

CABINET

9 JULY 2008

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

10. Minutes

The minutes of the meeting on 21 May 2008 were confirmed as a correct record.

11. Have Your Say!

David Smith addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He asked how many Council tenants kept dogs in their homes, how many of those that do had the required written permission and how many such dogs were from breeds that could be deemed as dangerous. In view of recent attacks on his dog he asked that the existing controls and legislation on dogs be properly enforced. Councillor B. Oxford, Portfolio Holder for Neighbourhoods, responded to the points made and promised that a written response would be sent.

Nick Chilvers addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He asked when the Council would bring forward the proposals for the Cultural Quarter and what subsidy would be made available to encourage independent traders into the scheme. He also asked how the Council intended to take Park and Ride forward and stressed that this should be a priority for the new administration. He suggested that the Council should introduce recycling receptacles into the town centre to prevent recyclable material being thrown out and stressed his opposition to wheelie bins. Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy and Councillor T. Young, Portfolio Holder for Street and Waste Services, responded. Park and ride was a priority and progress was being made. The Council needed to work in partnership with Essex County Council to deliver this. Their preferred site was in North Colchester and this was dependant on the completion of the new junction off the A12. Recycling receptacles would be introduced to the town centre soon and it was not proposed to introduce wheelie bins. A written response would be sent in relation to his queries on the Cultural Quarter.

Paula Whitney addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). She stressed that the review of the Cultural Quarter was an opportunity to keep the bus station in its current location and maintain existing public transport links through Osborne Street. The creation of a new transport interchange would necessitate the destruction of some historic buildings and would use space that would otherwise be developed.

Andy Hamilton addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He expressed concern about the Visual Arts Facility. The report on the budget strategy made little mention of the Visual Arts Facility and he asked for

clarification on how the outstanding work needed to complete it would be funded. He also requested sight of the Business Plan for the Visual Arts Facility referred to in the Strategic Plan Action Plan and sought clarification on when the Council's review of the Visual Arts Facility would be completed. Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, explained that he would receive a written response.

Councillor Tim Young (in respect of his spouse being a member of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Theresa Higgins and Councillor Anne Turrell (in respect of membership of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

12. Strategic Plan: Annual Action Plan year 2 - 2007-08 end of year performance report

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

RESOLVED that the end of year performance monitoring report for the Strategic Plan Action Plan 2007/08 at Appendix A of the Head of Corporate Services report be approved.

REASONS

In order to deliver the three year key aims and outcomes outlined in the revised Strategic Plan 2006/9, it was agreed annual targets would be defined in an action plan and progress reported to Cabinet.

The 2007/8 Action Plan was approved by Cabinet on 11 July 2007.

ALTERNATIVE OPTIONS

If performance monitoring of the Action Plan targets was not carried out then effective allocation and management of the Council's resources would not be possible.

Councillor Tim Young (in respect of his spouse being a member of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Theresa Higgins and Councillor Anne Turrell (in respect of membership of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

13. 2009/10 Budget Strategy, Medium Term Financial Forecast and Timetable

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

RESOLVED that:-

(i) The ~~audit~~ audit outturn position for the financial year 2007/08 be noted and contributions of £250 000 to the Renewals and Repairs Reserve, £130 000 to the Regeneration Reserve and £100 000 contribution to the capital expenditure reserve for opportunity purchases and funding of items set out at paragraph 3.2 of the Head of Financial Services report be approved.

(ii) The budget forecast, approach and timetable for the preparation of the 2009/10 budget be noted.

(iii) The updated Medium Term Financial Forecast for the period to 31 March 2011 as set out at Appendix A of the Head of Financial Services report be noted.

(iv) The latest position in respect of the Capital Programme be noted and the proposed funding changes and release of funding as set out at paragraph 7 of the Head of Financial Services report be agreed.

REASONS

The Council was required to approve a financial strategy and timetable in respect of the year 2009/10 and a Medium Term Financial Forecast for the two subsequent financial years.

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.

Councillor Theresa Higgins (in respect of Colchester YMCA) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

14. Homelessness Strategy

The Head of Housing and Environmental Policy submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix C to these minutes in the Minute Book.

Councillor B. Oxford, Portfolio Holder for Neighbourhoods welcomed the Homelessness Strategy and thanked officers for the work involved. It was stressed

that the Council was looking at how it could reduce the waiting times for non-emergency appointments for advice on homelessness issues.

RESOLVED that:-

- (i) The research, consultation and partnership work which was undertaken to review homelessness in the borough and develop a robust action plan for the prevention of homelessness be noted.
- (ii) The homelessness strategy action plan be approved with any amendments required following further consultation to be considered by the Portfolio Holder for Neighbourhoods.

REASONS

The Homelessness Act 2002 required local housing authorities to take a more strategic approach to the prevention of homelessness within their districts and review the scale and extent of homelessness in their area prior to producing a strategy to prevent homelessness. The Strategy must be renewed within 5 years of publication. The first homelessness strategy for Colchester was published in 2003. Colchester Borough Council was required to develop a new strategy to prevent homelessness in the Borough in 2008.

ALTERNATIVE OPTIONS

The Homelessness Strategy was a legal requirement and there were no alternatives to a review of homelessness and the development of a new strategy action plan.

15. Revised Scheme of Delegation to Officers

The Monitoring Officer submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix D to these minutes in the Minute book.

RESOLVED that the revised Scheme of Delegation to Officers from the Cabinet attached to the Monitoring Officer's report be approved and for it to take effect from 1 July 2008, subject to the addition of the words "in the absence of the Portfolio Holder" to the first section entitled "Partnership Working" in the delegation to the Head of Life Opportunities.

REASONS

The existing Scheme of Delegation to Officers from the Cabinet required updating to reflect the restructuring of the senior management arrangements and responsibilities.

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.

16. Progress of Responses to the Public

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

RESOLVED that the contents of the Progress Sheet be noted.

REASONS

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

ALTERNATIVE OPTIONS

No other options were presented to the Cabinet for consideration.

The Cabinet/Panel resolved under Section 100A(4) of the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public from the meeting for the following item as it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

17. Disposal of Layer Road site

The Head of Resource Management submitted reports copies of which had been circulated to each Member and copies of which appear as Appendices F and G to these minutes in the Minute Book.

RESOLVED that the Portfolio Holder for Resources and Business and the Head of Resource Management be authorised to progress and complete the sale of Layer Road Football Ground as set out in paragraph 5.7 of the Head of Resource Management's report.

REASONS

Layer Road Football Ground would become surplus to requirements once Colchester United and the Colchester United Sports Trust move to the new community stadium in North Colchester. The capital receipt from the sale was ear marked to help fund the new community stadium.

ALTERNATIVE OPTIONS

- (i) The sale could be delayed in order to wait for the property market to improve

but the Council's marketing agent's research team advise that the property market was likely to stagnate or continue to decline for two years or more depending on the length of time that the credit crisis takes to ease. Delaying the sale would mean that the Council would remain liable for management and holding costs including empty rates of approximately £15,000 per annum and security costs of approximately £18,000 per annum. Interest on a delayed receipt would amount to approximately £100,000 over a two year period. Non financial risks of retaining the empty premises, however well secured, would also remain with the Council.

(ii) The ground could be retained, but there was no other use identified for it.

(iii) The capital receipt could be used for other purposes, but was ear marked for the new community stadium in a Cabinet report on Colchester Community Stadium dated 13 November 2006.