

# Cabinet

**Grand Jury Room, Town Hall  
20 October 2010 at 6.00pm**

The Cabinet deals with the implementation of all council services, putting into effect the policies agreed by the council and making recommendations to the council on policy issues and the budget.

# Information for Members of the Public

## Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at [www.colchester.gov.uk](http://www.colchester.gov.uk) or from Democratic Services.

## 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 pick up the leaflet called "Have Your Say" at Council offices and at [www.colchester.gov.uk](http://www.colchester.gov.uk)

## Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

## Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

## Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or telephone (01206) 282222 or textphone 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

## Facilities

Toilets with lift access, if required, are located on each floor of the Town Hall. A vending machine selling hot and cold drinks is located on the first floor and ground floor.

## Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester Borough Council, Angel Court, High Street, Colchester  
telephone (01206) 282222 or textphone 18001 followed by the full number you wish  
to call

e-mail: [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)

[www.colchester.gov.uk](http://www.colchester.gov.uk)

# COLCHESTER BOROUGH COUNCIL CABINET

20 October 2010 at 6:00pm

Leader (& Chairman): Councillor Anne Turrell (Liberal Democrats)  
Deputy Chairman: Councillor Martin Hunt (Liberal Democrats)  
Councillor Beverley Oxford (The Highwoods Group)  
Councillor Paul Smith (Liberal Democrats)  
Councillor Tina Dopson (Labour)  
Councillor Lyn Barton (Liberal Democrats)  
Councillor Tim Young (Labour)  
Councillor Nick Barlow (Liberal Democrats)

## AGENDA - Part A

(open to the public including the media)

### Pages

#### 1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

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

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

#### 2. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

#### 3. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

#### **4. Have Your Say!**

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

#### **5. Minutes**

To confirm as a correct record the minutes of the meeting held on 8 September 2010.

#### **6. Call-in Procedure**

To consider any items referred by the Strategic Overview and Scrutiny Panel under the Call-In Procedure.

##### **i. Highwoods Country Park – Car Park Charging Proposals**

**1 - 15**

Portfolio Holder decision COM 006-10/STS-001-10 Highwoods Country Park - Car Park Charging Proposals is referred to Cabinet to determine. See minute from the Finance and Audit Scrutiny Panel meeting of 7 September 2010 following the call in of the Portfolio Holder decision.

Please note that the Portfolio Holder decision COM 006-10/STS-001-10 is enclosed for information.

## **7. Strategy and Performance/Resources and Diversity**

### **i. 2011/2012 Revenue Budget and Capital Programme Update** **16 - 25**

See report from the Head of Resource Management

## **8. Strategy and Performance**

### **i. The dissolution of the East Area Waste Management Joint Committee and the creation of a Member Partnership Board and IAA Member Working Group** **26 - 43**

See report by the Head of Street Services

## **9. Street and Waste Services**

### **i. Introduction of 20 mph Speed Limits** **44 - 45**

See recommendation in minute 7 of the meeting of the Policy Review and Development Panel meeting of 1 September 2010

## **10. Economic Development, Culture and Tourism**

### **i. Recommendations from the Night Time Economy Task and Finish Group** **46 - 52**

See recommendations in minute 8 of the meeting of the Policy Review and Development Panel of 1 September 2010.

## **11. General**

### **i. Progress of Responses to the Public** **53 - 55**

To note the contents of the Progress Sheet

## **12. Exclusion of the Public**

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) 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).

# COLCHESTER BOROUGH COUNCIL CABINET

20 October 2010 at 6:00pm

## AGENDA - Part B

(not open to the public or the media)

**Pages**

### 13. Planning and Sustainability

#### i. Appointment of Trade Contractor for St Botolph's Public Realm Works

The following report contains exempt information (financial/business affairs of a particular person, including the authority holding information) as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

See report by the Head of Strategic Policy and Regeneration

#### ii. Proposed Purchase of the Old Police Station, Queen Street, Colchester: Heads of Terms

The following report contains exempt information (financial/business affairs of a particular person, including the authority holding information) as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

See report from the Head of Strategic Policy and Regeneration

**Extract from the minutes of the Finance and Audit Scrutiny Panel meeting of 7 September 2010**

**22. Referred items under the Call in Procedure**

Councillor Sue Lissimore attended the meeting and presented the case for the call-in, explaining that she believed the decision was flawed, as no consultation had taken place with local residents or visitors to the park. There was no clarity on aims and desired outcomes due to the lack of information on the number of visitors and the reason and period of time for their visit. Councillor Lissimore said the action proposed must be proportional to the desired outcome which is uncertain due to the lack of consultation, and results may not match the report due to the uncertain nature of the figures.

Councillor Lissimore said the Council needed new and innovative funding streams to bring in new revenue, but this decision was against the Council's policy on healthy living, with proposals based on cloudy and unsubstantiated information, due to a lack of consultation.

Councillor Lissimore said a lot of the information described in the report was not backed-up by evidence that would allow for a more accurate considered opinion, with a lot of information based on pure guesswork.

