

The Council Meeting

Council Chamber, Town Hall
8 December 2011 at 6.00pm

Information for Members of the Public

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Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please refer to Attending Meetings and "Have Your Say" at www.colchester.gov.uk

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COLCHESTER BOROUGH COUNCIL

TO ALL MEMBERS OF THE COUNCIL

7 December 2011

You are hereby summoned to attend a meeting of the Council to be held at the Council Chamber, Town Hall on **8 December 2011 at 6:00pm** for the transaction of the business stated below.



Chief Executive

AGENDA

Pages

1. Welcome and Announcements

(a) The Mayor to welcome members of the public and Councillors and to invite the Chaplain to address the meeting. The Mayor to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Mayor's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched to off or to silent;
- location of toilets;
- introduction of members of the meeting.

2. Have Your Say!

(a) The Mayor to ask members of the public to indicate if they wish to ask a question, make a statement or present a petition on any matter relating to the business of the Council – either on an item on the agenda for this meeting or on a general matter not on this agenda (Council Procedure Rule 6(2)).

(b) The Mayor to invite contributions from members of the public who wish to address the Council on a general matter not on this agenda.

(Note: A period of up to 15 minutes is available for general statements and questions under 'Have Your Say!').

3. Minutes

1 - 10

A... Motion that the minutes of the Extraordinary Council meeting and the Ordinary Council meeting held on 19 October 2011 be confirmed as a correct record.

4. Mayor's Announcements

Mayor's Announcements (if any) and matters arising pursuant to Council Procedure Rule 8(3).

5. Personal Interests of Members

Disclosures by Members under Council Procedure Rule 9(3) to 9(9) (if any).

6. Prejudicial Interests of Members

Disclosures by Members under Council Procedure Rules 9(10) and 9(11) (if any).

(Note: Members should only declare personal and/or prejudicial interests on items that are to be considered at the meeting).

7. Items (if any) referred under the Call-in Procedure

To consider any items referred by the Strategic Overview and Scrutiny Panel or the Finance and Audit Scrutiny Panel under the Call-In Procedure because they are considered to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with the budget.

8. Recommendations of the Cabinet, Panels and Committees

i. Magistrates' Court Task and Finish Group

11 - 13

B.... Motion that in accordance with the resolution contained in minute 45 of the Cabinet meeting of 30 November 2011 the Council indicate its support or otherwise of recommendation A of

the Policy Review and Development Panel and the Council's view be referred to Cabinet at its meeting on 25 January 2012 .

ii. Appointment of Deputy Mayor 2012-13

14

C... Motion that the recommendation contained in minute 47 of the Cabinet meeting on 30 November 2011 be approved and adopted.

9. Notices of Motion pursuant to Council Procedure Rule 11

None received.

10. Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

To receive and answer pre-notified questions in accordance with Council Procedure Rule 10(1) followed by any oral questions (ie not submitted in advance) in accordance with Council Procedure Rule 10 (3).

(Note: A period of up to 60 minutes is available for pre-notified questions and oral questions by Members of the Council to Cabinet Members and Chairmen (or in their absence, Deputy Chairmen)).

No pre-notified questions received.

11. Schedules of Decisions taken by Portfolio Holders

15 - 18

To note schedules covering the period 5 October 2011 - 25 November 2011

12. Reports Referred to in Recommendations

19 - 27

The reports specified below are submitted for information and are referred to in the recommendations specified in item on the agenda:

Magistrates' Court Task and Finish Group Final Report: Report to Policy Review and Development Panel meeting of 7 November 2011 and minute of the meeting.

13. Urgent items

To consider any business not specified in this summons which by reason of special circumstances the Mayor determines should be considered at the meeting as a matter of urgency.

14. Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential 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).

EXTRAORDINARY COUNCIL MEETING

19 OCTOBER 2011

Present:- **The Mayor (Councillor Chuah)**
The Deputy Mayor (Councillor Arnold)
Councillors Barlow, Barton, Blandon, Blundell,
Bouckley, Chapman, Chillingworth, Cook, Cope,
Cory, Davies, Dopson, Elliott, Ellis, Fairley-
Crowe, Feltham, Ford, Frame, Gamble, Goss,
Greenhill, Hardy, Harrington, Harris, Hazell, P.
Higgins, T. Higgins, Hogg, Hunt, Jowers, Knight,
Lewis, Lilley, Maclean, Manning, Martin, Mudie,
Naish, Offen, B. Oxford, G. Oxford, P. Oxford,
Quarrie, Quince, Scott-Boutell, Smith, Spyvee,
Sutton, C. Sykes, L. Sykes, Turrell, Willetts, J.
Young and T. Young.

The meeting was opened with prayers by the Mayor's Chaplain, the Reverend Mark Thompson.

Councillor Hogg (in respect of his role as a director and trustee of the Oak Tree Centre) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

Councillor Frame declared a personal interest which was also a prejudicial interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(10) and left the meeting during its consideration and determination.

Councillor Blandon declared a personal interest which was also a prejudicial interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(10). She made representations on the item in accordance with paragraph 12(2) of the Code of Conduct for Members and left the meeting during its consideration and determination.

23. Abbots Activity Centre

It was PROPOSED by Councillor Lewis that:-

“This Council resolves to inform Cabinet that its proposed closure of the Abbots Activity Centre is ill-judged and contrary to the wishes of the people of Colchester. The Council further resolves to ask Cabinet to set up an all party Task and Finish Group to look into this decision and protect services for older people at Abbots Centre and it report back to Cabinet before any final decision is taken.”

A MAIN AMENDMENT was moved by Councillor Dopson that the MOTION be approved and adopted subject to the deletion of the word “its” and all following wording and its replacement with the following words:-

“the consultation over the proposed closure of the Abbots Activity Centre has raised many concerns. The Council recognises the efforts of the Cabinet in bringing forward alternative options for continuing to provide services for older people and the wider community from this building. The Council further resolves to ask Cabinet to ensure the decision, when taken, protects a level of service for older people at the Abbots Centre.”

The Lead Petitioner, Iris Thompson, presented the Mayor with a petition in the following terms containing 5593 signatures:-

“We the undersigned urgently request that Colchester Borough Council withdraw their plans to close Abbots Activity Centre.”

Iris Thompson addressed the Council to explain the beneficial impact that the Abbots Activity Centre had had on her life. It had given her confidence and a new lease of life. It provided good food, an opportunity to make new friends, day trips and an annual holiday. It provided a particularly useful service for those members whose families lived away from Colchester. She was proud to be a volunteer at Abbots.

