁶ Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or Marriage and Civil Partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic' unless the practice can be objectively justified by a legitimate aim.

Summary and findings of Initial Equality Impact Assessment – screening stage

11. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No likely negative impacts have been identified and this has been justified with reference to consultation, data or information. X	Sign off screening and finish.
Likely negative impacts have been identified but have been minimised or removed. <input type="checkbox"/>	Sign off screening and finish.
Likely negative impacts were identified but have not been minimised or removed. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

12. Name and job title of person completing this form:

- Teresa Hogsbjerg, Funding Co-ordinator and Project Manager for the Creative Business Centre

13. Date of completion:

- August 2015 (original) October 2012

14. Date for update or review of this screening:

- August 2018

Revolving Investment Fund Committee

Item
9

16 September 2015

Report of	Head of Commercial Services Assistant Chief Executive	Author	Patrick O'Sullivan ☎ 282976
Title	Colchester Northern Gateway – Disposal of 18 acre Leisure Anchor site at United Way		
Wards affected	All		

This report concerns the disposal of 18 acres of land immediately to the east of the Community Stadium for the development of a significant component of the future commercial sports and leisure offer at the Northern Gateway

1. Decisions Required

To note the recommended proposal detailed on Part B of the Agenda for the long leasehold disposal of the 18 acre site at United Way, and that delegated authority will be given to the Executive Director for Commercial and Place in Consultation with the Portfolio Holder for Economic Growth and Planning to agree final terms and complete legal documents associated with the disposal.

2. Reasons for Decisions

- 2.1 The disposal meets the Council key objectives for Northern Gateway to:
- support wider economic growth targets and deliver infrastructure to enable regeneration,
 - create a new destination within the Borough to promote new sports participation and provide a regional quality leisure experience
 - to generate significant new income streams to support the Council to maintain quality front line services.
- 2.2 The disposal of these sites and their subsequent redevelopment will act as a catalyst for the wider development of the remaining land at Northern Gateway.

3. Alternative Options

- 3.1 The Council can maintain an income stream from its land if it disposes of the sites on a long leasehold basis. It could instead sell the freehold of the land which would generate a substantial capital receipt but would lose control of the sites and would not provide an ongoing revenue stream to support Council services.

4. Supporting Information

- 4.1 Following a Cabinet decision of 5th September 2012 Members formally endorsed the Vision for the Northern Gateway which was presented within the Masterplanning work carried out by Allies and Morrison.

4.2 Members had previously requested that the Vision for the Northern Gateway should incorporate the following outcomes:

- A new gateway destination for Colchester, and the wider region.
- A 21st Century vibrant location offering participation sports and family leisure.
- The creation of 3500 jobs.
- Striking design
- Green credentials
- Supportive of the Town Centre
- Significant new revenue streams

4.3 The Masterplan incorporated the land parcels at Cuckoo Farm which had the benefit of outline planning permissions, originally granted in 2006.

4.4 These outline permissions have already delivered the Community Stadium, Flakt Woods development, Easter Park, the East West route, Junction 28 on the A12, BP petrol filling station relocation, a McDonald's roadside restaurant, Lancaster, Inchcape and Via Urbis Romanae. The same permissions are about to deliver a development by Lookers, and a David Lloyd Tennis Centre.

4.5 During the early months of 2015 the Council carried out a soft marketing exercise to establish the level of interest from the Leisure development sector and their funders.

4.6 With the information gathered on the soft marketing campaign, the Council then commenced the disposal process in respect of the development of two parcels of land totalling 18 acres, immediately to the east of the Community Stadium. From the broad range of interest, five parties were selected for initial interview in early July 2015. This was then reduced to two Developers who were invited to provide more design detail for their schemes, explain further their financial proposals, and also enter discussions around the prospective legal arrangements that they would be willing to agree to, if selected by the Council as preferred bidder.

4.8 Each of the two developers presented to the Cabinet Members for Economic Growth and Planning and Resources and following a final scoring process a recommendation will be included in a Supplementary Report to be included in Part B of the Agenda.

5.0 **The Proposal**

5.1 It is proposed that the 18 acre site will be transferred on a long leasehold basis to the recommended developer in order for them to bring forward a leisure based development.

5.2 As part of the second stage marketing process for the land, developers were required to provide a scheme design, financial offer and key legal terms for the long lease.

6. **Strategic Plan References**

6.1 The scheme will "Promote Colchester to attract further inward investment and additional businesses, providing greater and more diverse employment and tourist opportunities"

6.2 The scheme will "Regenerate our Borough through buildings, employment, leisure and infrastructure" by providing a new high quality destination, together with employment growth.

- 6.3 The proposal contributes to the Council's aim to "Become commercially focused and even more business-like in order to be free of government grant by 2017" by delivering a substantial new income stream.
- 6.4 The proposed development will support the Council's objective to "Create the right environment for people to develop and flourish in all aspects of life both business and pleasure" by creating a new sports and leisure hub, within which new businesses can be developed as well as residents using the facilities during their leisure time.
- 6.5 The preferred development is expected to "Promote Colchester's heritage and wide ranging tourism attractions to enhance our reputation as a destination"
- 6.6 The proposed legal and financial structures will support the Council's ambition to "Be clear about the major opportunities to work in partnership with public, private and voluntary sectors to achieve more for Colchester than we could on our own.
- 6.7 It is anticipated that the preferred scheme will make a significant contribution to the Council's wish to "Cultivate Colchester's green spaces and opportunities for health, wellbeing and the enjoyment of all"

7. Consultation

- 7.1 The Council's original aspirations for this site were consulted upon as part of the Planning application process in 2006.
- 7.2 In 2014 a public consultation was conducted in various different locations within the Borough, with a view to explaining the Council's wider Vision for the Northern Gateway, and to listen to feedback from all interested parties.
- 7.3 The development of the Vision for this site, and now its delivery has been continuously and regularly shared both within the Council, and with Members and key stakeholders.
- 7.4 It is likely that multiple reserved matters applications will shortly be submitted for this site. At that time the detailed schemes will be consulted upon in the usual way.

8. Publicity Considerations

- 8.1 There have already been a significant number of good news stories generated by the development of the wider site.
- 8.2 This 18 acre site is likely to attract a great deal of positive interest from the residents of the Borough, when details of the proposed scheme are made public

9. Financial implications

- 9.1 The financial implications of the proposed scheme will be detailed in the Supplemental Report to be prepared after the Presentation to Members on 8th September 2015 and will be incorporated within Part B of the agenda of the RIF Committee on 16th September 2015.

10. Equality, Diversity and Human Rights, Community Safety and Health and Safety implications

- 10.1 None identified at this stage.

11. Risk Management Implications

- 11.1** This 18 acre site has formed part of a long standing Risk Register that has been reported upon to Economic Growth Steering Group on a monthly basis for a number of years. Any risks to the Council arising from the future delivery of the proposed scheme will be itemised within the Supplemental Report to be circulated following the Presentation to Members and the selection of the preferred Developer.

Enclosed documents:

1. Red line plan of the 18 acre site proposed for development.