In conclusion, Councillor Lissimore said the lack of information and facts within the report made the decision unacceptable, and given the possible small amount of profit generated from the proposed scheme in the first year, relied on too tight a financial margin to be credible. Councillor Lissimore asked the panel to consider referring the decision back to the Portfolio Holders, for them to agree to a full survey and impact assessment, and for the results to be pre-scrutinised by the Finance and Audit Scrutiny Panel prior to implementation.

Councillor Dopson, Portfolio Holder for Communities and joint signatory to the decision addressed the panel in the absence of Councillor Hunt to respond to the case presented by Councillor Lissimore. Councillor Dopson explained that in a different time she may have called this decision in herself.

That said, Councillor Dopson said the quantitative information within the report had not been plucked out of the air, guesswork, but was information based on estimates calculated by experienced officers in full knowledge of the operations at the High Woods Country Park car park.

Councillor Dopson said in terms of Healthy Living, actually choosing to go to the country park by car was not a particular healthy option, but accepted some visitors do come from many miles away.

Councillor Dopson confirmed that no formal consultation has taken place, but the High Woods Country Park Plan will take place by 2011 where any parking



order will have to be supported by consultation. Later, Councillor Dopson confirmed that informal discussions had taken place with the local Queen Boudicca School, to allow parents an opportunity for limited short stay parking. The implementation of this decision will be in the knowledge of any local consultation.

Councillor Dopson believed the proposed charges are fair and reasonable, and demand will eventually exceed capacity, and the expertise of the Parking Services Manager on parking arrangements in the Borough, that such is his knowledge, he was able to advise both Uttlesford District Council and Essex County Council.

Councillor Dopson concluded by saying Councils are being encouraged to find new ways of generating income, and this was one opportunity to do it, accepting it will deter some current visitors.

### **Have Your Say**

Councillor Bentley addressed the panel saying that whilst he understood the need to save money and increase income, he was concerned at the apparent rush of this decision that did not appear to have the consultation and fact finding information needed to support the decision taken.

Councillor Bentley said the High Woods Country Park was a gift to the residents of Colchester to recompense for the development of High Woods, where residents and visitors alike could go to get away from the general hubbub of urban life.

The new charge was, Councillor Bentley believed, systematic of the relentless pursuit of penalising the motorist. Many motorists visiting the country park would avoid charges and cause more congestion by parking in residential roads close to the park.

Councillor Bentley concluded by asking whether the future changes in the size of minted coinage and the effect of this on the parking machines had been considered, given any new machine(s) would, not long after implementation, need changing. Councillor Bentley did not think the decision was sensible, would not generate a lot of income and betrayed the legacy of the park to the people of Colchester.

Later, and in response to Councillor Mudie and Bentley, Councillor Dopson said any changes to coin machines as a result of any change to the size of minted coinage would be subject to future decisions.

Councillor Goss addressed the panel saying that whilst he agreed with the credentials of the Parking Services Manager he still believed the implementation of this decision would result in increased congestion in the surrounding residential roads, though a previous parking survey for Essex County Council in 2009 had concluded the impact from vehicles for the Primary Care Trust was not large.

Councillor Goss believed the estimated parking income generated was unreliable, and was disappointed that the local Parish Council had not been notified of this decision. Councillor Goss concluded by urging the Portfolio Holder to reconsider the decision.

In response to Councillor Willetts, Councillor Goss said he had not handed the information he received from Essex County Council to the Portfolio Holder(s).

Councillor Hazell addressed the panel saying in terms of healthy living lifestyles, the park was an oasis, free of charge, a boom for residents during these hard times. Councillor Hazell echoed the remarks of Councillor Bentley, saying free entry to this green space for the people of Colchester should continue.

### **General discussions**

Councillor Dopson confirmed to Councillor Willetts that consultation with residents would be undertaken prior to the implementation on the car park charging proposals.

Councillor Dopson confirmed to Councillor Arnold that the method of implementation of this scheme was no different to that taken at Colchester Leisure World, be it that the charging in both cases was different from the outset, that is, no charges to users of the Leisure World facility (the cost of parking at Leisure World was reimbursed when paying to enter Leisure World). Councillor Dopson hoped, and anticipated that many local visitors to the country park would use alternative means of travel, though she believed the 50 pence charge for a visit for up to 2 hours was not prohibitive.

In response to Councillor Arnold's suggestion of limiting the hours of parking (part day parking) would not alleviate the outlying areas parking congestion concerns expressed by Councillors Lissimore and Goss.

In response to Councillors Manning and G. Oxford, Councillor Dopson said the lack of detail within the report would be addressed at the time of consultation, prior to any implementation of the scheme, and any pre-decision consultation had not been considered given the need to keep implementation costs to a minimum.

Councillor Lissimore confirmed to Councillor Naish that she did not consult with local ward councillors over this decision, but felt the need, and a duty, to represent and protect the residents of Colchester over the decision taken. Councillor Dopson confirmed to Councillor Naish that she became the Portfolio Holder for Communities in May 2010 just after the refurbishment of the Country Park car park, though discussions that ultimately led to this decision had been ongoing for a year or more. Councillor Dopson also confirmed that if this decision was not implemented any future budgetary considerations would need to reflect this.