Have Your Say

Mr Lockyer addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). The service provided by Abbots Activity Centre was a credit to the Council and expressed concern that this excellent service might be removed. He urged Councillors to vote with their conscience, rather than on political lines. He stressed in particular the benefit that stroke victims gained from attending sessions at Abbots and trips arranged by Abbots.

Nick Chilvers addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) on behalf of Alan Thomas, who was unable to address the Council personally due to a recent operation. Mr Thomas led conversation groups for stroke survivors at Abbots, which would be irreplaceable. The closure would affect the most vulnerable in society such as those with disabilities or those on benefits. It was a purpose built facility that had been built by a forward looking Council. It had been funded by the people of Colchester and should remain open for the benefit of the people of Colchester.

Nick Chilvers addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). The proposal to close Abbots was a strategic mistake. The alternative of the Centre being run by a volunteer trust would not work. There were few facilities for people nearing the end of their lives. The need for such a facility would only increase. The Council should be devising a proper business plan for Abbots. Whilst the establishment of a Task and Finish Group would be a positive step, it would need to approach the issue with a positive attitude and would only work if properly resourced.

Colleen Cain addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). Joining Abbots had given a purpose to her life again particularly as a result of her involvement with the stroke group. She called on her ward councillors to ensure that Abbots remained open.

Nicola Hopkins addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) to express her concern that a purpose built facility such as Abbots could be considered for closure. This would have a tremendous impact on the stroke group which had more than fifty members. The members of Abbots deserved the opportunity to continue to use the Centre as they had helped fund it through council tax contributions and the work they had put into maintaining and improving the building. The transfer of the services to another building was not feasible. There were access problems at Lion Walk which could not be accessed directly by car and was not on a bus route. The staff at Abbots were very caring. Councillors should vote with their conscience and not on party lines and she called on her ward councillors to ensure that Abbots remained open.

Elaine Rogers, Co-ordinator for Colne Communication Stoke Group, addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). Abbots had provided an excellent venue for the group to meet and provided facilities such as storage and computers. She worked with members of the group to maintain and improve their communication skills. If Abbots were to close, members of the group would be put into the community with no help or only very limited speech therapy as other stroke groups were closing. At Abbots members of the group were treated as members of a family and given all the support they needed.

Carla Mason addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) to express her concern about the way the possible closure of Abbots had been handled. The process of transferring Abbots to a third party needed to be swift as delays caused considerable anxiety to the users of Abbots. The Council was under a responsibility to ensure it used public funds responsibly and ensure that frontline services for the elderly were protected. The services at Abbots were particularly valuable for those of seventy and over for which there was little alternative provision.

Nicola Bailey addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). She explained that her mother was a member of the Colne Communication Stroke Group. Members of such groups could not simply be transferred to other groups and she asked how such transfers would happen. Clarification was sought as to what was meant by the phrase "protects a level of service" in the Main Amendment. She asked on what basis the Council believed that Abbots should not be Council run. The Council had not fairly considered ways of keeping Abbots open. Contrary to what was asserted, Abbots was not difficult to reach and more could be done to increase membership. The Council should engage in intelligent forward planning.

Raph Piggott addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). Many of the users of Abbots were of the generation that had fought in the Second World War. Their reward was a poor pension and few facilities. Abbots was one of the few decent facilities available to this generation. Users of Abbots were being asked to pay for the mistakes of others. The Main Amendment to the motion was so vague as to be meaningless. Abbots should remain in Council control to ensure that that decisions on its future remained subject to democratic control.

Andy Abbott addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) to pay tribute to the work of the staff at Abbots and to stress the importance of Abbots being maintained in its current format and with the existing staff.

Tim Oxtan addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). Closing or reducing the service at Abbots would only save a small amount of money. This decision, along with the proposed closures of Abbeygate House and Joyce Brooks

House, were causing great stress. The wording of the Main Amendment was open ended and if agreed would allow services to be reduced to almost nothing.

Mary Blandon addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) to stress the difference services at Abbots made to its members' lives. It improved the health and well being of its members. The wording of the Main Amendment was open ended. More time should be provided to allow a business plan to be agreed to protect the services Abbots provided.

Jon Avery addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) and highlighted the great difference the services provided at Abbots made to his life. The Council should respect the democratic wishes of the members and keep Abbots open under Council control. Respect should be shown to the generation that had helped rebuild the country after the Second World War.

Determination of Main Amendment and Motion

Pursuant to the provisions of Council Procedure Rule 14(10) Councillor Lewis indicated that that the MAIN AMENDMENT was not accepted.

On being put to the vote the MAIN AMENDMENT was CARRIED and the original motion was deemed amended accordingly.

A named vote having been requested pursuant to the provisions of Council Procedure Rule 15(2) the voting was as follows:-

Those who voted FOR were:-

Councillors Barlow, Barton, Cook, Cope, Cory, Dopson, Feltham, Ford, Gamble, Goss, Greenhill, Harris, P. Higgins, T. Higgins, Hogg, Hunt, Knight, Lilley, Manning, Mudie, Naish, Offen, B. Oxford, G. Oxford, P. Oxford, Scott-Boutell, Smith, Spyvee, C. Sykes, L. Sykes, Turrell, J. Young and T. Young.

Those who voted AGAINST were:-

Councillors Blundell, Bouckley, Chapman, Chillingworth, Davies, Elliott, Ellis, Fairley-Crowe, Hardy, Harrington, Hazell, Jowers, Lewis, Maclean, Martin, Quarrie, Quince, Sutton and Willetts.

Those who ABSTAINED from voting were:-

The Deputy Mayor (Arnold) and the Mayor (Chuah).

The MOTION as amended was thereupon APPROVED and ADOPTED (MAJORITY voted FOR).

COUNCIL MEETING

19 OCTOBER 2011

Present:-

**The Mayor (Councillor Chuah)
The Deputy Mayor (Councillor Arnold)
Councillors Barlow, Barton, Blandon, Blundell,
Bouckley, Chapman, Chillingworth, Cook, Cope,
Cory, Davies, Dopson, Elliott, Ellis, Feltham,
Ford, Frame, Gamble, Goss, Greenhill, Hardy,
Harrington, Harris, Hazell, P. Higgins, T. Higgins,
Hogg, Hunt, Jowers, Knight, Lewis, Lilley,
Lissimore, Maclean, Manning, Mudie, Naish,
Offen, B. Oxford, G. Oxford, P. Oxford, Quarrie,
Quince, Scott-Boutell, Smith, Spyvee, Sutton, C.
Sykes, L. Sykes, Turrell, Willetts, J. Young and T.
Young.**

Councillor Quarrie was not present for the items at minutes 32-37.

