

STRATEGIC OVERVIEW AND SCRUTINY PANEL

9 FEBRUARY 2010

Present :- Councillor Christopher Arnold (Chairman)
Councillors Mark Cory, Jackie Maclean, Kim Naish,
Laura Sykes, Nick Taylor, Dennis Willetts and
Julie Young

Substitute Members :- Councillor Jon Manning for Councillor Nick Barlow
Councillor John Bouckley for Councillor Gaye Pyman

48. Minutes

RESOLVED that the minute of the meeting held on 5 January 2010 was confirmed as a correct record.

49. Decisions taken under special urgency provisions

Councillor Arnold informed the panel that he had certified the following decisions taken under special urgency provisions. Firstly, the Cabinet decision North Colchester Business Incubation Centre – Construction Contract, taken on the 7 January 2010, the urgency, because delaying a decision until the next Cabinet meeting on the 27 January 2010 would put the funding in jeopardy. Secondly, the Cabinet decision VAF related issues, taken on 26 January 2010, the urgency due to the need to issue proceedings in order to preserve the Council's legal and financial position.

Councillor Nick Taylor (in respect of - no reason given) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

50. Review of Colchester Community Stadium Company.

Mr. David Murthwaite and Mr. Clive Gilham, Chairman and Chief Executive of the Colchester Community Stadium Company (CCSC) attended the meeting for this item.

Mr. Murthwaite and Mr. Gilham gave a presentation to the panel, Mr. Murthwaite focusing on the history of the stadium project, the core principles of the CCSC and the Key Stakeholders. Mr. Gilham focused on the formation of the company, owned by the Council with key issues requiring Council approval, the director's roles and responsibilities, monthly board meetings and the Annual General Meeting. Mr. Gilham explained the financial arrangements of the CCSC, with income from leases and hospitality revenue (£20,000) totalling £53,750, offset against the administrative, insurance and support costs of £50,000, with the Council deciding on how to manage any profits. It was further explained that the rental income generated by the club, £350,000, was paid directly to the Council, as will future income generated by ticket sales. Mr. Gilham concluded by explaining their community role, with 200,000 users in the first year (including 150,000 match day fans), the role and purpose of the events

committee, community events and usage.

In response to Councillor Naish, Mr. Murthwaite said both the club and the CCSC are concerned about the poor state of the football pitch, unfortunately at a time when live national coverage was given to a recent match. It was explained that the both the club and CCSC except this as a shared problem. It has been agreed that the club, who were responsible for letting the contract to lay the pitch will liaise with the company to determine the reasons for the deterioration and remedial action, and the contract is currently being examined to determine obligation.

Mr. Gilham explained to the panel that the CCSC advertise through their website, outlining all the Community Stadium's facilities and events, and have recently placed articles in the local Colchester Courier and the Myland Parish Magazine. Mr. Gilham said the CCSC was committed to operating in a transparent environment, acknowledging to Councillor Arnold the need to increase the information available on the website, for example, information on company performance against key performance indicators within the service agreement.

Councillor J Young expressed a debt of gratitude to Mr. Murthwaite to oversee the Community Stadium Project from the outset of the development stage to the present. Mr. Murthwaite thanked Councillor Young for her comments, adding that the CCSC would not achieve anything without the continual strong political support from the Council. Later in the discussions, Mr. Murthwaite said a strong and good relationship with all three partners will give immeasurable help to overcoming difficulties that arise, that said, like most partnerships, when things are going well all is o.k., but major problems can cause relationship difficulties. Mr. Gilham followed on by describing partnership meetings as open, with detailed minutes, nothing hidden, a transparent process, but ultimately to get to a point where a general agreement is reached by all parties. That said, there remained major issues to be resolved before all leases are signed by all parties, with a temporary licence in place until mutual agreement is reached.

Councillor Young said she had experienced poor telephone call handling when recently contacting the stadium for booking information, a point acknowledged by Mr. Gilham who confirmed there was an enquiry response monitoring process in place, subject to audit and he confirmed he would investigate this and where necessary improve procedures. Mr. Gilham said in terms of apprenticeships, he understood the aspirations of young people to go to the club but this was exclusively for the football club to manage.

Mr. Gilham confirmed to Councillor Bouckley that the Travel Plan Sub Group meet regularly to discuss issues and developments associated with travelling to the stadium. There are currently 667 spaces available to cars on match days, with priority given to cars travelling with two or more passengers. Mr. Gilham confirmed to Councillor Arnold acknowledgement of the complaint by a local resident affected by the floodlights during evening matches, but to his knowledge the angle of the floodlights had been adjusted to resolve the issue to the resident's satisfaction.

