

**COLCHESTER BOROUGH COUNCIL
STRATEGIC OVERVIEW & SCRUTINY PANEL
17 March 2009 at 6:00pm**

SUPPLEMENTARY AGENDA

Part A

(open to the public including the press)

Pages

17. Referred items under the Call in Procedure

115 - 124

The strategic decision, reference RES-022-08 'In the capacity of Stadium owner recommended that the Weston Homes Community Stadium Travel Management Plan dated 10 December 2008 be approved by the local Planning and Highways authorities (Colchester Borough Council Planning Services and Essex County Council Highways Department), taken by the Portfolio Holder for Resources and Business on the 12 February 2009.

This decision has been called in by Councillor Nigel Chapman supported by four Councillors.

The panel may:-

- a) confirm the decision, which may then be implemented immediately,
- b) confirm the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or
- c) refer the matter to full Council in the event that the panel considers the decision to be contrary to the Policy Framework of the Council or contrary to, or not wholly in accordance with the Budget.

**COLCHESTER BOROUGH COUNCIL
STRATEGIC OVERVIEW AND SCRUTINY PANEL
17 March 2009 at 6pm**

Members

Chairman : Councillor Christopher Arnold
Deputy Chairman : Councillor Margaret Kimberley
Councillors Nick Barlow, Mark Cory, Paulene Hazell, Peter Higgins, Mike Hogg, Gaye Pyman, Kim Naish, Nick Taylor and Julie Young

Substitute Members : All members of the Council who are not Cabinet members or members of this Panel.

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

To inspect background papers (by prior arrangement) contact Robert Judd ☎ Colchester 282274.

PLEASE NOTE: Agenda items may be considered in a different order if appropriate.

8. Referred items under the Call in Procedure

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COLCHESTER BOROUGH COUNCIL

REQUEST FOR CALL IN OF DECISIONS TAKEN BY THE CABINET OR UNDER DELEGATED POWERS

Explanatory Note

This form may be used to request a call in of any decision (except urgent decisions) taken by the Cabinet or by a Cabinet Member acting under delegated powers or a Key Decision taken by an Officer under delegated powers.

This form must be signed by at least five Councillors (or by one Councillor and supported by four other Councillors via e-mail) and must be delivered to the Proper Officer within five working days of publication of the decision.

We, the undersigned, request that the following decision be scrutinised by the Strategic Overview and Scrutiny Panel or Finance and Audit Scrutiny Panel as appropriate for the reasons set out below:-

The decision of the Portfolio Holder for Resources and Business on 12 February 2009, the recommendation that the Weston Homes Community Stadium Travel Management Plan dated 10 December 2008 be approved by the Local Planning and Highways authorities (Colchester Borough Council Planning Services and Essex County Council Highways Department), decision RES-022-08

Reason(s) for call in:

The reason for the call in is that the decision has not given regard to the following principle of good practice 'having regard to due consultation', as stated in part 2, article 13.02 of the Constitution, specifically, the lack of consultation with adjacent Parishes Councils ie Boxted and Gt Horkesley, and with the ward Councillors for the adjacent ward of Fordham & Stour.

Signatures

Names in Capital Letters

- | | | |
|-------------------|--------------------------------|--------------------------|
| 1. | Councillor Nigel Chapman | <input type="checkbox"/> |
| 2. ...email..... | Councillor Beverly Davies | <input type="checkbox"/> |
| 3.email..... | Councillor Jackie MacLean | <input type="checkbox"/> |
| 4.email..... | Councillor Sonia Lewis | <input type="checkbox"/> |
| 5.email..... | Councillor Peter Chillingworth | <input type="checkbox"/> |

NB Councillor Nigel Chapman will attend and present the case at the Panel meeting.

For Office Use:

To be heard at the Strategic Overview
and Scrutiny Panel meeting of 17-03-09

Date and time of Receipt: 11 am, 6-Mar-09

COLCHESTER BOROUGH COUNCIL

RECORD OF DECISIONS TAKEN UNDER DELEGATED POWERS

Explanatory Note

The Council has established Delegation Schemes by which certain decisions may be made by the relevant cabinet member or specific officers.

Such decisions are subject to review under the Call-in Procedure. From the date the decision is published there are five working days during which any five Councillors may sign a request for the decision to be reviewed and deliver it to the Proper Officer. If, at the end of the period, no request has been made, the decision may be implemented. If a valid request has been made, the matter will be referred to either the Finance and Audit Scrutiny Panel if the Type of Decision is Service, or the Strategic Overview and Scrutiny Panel if the Type of Decision is Strategic/Corporate.

For decisions which are deemed to be Key Decisions, these must be included in the Forward Plan and 14 days must elapse between publication of the Forward Plan and the decision being taken.