Councillor Offen and Councillor Scott-Boutell were not present for the items at minutes 34-37.

Councillor Sutton left during item 33.

Councillor Lissimore was present for the items at minutes 34-37 only.

24. Motion to Adjourn

Councillor Willetts PROPOSED that the Council's consideration of the remaining items of business be adjourned to another day.

On being put to the vote, the MOTION was LOST (MAJORITY voted AGAINST).

25. Minutes

The minutes of the meeting on 20 July 2011 were agreed as a correct record subject to the recording of Councillor Lewis' personal interest in item 17 as a Friend of the Moot Hall Organ and the sponsor of an organ pipe.

26. Have Your Say!

Andy Hamilton addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). Whilst individual councillors were intelligent polite people working to do the best for Colchester, when the Council met as a collective body it acted in a dictatorial way purely concerned with the Council's ambitions. This was shown in the way it had acted in respect of the removal of the mobility scooter service from the bus station, the sale of 15 Queen Street and the funding of the Visual Arts Facility. A further Freedom of Information request was made for a copy of the lease agreement for the Visual arts Facility between Colchester Council and firstsite. He asserted that the Council's disregard of the needs of the vulnerable contrasted with its support for firstsite, who were demanding an increase in funding

because of a cash flow problem. Council should consider whether the recent accusation of them as Nazis was an accurate description.

Councillor Smith, Portfolio Holder for Resources and Heritage, indicated that a written reply would be sent. Councillor T. Young, Portfolio Holder for Housing and Community Safety, called on Mr Hamilton to withdraw his comments relating to the comparison between the Council and the Nazi Party.

27. Mayor's Announcements

The Mayor made the following announcements:-

- Colchester had been awarded Cycling Town Status and HR9. formally the HR Strategic Partnership for Essex, had won the CIPD People Management Award. The Mayor congratulated and thanked all those who helped and worked hard to achieve these awards.
- The Oyster Feast had now sold out.
- On 3 November 2011, the Mayor would be hosting a "Strictly Come Tea Dancing" event at Mersea Island Community Centre.
- On 13 November 2011 after the Remembrance Service the Mayor would be hosting a curry lunch at the Oak Tree Centre, Harwich Road.

28. Local Code of Corporate Governance

RESOLVED that the recommendation contained in minute 29 of the Cabinet meeting of 7 September 2011 be approved and adopted (MAJORITY voted FOR).

29. Improving Accommodation for Older Persons in Colchester – review of Council Owned Sheltered Housing

The Monitoring Officer made a statement clarifying the scope of the recommendation before Council.

RESOLVED that the recommendation contained in minute 33 of the Cabinet meeting of 12 October 2011 be approved and adopted (MAJORITY voted FOR).

30. 2010/11 Year End Review of Risk Management

RESOLVED that the recommendation contained in minute 39 of the Cabinet meeting of 12 October 2011 be approved and adopted (MAJORITY voted FOR).

31. Review of Polling Districts and Polling Places

RESOLVED that the recommendation contained in minute 14 of the Accounts and Regulatory Committee meeting of 18 October 2011 be approved and adopted (MAJORITY voted FOR).

32. Suspension of Procedure Rules

RESOLVED that Council Procedure Rule 11(2) be suspended to permit the following motion to be debated at this meeting.

Councillors Chillingworth and Spyvee (in respect of their membership of the Building Preservation Trust) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

33. Tymperleys

Petitions in the following terms, containing in total over 1840 signatures, which were intended to be considered as one petition, had been received at the Council's offices on 21 July 2011 and were referred to Council in accordance with Petition Procedure Rule 14.

"Tymperley's Clock Museum has been CLOSED by the Administration running Colchester Borough Council. This building, dating back to around 1500, and clock museum were gifted to the town by Bernard Mason.

We, the undersigned call on Colchester Borough Council to re-open Tymperley's Clock Museum and to preserve his historic asset for current and future generations."

"Tymperleys Clock Museum in Trinity Street is a 15th century timber frame building, housing one of the largest clock collections in Britain. This was once the home of William Gilbert and was left to the people of Colchester by Bernard Mason to enjoy and admire. Colchester Borough Council have made the decision to close this historic building. But with your help it is not too late."

"Tymperleys Clock Museum has been closed by the administration running Colchester Borough Council. This building dating back to around 1500 and the clock museum were gifted to the town by Bernard Mason.

We, the undersigned, want Tymperleys Clock Museum re-opened."

The Lead Petitioner, Councillor Will Quince, waived his right to address Council on the petitions in accordance with Petition Procedure Rule 15.

It was PROPOSED by Councillor Barton that:-

"This council notes the contents of the petition received on the future of Tymperleys.

Council believes that Tymperleys is no longer sustainable as a museum and should be put to better public use by advertising for expressions of interest but with conditions which ensure the continuing use of the garden for the people of Colchester, a community element and accessibility to the public for so many days a year – possibly linking in with heritage events.

Furthermore Council believes that the key clocks from the collection bequeathed to the town by Bernard Mason, which were never intended to be housed in Tymperleys and are not in appropriate atmospheric conditions in that building, can be better preserved by being housed in nearby Hollytrees museum which would mean they are displayed in controlled atmospheric conditions, are accessible throughout the year for the people of Colchester and satisfy all access issues."

A MAIN AMENDMENT was moved by Councillor Quince that the MOTION be approved and adopted subject to the following amendments:-

(i) In the second paragraph,

- after the word "Council", the insertion of the words "requests Cabinet to undertake a review of its strategy on tourism to ascertain the role and significance of a clock museum in attracting visitors to the town, and following that review that if Cabinet";
- before the word "museum" insert the word "clock";
- before the word "garden" insert the words "building as a museum and";

- delete all the wording after the word “Colchester” and replace with the words “to enjoy, an alternative premises should be found so that the clock collection on display at Tymperleys can be exhibited publicly in one place as an integral part of the town’s museum service.”

(ii) The deletion of the third paragraph.

Pursuant to the provisions of Council Procedure Rule 14(10) Councillor Barton indicated that that the MAIN AMENDMENT was not accepted.