Mr. Gilham responded to Councillor Willetts, saying the financial agreements meant

there was a legal obligation for the club to meet all payment schedules which have been paid in full to date. Regardless of the success of the football club, Mr. Gilham expected hospitality revenues to continue to be profitable with the club and Council benefitting from this income, though the amount paid to the CCSC is fixed at £20,000 for the first two years of operation. For the first ten years of occupation of the stadium, the club will pay £350,000 per annum in rent directly to the Council, changing to 15% of ticket sales revenue from year eleven onwards.

Councillor Arnold echoed Councillor Young's earlier comments in thanking Mr. Murthwaite for his contribution in overseeing the Community Stadium Project from the development stage to the present, and on behalf of the panel, thanked both he and Mr. Gilham for attending the meeting, giving their presentation and responding to Member's questions.

RESOLVED that the panel:

- i) Commented on and noted the work of the Colchester Community Stadium Limited.
- ii) Requested the Colchester Community Stadium Company consider in the interests of openness and transparency, and as the manager of the football stadium, the publication of all key Performance Indicator information as set out in the service agreement between the company and the football club.

Councillor Kim Naish (in respect of - no reason given) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Julie Young (in respect of being a member 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)

51. Review of the Portfolio Holder for Planning, Sustainability and Environmental

Councillor Barton, Portfolio Holder for Planning, Sustainability and Environmental attended the meeting for this item, and gave the panel a short resume of the highlights and good news stories happening as part of the work within the service areas of her portfolio over the last year.

In response to Councillor Manning, Councillor Barton said she did not know off hand the amount of income generated by the sale of services provided from within Environmental and Protective Services, and agreed to forward a detailed response of this income to members.

In response to Councillor Taylor, Councillor Barton said following the Fundamental Service Review of Environmental and Protective Services, she remained confident that the current staffing levels within the Planning Enforcement Team was adequate to deal

with all issues arising and that the mediation process adopted by officers at Colchester was correct. Councillor Barton later confirmed to Councillor Young that the realignment of staff resources had allowed for a more outward and collaborative approach adopted by planning officers, and to Councillor Arnold, that she would provide an update on staffing levels to members. Councillor Barton also assured the panel that the regeneration of the Hythe area of Colchester had not stalled. The renewed Hythe Station was to be relaunched very shortly, and should prove a great success with current and potentially new public transport users. The regeneration of the Breakers Park site was being reconsidered by the three joint owners, with the possibility of housing built on the higher ground, with green open space sweeping down to the water front, and the Fieldgate site was being considered for future business development. Progress is also being made on the Centre for Human Rights at the University including the knowledge gateway and infrastructure is currently being put in place at the University of Essex Business Park, European funding permitting, to enable sustainable business clusters to develop.

Councillor Barton responded to Councillor Young concerning a new Colchester Bus Station, saying Colchester, in partnership with Essex County Council (ECC) were looking at and considering new ideas that were emerging out of discussions, and were being considered in the context of the wider Town Centre work and the night time economy. It was envisaged that any proposals for consideration will go to public consultation some time in March, but prior to this officers would brief all Councillors.

In reference to Councillor Naish's concern about town centre traffic congestion, Councillor Barton said the Council are introducing new initiatives and schemes to tackle congestion busting, the regenerated Hythe Station and improved pedestrian and cycling routes (Cycling Town status) being good examples, though later in the discussions confirmed to Councillor Bouckley that the ambition of an off-road cycle route from Colchester to Mersea Island would be very difficult to implement due to problems with land ownership. There was a continuous on-going dialogue with ECC on the new A12 junction, due for completion by March 2011, and the development of a park and ride scheme to compliment the new junction. Councillor Barton said the Council continued to make progress with the rail companies, to provide additional cycle parking facilities at the stations, and confirmed to Councillor Willetts that ongoing dialogue with the bus companies continued in an effort to provide improved bus services to residents living in rural areas of the Borough.

In reference to trees in the context of wider environmental initiatives, Councillor Barton confirmed to Councillor Arnold that tree planting continued along Stadium Way, but could not provide any further information at the meeting.

