

# CABINET

## 22 OCTOBER 2008

*Present :-* Councillor Anne Turrell (Chairman)  
Councillors Lyn Barton, Tina Dopson, Beverley Oxford,  
Paul Smith and Tim Young

Date draft minutes published: 23 October 2008

Date when decisions may be implemented if not called in: 30 October 2008

All decisions except urgent decisions and those recommended to Council may be subject to call in. Requests for scrutiny of decisions by the Strategic Overview and Scrutiny Panel must be signed by at least one Councillor and counter-signed by four other Councillors (or alternatively support may be indicated). All such requests must be delivered to the Proper Officer by no later than 5pm on: 30 October 2008

### **31. Minutes**

The minutes of the meeting on 1 October 2008 were confirmed as a correct record.

### **32. Have Your Say!**

Mr McKinney addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He explained that he had recently returned from a tour of duty in Afghanistan. He asked why the Council had allowed a new amusement arcade to open in Colchester. This contrasted with the decision not to allow a casino to open, which would have brought generated revenue in the town. He sought an explanation as to how money raised from car parks, and the Priory Street car park in particular, was spent. Concern was expressed about the number of charity shops in the town centre, and he considered that it was unfair that they did not have to pay business rates. He explained that whilst he had been away, his car had been the subject of an attempted crime and he stressed the need for the relevant authorities to ensure that the possessions of armed forces personnel were kept safe whilst they were on tours of duty.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, expressed the pride the town felt for armed forces personnel based in Colchester. Councillor Smith, Portfolio Holder for Resources and Business, explained that the money raised from the car parking service went into the general fund and was used to keep council tax down. A written reply would be sent within two weeks of the meeting addressing the points raised.

Mr Hamilton addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He explained that although the Deputy Leader had stated that Firstsite's business plan was available to the public, he had been trying to obtain a copy for over seven months. Firstsite would not discuss financial questions or let members

of the public attend their meetings. He felt that the Council should not be handing over the running of an expensive asset to such an organisation. Concern was also expressed that it had been Council policy to invest large sums of money abroad. A culture of secrecy was harming the public's faith in the Council.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, responded and indicated that a written reply would be sent.

### **33. A Joint Parking Service for Colchester Borough Council, Braintree District Council and Uttlesford District Council**

The Head of Street Services submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix A to these minutes in the Minute Book.

*RESOLVED* that:-

(a) The formation of a Joint Committee to oversee the provision of parking services on behalf of Colchester Borough Council, Braintree District Council and Uttlesford District Council, delivered by a joint service hosted with Colchester Borough Council, be approved in principle.

(b) Authority be delegated to the Portfolio Holder for Resources and Business to develop the arrangements with the partner authorities and agree the Agreement that specifies the scope of joint arrangements, responsibilities and financial implications for the three authorities.

(c) Consultation be carried out with staff and Trades Unions in order to effect the transfer of relevant Parking Service staff from Braintree District Council and Uttlesford District Council to Colchester Borough Council.

#### *REASONS*

(a) There was a need for change to ensure that parking services in the three authorities were effective and financially viable. Both Braintree and Uttlesford councils were operating interim arrangements that were not sustainable. All three were constrained in their current capacity to develop their services and tackle deficits in on-street parking.

(b) An options appraisal concluded that creating a joint service would be the best solution. It would meet all the councils' objectives, including improved quality of service and on-going financial savings (£60 000 in the first year). It had modest one-off investment costs and provided rapid pay-back within one or a few years.

(c) It was not necessary to create a separate entity to deliver the joint parking service. A partnership arrangement based on a Joint Committee, similar to many examples elsewhere, would provide appropriate governance and was preferable to the alternative options.

(d) The issue was considered at meetings of the joint Braintree/Colchester Programme Board on 16 July 2008 and 27 August 2008 and at Uttlesford District Council's Environment Committee on 16 September 2008. The recommendation to proceed with the creation of a joint service was agreed in principle based on a detailed Options Appraisal Report.

#### *ALTERNATIVE OPTIONS*

(a) The alternative of continuing with the existing stand alone arrangements was not sustainable. For all three parking services to be viable as separate operations would require substantial additional investment and represented the last resort that would only be appropriate if all other options were unacceptable.

(b) Letting a contract for the provision of a service by one authority to the others would have had some advantages, including the removal of the need for an additional external audit and the costs of a Joint Committee. However, it would entail an EU procurement exercise and would given less flexibility for all three authorities to jointly guide strategy.

(c) Combinations of two rather than three authorities' services could have met some, but not all objectives and benefits would be smaller than for the full joint service. Nevertheless, if one authority decided not to participate, it would be sensible to consider creating a joint service initially between the other two, with the possibility of expanding later.

### **34. Local Authority Carbon Management Programme - Phase 1 Funding**

The Head of Resource Management and the Head of Street Services submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix B to these minutes in the Minute Book.

Paula Whitney addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). She explained that the Government had agreed to an 80% reduction in greenhouse gases by 2050. However only a fifth of greenhouse gases were generated by the use of electricity. In Essex one third of greenhouses gases were generated by traffic. In order to address this, cycling routes should be made safer and bus usage needed to increase. A car free High Street had been promised but not delivered. This would reduce congestion and enable buses to move more freely. She had not received a reply to her Freedom of Information request about the legal agreement covering the bus station site.

Councillor Smith, Portfolio Holder for Resources and Business, introduced the report and paid tribute to the work done by Councillor Chapman, the previous Portfolio Holder, on the LACM programme. It was proposed to use Housing Planning Delivery Grant to fund the three largest projects in the programme as they were not eligible for Salix funding.