On being put to the vote, the MAIN AMENDMENT was LOST.

A named vote having been requested pursuant to the provisions of Council Procedure Rule 15(2) the voting was as follows:-

Those who voted FOR were:-

Councillors Blundell, Chapman, Chillingworth, Cook, Cope, Davies, Elliott, Ellis, Hardy, Harrington, Hazell, Jowers, Lewis, Maclean, Quince and Willetts.

Those who voted AGAINST were:-

Councillors Barlow, Barton, Blandon, Cory, Dopson, Feltham, Ford, Frame, Gamble, Goss, Greenhill, Harris, P. Higgins, T. Higgins, Hogg, Hunt, Lilley, Manning, Mudie, Naish, Offen, B. Oxford, G. Oxford, P. Oxford, Scott-Boutell, Smith, Spyvee, C. Sykes, L. Sykes, Turrell, J. Young and T. Young.

Those who ABSTAINED from VOTING:-

Councillor Bouckley, the Deputy Mayor (Councillor Arnold), the Mayor (Councillor Chuah).

The SUBSTANTIVE MOTION was thereupon put and CARRIED (MAJORITY voted FOR)

Councillor Quince (in respect of being the Parliamentary spokesmen for the Conservative Party in Colchester), Councillor Sutton (in respect of being the Chairman of the Conservative Party for the North Essex Constituency), Councillor C. Sykes and Councillor L. Sykes (in respect of Councillor C. Sykes position as the Deputy Chairman of the Braintree and Witham Liberal Democrats) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

34. Notice of Motion // Boundary Commission for England Proposals

It was PROPOSED by Councillor Hunt that:-

“1. Council notes that

(a) The Boundary Commission for England has published its draft proposals for new Parliamentary constituency boundaries to come into place from 2013. The changes relevant to Colchester Borough are:

(i) The Commission has proposed leaving Colchester Parliamentary constituency unchanged;

(ii) The Commission has proposed including the wards of Birch and Winstree, Copford and West Stanway, Dedham and Langham, Fordham and Stour, Great Tey, Marks Tey, Pyefleet, Stanway, West Mersea, Wivenhoe Cross, Wivenhoe Quay in the new constituency of 'North Essex', which runs along similar boundaries to the *North Essex Parliamentary Constituency* that existed prior to 2010;

(iii) The Commission has proposed including the Tiptree ward in the Maldon constituency.

2. Council believes

(a) As Britain's oldest recorded town, urban Colchester has a unique identity and is best served by a single Member of Parliament.

(b) The several Colchester Borough wards currently in the Witham Parliamentary constituency have little history or affinity with the town of Witham and share more in common with other parts of Colchester Borough. The proposed new North Essex Parliamentary Constituency is more suitable for the wards of Birch and Winstree, Copford and West Stanway, Marks Tey, and Stanway than the current arrangements.

(c) The Boundary Commission has had a difficult job to draw up constituencies that meet the government's tight requirements for the number of electors that can be included in a Parliamentary constituency, and these proposals are as good for the Borough of Colchester as could be expected in the circumstances.

3. Council resolves

To write to the Boundary Commission for England expressing the Council's support for these draft proposals so far as they affect the Borough of Colchester, as part of the current public consultation on the draft proposals."

The MOTION was CARRIED (MAJORITY voted FOR).

35. Notice of Motion // Firstsite

It was PROPOSED by Councillor Naish that:

"This Council calls upon Firstsite to formally notify the Council that it will neither request nor accept any further grant or other funding from the Council from April 2013; by this time the facility will have been running for over a year.

This Council believes that given the claimed success of Firstsite, its access to other major grants and to donors and its ability to generate income; it should not require funding from Colchester Borough Council.

The Council accepts that such a decision by Firstsite would enable modest additional support from our funds to the two excellent Colchester (as opposed to regional) centres at the Arts Centre and the Mercury Theatre, which are not eligible for such long-term large funding schemes as Firstsite benefits from."

As the Motion related to an executive function, it was referred to Cabinet without discussion for consideration and determination.

36. Questions to Cabinet Members and Portfolio Holders

In view of the late hour it was *RESOLVED* that the questions to Portfolio Holders and Chairman be cancelled

37. Schedules of Portfolio Holder Decisions

RESOLVED that the Schedules of Portfolio Holder decisions for the period 2 July 2011 – 4 October 2011 be noted.

Extract from the minutes of the Cabinet meeting on 30 November 2011

45. Magistrates' Court Task and Finish Group

Cabinet considered the recommendations in minute 12 of the Policy Review and Development Panel meeting of 7 November 2012.

Councillor Frame attended and, with the consent of the Chairman, addressed the Cabinet to outline the recommendations of the Task and Finish Group. The Group had looked not just at the Magistrates' Court but also at ancillary facilities in the Town Hall that may be underused. He understood that the Honorary Alderman had indicated that they were broadly in support of the recommendations, but that the Town Hall should not be sold off. He explained that the Task and Finish Group had quickly ruled this out and it was not part of its recommendations. It was intended that the Town Hall remain the centre of civic life. However, the Group was recommending that advice be sought on utilising underused space in the Town Hall and taking the opportunity to increase revenue.

Councillor Willetts attended and with the consent of the Chairman, addressed the Cabinet. He was pleased to note that the option of selling off the Town Hall had been discounted as he felt this would be disastrous for Colchester. He sought a reassurance that this option would not be reintroduced. The Town Hall was the pivotal point of the town. He suggested that some of the space could be used to house parts of the museum collections that were currently not on display, which could help boost tourism. Whilst he supported finding a new use for the Court the new use must be in harmony with the Town Hall's principal use as the civic hub of Colchester.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy and Performance, stressed that selling the Town Hall was not an option. It was proposed to refer the recommendations for debate at full Council to in order to establish Council's views on the recommendation A. Recommendations B and C were to an extent dependant on the view taken by Council on recommendation A and could be considered by Cabinet once Council's view was known. It was stressed that all parties would be involved in the decision making on this issue.

Councillor T. Young, Portfolio Holder for Housing and Community Safety, and Councillor Hunt, Portfolio Holder for Street and Waste Services, indicated their support for this proposal.

RESOLVED that the recommendations set out in minute 12 of the Policy Review and Development Panel meeting on 7 November 2011 be referred for debate at the Council meeting on 8 December 2011 for Council to indicate its support or otherwise of the recommendation A of the Policy Review and Development Panel, with the outcome of the Council debate to be determined by Cabinet at its meeting on 25 January 2012

REASONS

Cabinet wished to seek the views of Council on recommendation A of the Policy Review and Development Panel in minute 12 of its meeting on 7 November 2011 before it came to a final decision on the future use of the Magistrates' Court.