In addition, any report (excluding confidential ones) relating to a Key Decision must have been made available to the public at least five clear days prior to the decision being signed.

Part A – To be completed by the appropriate Cabinet Member/Officer

Title of Report

Weston Homes Community Stadium Travel Management Plan

Delegated Power

To procure the specified service in the provision, implementation, maintenance and management of matters relating to the management of the Council's assets.

Decision Taken

In the capacity of Stadium owner recommended that the Weston Homes Community Stadium Travel Management Plan dated 10th December 2008 be approved by the local Planning and Highways authorities (Colchester Borough Council Planning Services and Essex County Council Highways Department).

Key Decision

This is not a key decision.
If YES, indicate date when report made available for signature by Portfolio Holder

Forward Plan

For Key Decisions state whether details have been included in the Forward Plan (see information at top of this form regarding notice requirements)

Reasons for the Decision

The Weston Homes Community Stadium Management Travel Plan sets out a package of measures to discharge some of the planning conditions and Section 106 obligations which are placed on the occupation and operation of the Community Stadium. The Borough Council as land owner (in conjunction with the chair of the now disbanded Travel Plan Group, the Stadium Stakeholders' Group and the Colchester Community Stadium Limited board – referred to as the Stadium Board) therefore needs to recommend the Travel Plan for approval by the local Planning and Highways authorities.

Alternative Options

Reject the submitted travel plan and request the Travel Plan Group submit a further plan – the plan submitted is the product of experience gained between August and December 2008 and is the best proposal at this time.

Retain the existing unapproved travel plan issued January 2008 - the existing plan does not represent measures being implemented, and this option would create difficulties in applying and upholding these measures. To implement the existing travel plan would compromise effective transport management.

Not to have a travel plan leaving some planning conditions and Section 106 obligations un-discharged – this would be unacceptable to planning and highway authorities.

Conflict of Interest

There are no conflicts of interest.

Type of Decision

This is a Service decision.

Dispensation

Specify any dispensation granted by the Standards Committee in relation to any conflict of interest

Authorisation

Signature:- Councillor Paul Smith

Designation:- Portfolio Holder for Resources and Business

Date:- 12 February 2009

(NB For Key Decisions five clear days must have elapsed between the report being made available (see date in **Key Decision** box above) and the decision being taken i.e. signed)

Part B – To be completed by the Proper Officer

Call-in Procedure

Date published on The Hub, Website and placed in Members' Room and Customer Service Centre

_____ 27 February 2009 _____

Date by which request for reference must be made to the Finance and Audit Scrutiny Panel if the Type of Decision is Service or the Strategic Overview and Scrutiny Panel if the Type of Decision is Strategic/Corporate

5pm _____ 6 March 2009 _____

Signed _____ Diane Harrison _____

Proper Officer

Reference Number RES-022-08

Implementation

Date decision can be implemented if no request (Call-in) for the decision to be reviewed has been made

After 5pm 6 March 2009



PORTFOLIO HOLDER FOR RESOURCES AND BUSINESS

Item

30th January 2009

Report of	Head of Strategic Policy and Regeneration	Author	Neil Hopkins Tel:01206 282245
Title	Weston Homes Community Stadium Travel Management Plan		
Wards affected	Mile End and Highwoods		

This report seeks recommendation for the Weston Homes Community Stadium Travel Management Plan to be approved by the local Planning and Highways authorities.

1. Decision Required

- 1.1 To recommend that the Weston Homes Community Stadium Travel Management Plan which is a requirement of the planning permission for the stadium be approved by the local Planning and Highways authorities (Colchester Borough Council Planning Services and Essex County Council Highways Department).

2. Reasons for Decision

- 2.1.1 The Weston Homes Community Stadium Management Travel Plan sets out a package of measures to discharge some of the planning conditions and Section 106 obligations which are placed on the occupation and operation of the Community Stadium. The Borough Council as land owner (in conjunction with the chair of the now disbanded Travel Plan Group, the Stadium Stakeholders' Group and the Colchester Community Stadium Limited board – referred to as the Stadium Board) therefore needs to recommend the Travel Plan for approval by the local Planning and Highways authorities.

3. Alternative Options

- 3.1 Reject the submitted Travel Plan and request the Travel Strategy Group (a sub group of the Stadium Stakeholders' Group) submit a further plan – the plan submitted is the product of experience gained between August and December 2008 and is the best proposal at this time.
- 3.2 Retain the existing unapproved travel plan issued January 2008 - the existing plan does not represent measures being implemented, and this option would create difficulties in applying and upholding these measures. To implement the existing travel plan would compromise effective transport management.
- 3.3 Not to have a travel plan leaving some planning conditions and Section 106 obligations un-discharged – this would be unacceptable to planning and highway authorities.