Councillor Barton agreed with Councillor Willetts that the Vineyard Gate regeneration project had slowed, primarily due to the economic downturn. Councillor Barton confirmed that she and officers are in regular communication with the developers to find ways to deliver this project

Councillor Barton confirmed to Councillor Cory that work undertaken as part of the Sustainable Communities Act remained a Council priority, as was the implementation of the Nottingham Declaration objectives, examples being the reduction of CO2

emissions through for example, the refurbished Leisure World swimming pool, new crematorium cremators and improvements to Rowan House lighting. A staff awareness campaign is to be re-launched by the Council shortly.

RESOLVED that the panel thanked Councillor Barton for attending the meeting and responding to member's questions.

Councillor Naish, whose mobile telephone rang during discussions on the above item dutifully donated £20.00 to the Mayor's Charities fund.

Councillor Laura Sykes and Councillor Julie Young (in respect of being a member 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)

52. Review of the work of the Portfolio Holder for Neighbourhoods.

Councillor Beverley Oxford, Portfolio Holder for Neighbourhoods attended the meeting for this item and gave the panel a short resume of the highlights, her work and the good news stories happening as part of the work within the service areas of her portfolio over the last year.

In response to Councillor Bouckley, Councillor Oxford agreed to provide members with details of the Council's managed house purchase mortgages. Councillor Oxford also confirmed that if there was one practice she would like to see improved or radically changed, it would be reduction or elimination of the very large amount of officer time spent logging 'Diary Sheets', a necessity in providing the legal evidence at court.

Councillor Oxford responded to Councillor Naish on Homelessness, Temporary Accommodation (TA), house repossessions and flat tenants with dogs. She confirmed there remained a hard core of homelessness people in Colchester, whom she hoped to meet when participating in a future 'soup run'. These people, she confirmed are given every opportunity to seek help, but this cannot be forced, as sad as it is, it is their choice. Providing alternative accommodation to people in TA was not easy, many of these people have complex needs such as drug and alcohol dependency and can remain in TA for as long as twelve months. A positive initiative was the rebuilding of Ascot House that will improve the facilities and provide 24/7 care, though the project is in its early stages with no completion date. Council officers provided support and advice to individuals and families whose homes are repossessed, and the Council provided advice leaflets with helpline numbers, but the onus is on people to visit Angel Court and ask. Whilst keeping dogs in flats was in breach of the tenant's tenancy agreement, tenants continued this practice. Councillor Oxford said she would like to see Housing Officers be more proactive in determining where dogs were kept, but was told this was difficult to manage, and later explained that modification of tenancy agreements was needed. Councillor Young believed new legislation now meant a distinction between current and new tenants, with a different approach taken to new

tenants, but the new approach was not retrospective.

In regards to Registered Social Landlords, Councillor Oxford confirmed to Councillor Maclean that the Council worked in partnership with about six major housing associations and cited as an example the joint working with Colne Housing, who had a good reputation for managing and supporting their tenancies.

Councillor Oxford confirmed to Councillor Young that the Council was currently undertaking a survey of all Sheltered Housing, to determine conditions and options and potential refurbishment costs, refurbishments that would provide to each flat its own self contained washing and toilet facilities. Councillor Oxford also agreed that cases referred to the Medical Panel often take a very long time to conclude, but this was due, more often than not, to cases with complex needs, continuous and often slow dialogue with the person's GP, and then the need to find a suitable placement. Replying to Councillor Sykes, Councillor Oxford said the new Sheltered Managers Scheme 'Hubs and Spokes' provided a central location from which the managers operated, travelling to the various schemes on a regular schedule, and responding to extraordinary requests as required. Councillor Oxford understood some tenant's dissatisfaction with the new scheme, but it was early days and she was confident the operations would be enhanced and the relationship between the managers and occupants would improve.

In respect of Councillor Arnold's enquiry about temporary accommodation, and following on from the evening's review, it was confirmed after the meeting that the temporary accommodation project is making good progress. A service description is currently being agreed with the external Registered Social Landlord, Family Mosaic, and a meeting is planned for March with the Homes and Communities Agency to clarify if funding is available.

In regards to the redevelopment of garage sites, Councillor Oxford said grant funding for the Darwin Close site had been agreed in principle from the Homes and Communities Agency with the project due to commence imminently. The redevelopment of the Gloucester Avenue site has been delayed due to concerns about sub stations and access to the site, but plans are being re-submitted that will move this project forward.

RESOLVED that the panel thanked Councillor Beverley Oxford for attending the meeting and responding to member's questions.

53. Work Programme

RESOLVED that the work programme was agreed.