ALTERNATIVE OPTIONS

Cabinet could have determined the recommendations from Policy Review and Development Panel without referring the issue to Council.

Amendment to Motion on Magistrates' Court Task and Finish Group at Council 8 December 2011

Proposer: Councillor Bentley

The Motion concerning the Magistrates' Court Task and Finish Group be approved and adopted subject to the following amendments:-

- The deletion of word "indicate" and its replacement with the words "having considered".
- The addition of the following words at the end of Motion:-

"informs Cabinet that:

(a) It is the wish of Council that the Town Hall be retained as the Civic Centre of the Borough. Within the Town Hall the Council Chamber, the Moot Hall, the Principal meeting rooms, the Mayor's Parlour and suitable accommodation for the day-to-day work of the Cabinet and Borough Councillors should remain within the control of the Council. But Council also encourages Cabinet to make the main civic rooms available for public use on a secondary basis, in so far as it is practicable.

(b) It is encouraged to test the market in regard to future uses of the Magistrates' Courts when they revert to the Borough Council, along with the Old Library and any other surplus space in the Town Hall, but should note that future uses should be sympathetic with the purpose and dignity of the Town Hall as the Borough's Civic Centre."

Agenda item 8(ii)

Extract from the minutes of the Cabinet meeting on 30 November 2011

47. Appointment of the Deputy Mayor 2012-2013

Consideration was given to the appointment of the Deputy Mayor for the Municipal Year 2012-13.

Councillor Hunt proposed Councillor C. Sykes be appointed Deputy Mayor for the Municipal Year 2012-13. He indicated that Councillor G. Oxford supported the nomination. Councillor T. Young and Councillor Willetts also indicated their support.

Councillor C. Sykes expressed his thanks to Cabinet and to those who had expressed support for his nomination.

RECOMMENDED to Council that Councillor C. Sykes be nominated for appointment as Deputy Mayor for the Borough of Colchester for the 2012-13 Municipal Year.

Agenda item 11
Record of Decisions taken under Scheme of Delegation to Cabinet Members
5 October – 25 November 2011

Portfolio – Communities and Diversity					
Date	Number	Report Title	Author	Decision	Result
2/11/2011	COM-004-11	Activity Centre services for people aged 50 and over	Matt Sterling	Concerns the Activity Centre services that the Council provides for people aged 50 and over	Decision called-in 08/11/11. Reviewed at Finance and Audit Scrutiny Panel 23 November 2011. Decision confirmed can be implemented. (See minute 25)
14/11/11	COM-005-11	Fees and Charges for Helpline	Chris Dowsing	To approve the fees and charges for Helpline for 2012/2013	Agreed 24/11/11
14/11/11	COM-006-11	2012 Fees and charges for Sport and Leisure, Parks and Recreation and Housing and Communities	Simon Grady. Bob Penny. Matt Sterling.	To approve the fees and charges for Sport and Leisure, Parks and Recreation and Housing and Communities for 2012	Agreed 24/11/11
23/11/11	COM-007-11	Allocation of investment in voluntary welfare organisations 2011-12-older persons activities grant	Bridget Tighe	To approve the Council's investment of £25,000.00 in "not-for-profit", voluntary and community organisations for projects aimed at tackling older people's isolation.	Due 2/12/11

Agenda item 11
Record of Decisions taken under Scheme of Delegation to Cabinet Members
5 October – 25 November 2011

Portfolio – Customers					
Date	Number	Report Title	Author	Decision	Result
15/11/11	CUS-001-11	Fees and Charges for Crematorium and Cemetery Services from January 2012	Colin Daines	To approve the fees and charges for Crematorium and Cemetery Services from 1 January 2012	Agreed 24/11/11

Portfolio – Economic Development and Sustainability					
Date	Number	Report Title	Author	Decision	Result
4/11/11	ECO-001-11	Colchester Cycling Delivery Strategy	Jane Thompson	To agree to a consultation being carried out on the draft Colchester Cycling Delivery Strategy	Agreed 15/11/11
15/11/11	ECO-002-11	Planning & Building Control Service Fees and Charges 2012-13	Vincent Pearce	To approve the scale of fees and charges for all areas of the Planning & Building Control Service beyond those statutorily prescribed to take effect from 1 January 2012	Agreed 24/11/11
15/11/11	ECO-003-11	Visitor Information Centre Fees and Charges 2012-13	Claire Taylor	To approve the retention of current levels of fees and charges for the Visitor Information Centre (to take effect from 1 April 2012)	Agreed 24/11/11

Portfolio – Housing and Community Safety					
Date	Number	Report Title	Author	Decision	Result
4/10/11	HOU-003-11	New Home Improvement Agency	Matt Sterling	To note the new Home Improvement Agency for North East Essex and our	Agreed 14/10/11

Agenda item 11
Record of Decisions taken under Scheme of Delegation to Cabinet Members
5 October – 25 November 2011

3/10/11	HOU-004-11	Response to the Government's consultation paper 'Housing Benefit Reform-Supported Housing'	Tina Hinson/ Joanne Webb	relationship with it	Agreed 13/10/11
12/10/11	HOU-005-11	Colchester's Annual Report to Council Tenants and Leaseholders	Jo Webb/ Tina Hinson	To approve Colchester's Annual Report to Tenants and Leaseholders 2010	Agreed 28/10/11
31/10/11	HOU-006-11	Cleaning of communal areas to the Council's housing stock	John Rock	To award the third year of the four year framework agreement to the current contractor	Agreed 15/11/11
14/11/11	HOU-007-11	Fees and Charges for Housing Enforcement and Inspection Services from January 2012	Karen Newman	To approve the fees and charges for Housing Enforcement and Inspection Services from 2011	Agreed 24/11/11

Portfolio – Renaissance

Date	Number	Report Title	Author	Decision	Result

Portfolio – Resources and Heritage

27/9/11	RES-004-11	Local Authority Mortgage Interest Rates	Debbie Greenwood	To set the Locally Determined Interest Rates as 6.05% for the 6 months starting 1 October 2011	Agreed 6/10/11
27/9/11	RES-005-11	Irrecoverable Debts over £5,000	Debbie	To write off Business Rates debts	Agreed