4. Supporting Information

- 4.1 Planning permission for Weston Homes Community Stadium was granted in 2006 under reference F/COL/06/1727 subject to conditions and a Section 106 agreement. These conditions and the Section 106 agreement set out a requirement to produce a Travel Management Plan. This Plan was to set out a series of physical, management and educational measures to allow the Community Stadium to be occupied for use in a sustainable manner.
- 4.2 The Draft Stadium Transport Management Plan was produced by consultants Savell, Bird & Axon in January 2008. The principle measures that have been implemented are:-
- The creation of a Travel Plan Liaison Group (reporting ultimately to the Stadium Board) to provide a forum for travel issues
 - Parking restrictions in Nayland Road, Mile End Road, Mill Road and surrounding areas, Boxted Road and Highwoods residential areas
 - Stewarding arrangements and locations to manage the above
 - The creation of a shuttle bus facility at Bruff Close
 - A system of signage in and around the town to direct vehicles and pedestrians to the Stadium
 - A system of advisory walking routes
- 4.3 Park and Ride sites were also proposed and have been the subject of much discussion due to the tenant of the Crescent (the originally intended site) being unwilling to consent to this private road being used for park and ride. On behalf of the Stadium Board, officers have sought to replace these spaces with others on the Business Park. Four alternative sites have been identified that will provide the equivalent number of spaces that would have been provided at The Crescent under the Draft Plan. These are:-
- Land at Essex House, The Crescent
 - The Cattle Market site, Wyncolls Road
 - Rapid Electronics, Severalls Lane
 - The Easter Group development, Axial Way
- It may not be possible to enter into formal agreements for all of these sites (particularly on the latter two), but there is a financial incentive for the site owners to make them available for match day parking. It is the responsibility of Colchester United FC to finalise any agreements. To date no agreements have been finalised, but Rapid Electronics and the Easter Group offer parking on match days for their own commercial benefit. In addition, for those choosing to park on the public highways at Severalls Business Park a free shuttle bus service operates to and from the Community Stadium. While these arrangements may not provide the certainty of formal agreements they are a pragmatic alternative to parking in residential streets.
- 4.4 Most other measures within the Travel Plan have been implemented successfully; the shuttle buses, signage and parking restrictions are all in place and were being monitored and managed by the Travel Plan Group chaired by the Leader of the Council. This group has been disbanded and the Stadium Board is now responsible for the efficacy of the plan.
- 4.5 The Travel Plan is not a prescriptive document, but a framework for developing practices that establish the Stadium as a safe and accessible venue to attend, whilst minimising the effect on local residents.

- 4.6 The Stadium Stakeholders' Group created the Travel Strategy Group, which has representatives from Colchester United Football Club, the Borough Council, Colchester Borough Council Planning Services and Essex County Council Highways Department, to prepare the current Travel Plan.

5. Proposals

- 5.1 The Travel Plan has been re-drafted to reflect current practice and is now in a position where it can be formally approved by the Colchester Borough Council Planning Services and Essex County Council Highways Department. Approval has been recommended by the chair of the now disbanded Travel Plan Group, the Stadium Stakeholders' Group and the Stadium Board. As the only remaining party to do so the Borough Council, as landlord, now needs to recommend approval of the Travel Plan. This recommendation will give the document the necessary status to ensure it can be effectively managed by the Stadium Board and upheld by the local planning and highway authorities.
- 5.2 It is proposed that the Borough Council recommend the attached Travel Management Plan for approval by the Borough Council's Planning Services and Essex County Council Highways Department.

6. Strategic Plan References

- 6.1 One of the strategic priorities of the Cabinet is 'to be clean and green and one of its key aims is to tackle traffic congestion. The Travel Management Plan will make a significant contribution to these aims and objectives.

7. Consultation

- 7.1 The document put forward is the result of work by the Travel Plan Group which contained representation from parish councils, residents associations, Colchester United Football Club, The Police, Essex County Council and public transport providers as well as local elected members. This Group was key to the Plan's development, management, monitoring and implementation to date.

8. Publicity Considerations

- 8.1 The Travel Management Plan has been the subject of wide publicity through the local press, through distribution of summary literature and through Colchester United's match day programme. Once approved, the Plan will undergo further publicity so that local people are aware of its aims and specific measures.

9. Financial Implications

- 9.1 None

10. Equality, Diversity and Human Rights Implications

- 10.1 The Travel Management Plan will improve access to the Community Stadium for all sections of the community.

11. Community Safety Implications

11.1 The Travel Management Plan will assist with the safe movement of vehicles and pedestrians to the Community Stadium.

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 The Travel Management Plan itself and its governance structure are the best mechanisms for risk management.

Background Papers

Weston Homes Community Stadium Travel Management Plan (10th December 2008).