Councillor Barton explained that she had been presented with a certificate from the Carbon Trust in recognition of the carbon savings made by the staff awareness campaign and thanked staff for their successful efforts to reduce carbon emissions in Council offices.

*RESOLVED* that £305 000 from the Housing Planning Development Grant (HPDG) be used to support LACM Phase 1 projects as set out at paragraph 5.1 of the Head of Resource Management and the Head of Street Services report.

#### *REASONS*

(a) The Council was committed to reducing its CO2 emissions by 25% by 2012 when compared against the baseline of 2006/07 financial year, as outlined within the Council's Strategy and Implementation Plan for Carbon Management.

(b) The Council had agreed to reduce carbon emissions in line with the commitments under the Nottingham Declaration signed 21 February 2007.

(c) The release of funding would contribute to energy savings, reduced carbon emissions and cost efficiencies.

#### *ALTERNATIVE OPTIONS*

The Head of Resource Management and the Head of Street Services' report set out alternative approaches to funding the remaining cost of Phase 1 projects such as the use of Salix Finance Ltd and the use of prudential borrowing. Due to the restrictions attached to Salix Finance Ltd loans, it was preferable to use the Council's own funding to deliver these projects. This did not mean that future use of Salix Finance Ltd was ruled out.

**Councillor Lyn Barton, Councillor Paul Smith and Councillor Tim Young (in respect of their membership of the Board of Colchester Borough Homes) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

### **35. A New Housing Strategy for Colchester**

The Head of Strategic Policy and Regeneration submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix C to these minutes in the Minute Book. Richard Hughes, Housing Strategy Coordinator attended to assist the Panel.

Councillor G Oxford attended and, with the consent of the Chairman, addressed the Cabinet to express his satisfaction that a policy of obtaining 35% of affordable housing on new developments was included within the Strategy. As the Core Strategy had now been approved this policy could now be implemented by the Planning Committee. He also noted the reference in Appendix 2 of the Head of Strategic Policy and

Regeneration's report to the Local Development Framework seeking to identify appropriate sites to meet the needs of gypsy and travellers. As the Local Development Framework Committee did not have all party representation, he requested that a group with wider representation look at this particular issue.

Councillor Lewis attended and, with the consent of the Chairman, addressed the Cabinet. She welcomed the Strategy but raised a number of detailed queries. These included the feasibility of the 35% affordable housing requirement in the current economic climate, the number of applicants on the housing needs register, the current situation on the feasibility study on homeless units and how the housing needs of the elderly residents would be met. Richard Hughes responded to the points raised and indicated that a detailed written response would be sent.

The Cabinet welcomed the report. Councillor B. Oxford, Portfolio Holder for Neighbourhoods confirmed that the Council would consider addressing the affordable housing issue by building council housing, in partnership with Colchester Borough Homes, once the decent homes programme was completed.

*RESOLVED* that the Housing Strategy attached to the Head of Strategic Policy and Regeneration's report be adopted.

#### *REASONS*

Colchester Borough Council did not currently have a Housing Strategy in place. A new Housing Strategy would provide the Council and its partners with a clear statement of direction for its housing related activities. The Housing Strategy could show how Colchester Borough Council would undertake the detailed implementation of its priorities and those laid out in the Sustainable Community Strategy, Colchester 2020.

#### *ALTERNATIVE OPTIONS*

(a) Not to adopt a Housing Strategy for Colchester. As a comprehensive Performance Assessment rated "excellent" authority, Colchester Borough Council had the freedom not to produce a local housing strategy and instead rely on the Greater Haven Gateway sub-regional Housing Strategy. The Council had worked effectively sub regionally for some time and was instrumental in producing the Greater Haven Gateway Housing Strategy 2005-2010. However, as a sub regional document it did not contain sufficient detail to articulate all of Colchester's local priorities.

(b) There would be clear risks to not having a robust evidence based strategy in place such as not achieving the local priorities, not being able to evidence and articulate Colchester Borough Council's wider vision for housing and not providing a strong focus to our partners about their contribution to meeting our priorities.

### **36. Review of the Local Development Scheme**

The Head of Strategic Policy and Regeneration submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix D to these

minutes in the Minute Book.

*RESOLVED* that the amendments to the Local Development Scheme set out in the Head of Strategic Policy and Regeneration's report be agreed and that the Local Development Scheme be adopted following approval of the Government Office (Go East).

#### *REASONS*

(a) The plan making process had recently changed with the publication of the Town and Country Planning (Local Development)(England) Regulations 2004 (as amended in May 2008) which set out the law governing production of development plan documents. These were supported by the revised Planning Policy Statement 12 (PPS 12) which set out government policy on local development frameworks. These changes were a result of Planning White Paper recommendations.

(b) The Government had stressed the importance of keeping Local Development Schemes up to date. Alterations and additions had been made to the proposed timetable for documents that would form part of the Local Development Framework

#### *ALTERNATIVE OPTIONS*

The Local Development Scheme must be agreed and submitted to the Secretary of State. Consideration must be given to the timetable for the production of the various documents.

### **37. Progress of Responses to the Public**

The Head of Corporate Management submitted a progress sheet a copy of which had been circulated to each Member and a copy of which appears as Appendix E to these minutes in the Minute Book.

*RESOLVED* that the contents of the Progress Sheet be noted.

#### *REASONS*

The progress sheet was a mechanism by which the Cabinet could ensure that public statements and questions were responded to appropriately and promptly.

#### *ALTERNATIVE OPTIONS*

No other options were presented to the Cabinet for consideration.