Agenda item 11
Record of Decisions taken under Scheme of Delegation to Cabinet Members
5 October – 25 November 2011

15/11/11	RES-006-11	Greenwood	totalling £97,815.51	11/10/11
	Corporate Management Fees and Charges 2012-13	Lucie Breadman	To approve the fees and charges for Corporate Management services as set out in the report (to take effect from 1 April 2012)	Agreed 24/11/11

Portfolio – Strategy and Performance

Date	Number	Report Title	Author	Decision	Result

Portfolio – Street and Waste Services

Date	Number	Report Title	Author	Decision	Result
15/11/11	STW-003-11	Fees and Charges for Parking Services	Matthew Young	To approve the fees and charges for Parking Services from 2012/13	Agreed 24/11/11
15/11/11	STW-004-11	Fees and Charges for Street Services – Market, Street Trading, Public Baths and Street Naming and Numbering for 2012/13	Cassandra Clements. Sarah Taylor	To approve the fees and charges for Market, Street Trading, Public Baths and Street naming and Numbering for 2012/13	Agreed 24/11/11
15/11/11	STW-005-11	Fees and Charges for Street Services - Recycling, Fleet and Trade Services for 2012/13	Paul English	To approve the fees and charges for Recycling, Fleet and Trade services for 2012/13	Agreed 24/11/11
15/11/11	STW-006-11	Fees and charges for Environmental Health and Licensing Services from January 2012	Karen Newman. Colin Daines.	To approve the fees and charges for Environmental Health and Licensing Services from 2011	Agreed 24/11/11

7 November 2011

Report of	Executive Director	Author	Ann Wain
Title	Magistrates' Courts Task and Finish Group // Final Report		
Wards affected	Not applicable		

This report concerns the work undertaken by the Magistrates' Courts Task and Finish Group and presents the recommendations of the Group to the Panel

1. Decision(s) Required

- 1.1 To review the work of the Magistrates' Courts Task and Finish Group and to consider the Group's recommendations as set out in Paragraph 5 below.

2. Reasons for Decision(s)

- 2.1 The Policy Review and Development Panel accepted the request to set up a Task and Finish Group to investigate the future of the Magistrates' Courts in the Town Hall and it is for the Panel to consider the outcomes of the Group's work.

3. Alternative Options

- 3.1 There are a range of alternative options, the details of which are set out below, that have been considered by the Task and Finish Group:

- Do nothing;
- Disposal of the parts of the building not currently used plus some currently used parts;
- Operating the Town Hall Business Plan internally on a more commercial basis;
- Work with a Developer to look at options over time;
- Sale of the building on a long lease;
- Sale of the whole building and car park.

4. Supporting Information

- 4.1 The Task and Finish Group was established to investigate the future use of the space in the Town Hall building currently occupied by the Magistrates' Courts which was due to be vacated on completion of the purpose built Magistrates' Courts building in Magdalen Street.

- 4.2 The Group formulated a Scoping Document at its first meeting in July 2011 (Appendix A) and, over a number of subsequent meetings, the Group identified and discounted a range of possible alternative uses, including:

- Registrars service;
- Public Inquiries;
- Cells (for use by Police as holding areas on Friday/Saturday nights);
- Base for Police at weekends;
- Visitor Information Centre (move from current location);

- Education on legal processes (new Magistrates' Court possibly will have this facility).

4.3 During the course of the meetings the Group also gave consideration to the use of the Town Hall in terms of its role as a venue for Council meetings, Civic and Mayoral functions as well as the commercial marketing of the building.

4.4 At its final meeting, the Group considered the broad principles of a range of options which are set out below:

(i) Do nothing

This would leave a cost pressure of around £40k which would have to be found from revenue budgets. It would also leave growing space that is unused. We could find some uses for the Magistrates' Courts such as educational visits, but these are unlikely to produce an income stream. With no changes to the space, its limited use and access as it stands is difficult.

(ii) Look to dispose of parts of the building that are not currently used including the Magistrates' Courts

There are a growing number of spaces that are no longer in use and the Magistrates' Courts will add to that space. It would be possible to go to the market with these defined spaces to see what offers are forthcoming. This could produce a small capital receipt as well as reduce the amount of space that needs to be maintained.

While there may be uses that are less popular, the market will essentially say what it is prepared to deliver. This would be within the constraints of planning criteria and the listed status of the building.

(iii) Consider looking at a larger area to dispose of, retaining the main meetings rooms and Mayoral suite only

This option extends option (ii) to include some of the rooms that are currently used. This could make it more attractive to the market, although until this is tested it is unclear how this might work. This also starts to impact on the Council's use of the building.

(iv) Extend the Town Hall Business Plan in-house

There is an opportunity to try and increase income from the Town Hall. An income is currently produced from the hire of rooms as the Group has seen. This is limited by the Council's use of the building, which produces a number of constraints on when, how and what is hired for. Moving meetings out of the Town Hall to free up the building for more income generation is possible with our other buildings, but these options have to be set against other constraints:

- Rowan House – has only one large meeting room that is suitable for public meetings and is not in the Town Centre so is not as close to public transport. It would need some adjustment to make it more useable and has limited capacity.
- Angel Court – certainly has space that could be adapted for internal, day time meetings. There is an option to adapt space for public meetings but this has to set against options for renting more ground floor space to potential partners. If there was confidence that the Town Hall could generate enough income to match other options for the space, then the ground floor could be adapted to offer a flexible space that would accommodate public meetings. There is a capital sum for the renovation of Angel Court, although this is fairly modest.

Running the building in-house does ensure more flexibility, but would require the further development of relevant skills and also risks putting in so many constraints that it is not possible to build income.

(v) Test expressions of interest to run the Town Hall on a commercial basis

This option has all of the issues of option (iv), but if companies were invited to bid the potential of the building could be assessed. A number of pieces of work would need to be undertaken:

- Scope of what the Council is prepared to hand over and on what terms;
- What sort of agreement the Council would have that would provide an income and how costs for the building would also be set against that;

- Constraints, for example, use of Mayoral suite, leaders office, group rooms
- It is interesting to note that Brentwood have just made a decision to go down this route, moving all meetings out of their Town Hall and using a management company to run the building.

(vi) Work with a Developer to look at options over a period of time

This is a marginally less radical than option (vii) and could provide a way of retaining more control. Some proposals would need to be agreed and this might require a more difficult decision to make this attractive to the market. As with option (ii), changes would have to be in accordance with planning criteria and listed building constraints. The Council would/could retain ownership under this option.

(vii) Sale of the whole building on a long lease

The building could be put up for sale on a long lease for the market to suggest uses. It could be attractive as a hotel for example. This is likely to be unpopular with some sections of the public. It could be sold as a single unit or broken up into part lots.

(viii) Sale of the building plus car park

The Town Hall sits in a prime location and in addition the car park and the “Document Centre” to the rear of the building is in Council ownership. This could be looked at as a whole package. It is likely that at least part of the car park would be needed for a number of the options outlined above.

5. Proposals

- 5.1 Following detailed consideration of the full range of options, the Magistrates’ Court Task and Finish Group invites the Policy Review and Development Panel to consider the following recommendations:

That –

- (i) The external market is tested for expressions of interest to establish what could be possible within a range of conditions;
- (ii) There are two distinct areas to be put out to the market:
 - (a) A range of spaces that are no longer used by the Council plus the space currently occupied by the Magistrates’ Courts for possible long lease and redevelopment,
 - (b) The rest of the building for consideration to be managed by an external company to increase income;
- (iii) The areas identified above at (ii)a and (ii)b could be bid for by separate companies or a single company and this would include bids from community groups;
- (iv) Certain requirements, to address the following aspects, would be applicable in respect of (ii)b above:
 - (a) Reducing the Council’s need for the building by moving internal day time meetings into space in Angel Court and looking at whether some public meetings could be moved out of the Town Hall, potentially using space in Angel Court to meet this requirement;
 - (a) Preserving the Council’s right to use the Town Hall for a range of functions including, but not exclusively, Full Council meetings, Mayoral functions, Open Building Heritage Days, St George’s Day, Oyster Feast, and Remembrance Sunday.

6. Strategic Plan References

- 6.1 Certain elements of this work could potentially assist in addressing one of the Council’s three corporate objectives, namely shifting resources to deliver priorities.

7. Consultation

- 7.1 Consultation would need to be undertaken to pursue these ideas. There are also likely to be staff affected who would also need to be fully consulted.

8. Publicity Considerations

- 8.1 There will be public interest in any changes to the use of the Town Hall.

9. Financial Implications

- 9.1 Full financial implications have not yet been established. The reason for initiating the review was the relocation of the Magistrates' Courts which will mean a cost pressure of around £40k if we do not find an alternative use for the Courts.
- 9.2 There could be a small capital receipt if parts of the building are let on a long lease and a revenue improvement if more income is derived from the Town Hall.

10. Equality, Diversity and Human Rights Implications

- 10.1 Several parts of the Town Hall are no longer in use for Council business due to accessibility issues outlined in the Disability Discrimination Act. It will be necessary to undertake a full Equality Impact Assessment prior to the implementation of any of the proposals identified in Paragraph 5 above.

11. Community Safety Health and Safety or Risk Management Implications

- 11.1 There are no significant Community Safety, Health and Safety or Risk Management implications.

Task and Finish Group Scoping Document

Task & Finish Group Subject	Options for use of Magistrates' Courts
Start Date	7 July 2011
Terms of Reference	
<p>Policy Review and Development Panel has asked for a Task and Finish Group to look at the options for future use of the Magistrates' Courts. There will be residual costs when the Magistrates' Courts are vacated which will create a budget pressure and we need to consider how to mitigate this.</p> <p>The Group will need to take an overview of the use of the Town Hall as the Magistrates' Courts is an integral part of the building and it may not be possible to find a suitable solution without considering the rest of the building</p> <p>The aim of the Group is to put forward a range of options for future use of the space and how they might impact on the rest of the Town Hall. That these options have been put under a level of scrutiny to test their feasibility.</p>	
Specific questions to be answered or concerns to be addressed	
<ul style="list-style-type: none"> • What are the possible alternative uses for the Magistrates Court space? • What are the possible alternative approaches to managing the Town Hall? • How can we mitigate the budget pressure? • How far do we want to consider a commercial outcome balanced against the perceptions of the Town Hall as a public building? 	
Relevance to the Strategic Plan and Corporate Priorities	
To ensure effective use of our resources to enable us to shift resources to priority areas.	
Key Stakeholders, Partners or other agencies involved	
<p>There could be a range of stakeholders and partners depending on the feasible options/ideas identified. As options are identified, stakeholders/partners will be approached for views</p> <p>If options include changed use of some or all of the Town Hall, the public will also have a view</p>	
Evidence and research to be gathered	
<ul style="list-style-type: none"> • To gather ideas for the use of the Magistrates' Courts • To follow up these ideas with relevant organisations to ascertain which are feasible • Visit to the Magistrates' Courts and some of the surrounding areas in the Town Hall to understand the space • Information about costs 	
Timescales, Communications and Reporting	
<p>To report back to the Policy Review and Development Panel at the end of September or early October.</p> <p>Portfolio Holder and Cabinet to be informed of early thoughts</p>	

Chairman	Councillor Bill Frame
Members	Councillor Gerard Oxford (Deputy Chairman) Councillor Terry Sutton Councillor Julie Young Councillor Beverly Davis Councillor Henry Spyvee
Lead Officer	Ann Wain

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
POLICY REVIEW AND DEVELOPMENT PANEL
HELD ON 7 NOVEMBER 2011**

12. Magistrates' Courts Task and Finish Group // Final Report

The Panel considered a report by Executive Director, Ann Hedges (née Wain), concerning the work undertaken by the Magistrates Courts Task and Finish Group and presenting the recommendations of the Group to the Panel.

The Task and Finish Group had been established to investigate the future use of the space in the Town Hall building currently occupied by the Magistrates' Courts and it had been acknowledged in the Group's Terms of Reference that an overview of the use of the Town Hall would need to be taken as well as consideration as to the use of the Town Hall in terms of its role as a venue for Council meetings, Civic and Mayoral functions as well as the commercial marketing of the building.

Over a number of meetings the Group had identified and discounted a range of possible alternative uses and the broad principles of the following options had been considered at its final meeting:

- Do nothing;
- Look to dispose of parts of the building that are not currently used including the Magistrates' Courts;
- Consider looking at a larger area to dispose of, retaining the main meetings rooms and Mayoral suite only;
- Extend the Town Hall Business Plan in-house;
- Test expressions of interest to run the Town Hall on a commercial basis;
- Work with a Developer to look at options over a period of time;
- Sale of the whole building on a long lease;
- Sale of the building plus car park.

The Group had ruled out the first and last of these options during its work.

The Leader of the Council, Councillor Turrell attended and, with the approval of the Chairman, addressed the Panel. She was of the view that the members of the Task and Finish Group had undertaken a thorough investigation of the issues presented to them. She explained that the Cabinet intended to refer the recommendations from the Policy Review and Development Panel on this matter to the Council meeting to be held on 8 December 2011 with a view to the outcome of the Council debate being determined by the Cabinet at its meeting on 25 January 2012. She confirmed that any further detailed work associated with the potential options would only be commenced following the decision taken by the Cabinet in January 2012.

Councillor Willetts attended and, with the approval of the Chairman, addressed the Panel. His strong view was that the Town Hall was the principal focal point in the town for important civic events such as Armistice Day and Freedom of the Borough Parades and, as such, this role should not be diminished. He was aware that that there would be a cost associated with the annual maintenance of the Magistrates' Courts and that this cost needed to be accounted for but he was alarmed that other parts of the Town Hall had been included in the potential future options. He was of the view that the public accepted that there was a cost associated with any

municipal building and that there was a need for such a building to provide rooms for use by Councillors generally as well as the Cabinet and the political groups. He acknowledged that it was difficult to assess the value of 'heritage' but there was an opportunity for the Town Hall building to be used to a far greater extent to display historical artefacts owned by the Council and he was of the view that the Task and Finish Group should have undertaken more work in this regard as well as the consideration of a detailed cost benefit analysis and / or business case as well as legal advice relating to the potential lease of the building to other organisations. He was concerned that the work required more time to complete, particularly in respect of a detailed consultation exercise and that this was to the advantage of potential developers rather than the people of Colchester.

Councillor Frame, Chairman of the Magistrates' Courts Task and Finish Group, attended and, with the approval of the Chairman, addressed the Panel. He outlined the work undertaken by the Group in relation to the Scoping Document, the running costs of the buildings and the Town Hall Business Plan. The Group had sought advice about potential more profitable uses as well as from English Heritage. Councillor Frame confirmed that the Group had visited the Courts and cells areas and had considered both unused and underused spaces in the building, including the former Caretaker's flat, spaces next to the Moot Hall and Councillors' and political group rooms. Of the eight options which had emerged, the Group had quickly discounted those to do nothing and the sale of the building plus car park. The recommendations which had emerged took into account the need for further expert advice to be sought and also included an acknowledgement that conflicts of use existed between the commercial and council use of the building and this had led to the consideration of utilising other council owned space, such as Angel Court for meetings purposes. The Group had borne in mind the fact that public meetings had been undertaken in the past at alternative venues to the Town Hall although the need for robust audio facilities was of paramount importance for any meeting venue to be successful. The Group had been clear that the civic life of the Town Hall should be continued such that the Moot Hall would need to be reserved for certain civic functions along with the Mayor's Parlour. The Group had looked at what other local authorities were doing with their municipal buildings and had learnt that the Magistrates' Courts were not considered to be the best historic examples by English Heritage. He explained that potential educational use of the Magistrates' Courts area had been considered but would not be cost effective enough to pursue and it was unlikely that it would be possible to accommodate the Visitor Information Centre in the building due to the need to have a High Street presence and the accessibility constraints of the front of the building. Councillor Frame concluded by thanking the Panel for the opportunity to participate in the Task and Finish Group's work which he felt had been an interesting and challenging exercise.

Councillor Julie Young, in her capacity as a member of the Task and Finish Group, endorsed much of the information supplied by Councillor Frame. She agreed that the Group had been very thorough in its work and was of the view that the recommendations from the Group warranted support as they constituted the start of a process which the Council could ultimately choose to accept or reject. She was of the view that alternative venues for public meetings other than the Town Hall were workable considerations so long as all accessibility issues could be adequately addressed.

The Panel gave particular consideration to the following issues:-

- The need for certain valued elements of the Magistrates' Courts buildings such as the Coat of Arms, to be retained or returned;
- The Town Hall building was the result of a number of benefactors' generosity and should not be disposed of lightly or hastily as it was important to retain the building for use by the people of Colchester;

- The potential for the building to be used for heritage purposes, such as the display of artefacts should be investigated further;
- The need for further investigation of the potential to increase commercial use of the building in-house;
- The need for the potential use of the building to house the Visitor Information Centre to be investigated further;
- The potential for facilities such as Firstsite to be used for public meetings and for this possibility to be investigated further;

A number of members of the Panel were of the view that the Town Hall was an iconic building and, as such, should be retained as the venue for the principal meetings of the Council. They were also concerned regarding that part of the Task and Finish Group's recommendations relating to the management of the Town Hall building by an external company and were of the view that the management of the building should remain within the control of the Council. Following very thorough consideration the Panel were of the view that, in order to allow for a detailed debate at the next Council meeting, the conclusions of the Task and Finish Group should be referred to the Cabinet in full but in addition a further note of the Panel's view be also referred for consideration as follows:

RECOMMENDED to the Cabinet that –

- (A) To allow for a detailed debate at the next Council meeting, the conclusions of the Task and Finish Group be agreed in full as follows:
- (i) The external market is tested for expressions of interest to establish what could be possible within a range of conditions;
 - (ii) There are two distinct areas to be put out to the market:
 - (a) A range of spaces that are no longer used by the Council plus the space currently occupied by the Magistrates' Courts for possible long lease and redevelopment,
 - (b) The rest of the building for consideration to be managed by an external company to increase income;
 - (iii) The areas identified above at (ii)a and (ii)b could be bid for by separate companies or a single company and this would include bids from community groups;
 - (iv) Certain requirements, to address the following aspects, would be applicable in respect of (ii)b above:
 - (a) Reducing the Council's need for the building by moving internal day time meetings into space in Angel Court and looking at whether some public meetings could be moved out of the Town Hall, potentially using space in Angel Court to meet this requirement;
 - (b) Preserving the Council's right to use the Town Hall for a range of functions including, but not exclusively, Full Council meetings, Mayoral functions, Open Building Heritage Days, St George's Day, Oyster Feast, and Remembrance Sunday.
- (B) Further investigation be undertaken regarding the potential use of the Town Hall building to house the Visitor Information Centre and the potential for facilities such as Firstsite to be used for public meetings of the Council in the future;
- (C) (FOUR voted FOR, ONE voted AGAINST and TWO ABSTAINED) The Town Hall be retained as the venue for the principal meetings of the Council and the management of

the building remain within the control of the Council.