Councillor Frame still remained unconvinced and concerned by the costings within the financial plan, believing the management costs to be unrealistic.

In response to Councillor Mudie, Councillor Dopson said that the initial charge of 50 pence was not prohibitive, and whilst there is no thought of increasing the charge, Cabinet members must always be prepared to re-evaluate fees and charges. The preferred pricing structure for the car park, as shown under option 2 of the report, are considered fair charges, without being in competition with the hospital parking scheme.

### **In summary**

Councillor Lissimore gave a brief summary on her position following the debate, and concluded by asking the panel to consider referring the decision back to the Portfolio Holders, for them to agree to a full survey and impact assessment, and for the results to be pre-scrutinised by the Finance and Audit Scrutiny Panel prior to implementation.

Councillor Dopson gave a brief summary on her position following the debate, saying any early consultation, that is, a consultation before the parking order consultation would, she was advised, be an inappropriate cost and disproportionate to the decision taken. Councillor Dopson stood by her decision, but said she would be happy to enter into further discussions with members on details of the consultation beyond the decision taken.

### **Conclusion**

The Chairman gave a brief summary of the issues raised by members. The information within the report was considered to be flawed, with a need for better, more informative data, much of which could have been provided by a resident and visitor survey. There remained concern that charging for parking at one of the country park's car parks would move these users to the other country park car park, and members of the panel expressed a need for more information that would provide confidence in the delivery of the aims.

Councillor Arnold proposed referring the decision back to the Portfolio Holders to reconsider, given the reservations expressed by members of the panel.

Councillor Naish proposed that the panel accepted the decision taken by the Portfolio Holders, and agree the charges as set out in option 2 of the report.

Councillor Frame supported the deferral of the decision back to the Portfolio Holders, due to the lack of consultation, and the uncertainty of the charging figures that were not credible. Councillor Maclean seconded the proposal of Councillor Arnold.

*RESOLVED* that the panel referred the decision "COM-006-10 / STS-001-10 High Woods Country Park – car park charging proposals" back to the Portfolio Holders for further consideration, taking account of the reservations and suggestions of the panel (NINE voted FOR, and ONE voted AGAINST).

# 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 notice of the decision made 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:

- details of the matter must be included in the Forward Plan and 14 days must elapse between publication of the Forward Plan and the decision being made;
- any related report (excluding confidential ones) must have been made available to the public two weeks before implementation.

---

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

<b>Title of Report</b>
------------------------

High Woods Country Park – Car park charging proposals
---

<b>Delegated Power</b>
------------------------

Delegation to the Portfolio Holder for Communities
--

To procure the specified service in the provision, implementation, maintenance and management of:-
--

Sports and leisure facilities, parks and gardens, allotments, playing fields, beach facilities, public open spaces, amenity areas and country parks.
--

Delegation to the Portfolio Holder for
--

Street and Waste Services and Deputy Leader of the Council
--

To procure the specified service in the provision, implementation, maintenance and management of:-
--

1. Operational Car parking.
-----------------------------

2. To exercise the functions delegated to the Parking Partnership Joint Committee on behalf of the Cabinet.
---

**Decision Taken**

To agree to the introduction of car park charging at High Woods Country Park at the Visitor Centre at Turner Road only.

To agree to the charges set out in Option 2 of the report effective until 31 March 2011.

To agree to the annual review of parking charges

**Key Decision**

No

**Forward Plan**

N/A

**Reasons for the Decision**

High Woods Country Park - the Council's largest open space and multiple Green Flag Award winner – is a site of Borough-wide importance. Its facilities include a car park at the Turner Road entrance adjacent to the Country Park Visitor Centre. There is a smaller less visited car park at Chanterelle on the east side of the Country Park. At present the car parks are provided for users of the Country Park only. However, there has been a trend, which is increasing, for staff and visitors from local workplaces and health facilities to use the Turner Road car park, especially Monday to Friday. Staff at the Country Park do not have sufficient time to monitor and restrict use to Country Park visitors only.

The Country Park has a large surrounding catchment area and is accessible by public transport – a regular bus service runs along Turner Road – on foot and by bike.

The High Woods Country Park Management Plan 2010 – 2015 approved by the Portfolio Holder earlier this year required Officers to investigate and consult on the possible introduction of car parking charges, and its impact on income and visitor numbers.

This investigation has been completed and it is considered - that in line with other country parks operated by Essex - it is not unreasonable to charge drivers for use of the Turner Road car park. The Council is seeking to generate additional income and income received will assist the overall budget position of the Council.

As implementation would not be until September 2010 at the earliest subject to the progress of the Parking Order, the proposed parking charges will be valid until 31 December 2011. Parking fees and charges are usually considered between October-December for implementation in January.

**Alternative Options**

There is an option to continue to offer free parking at High Woods Country Park. This will not contribute to the budget pressures being faced by the Council. In addition, there is

restricted parking for staff and visitors at the Primary Care Trust on Turner Road, and charging for parking at Colchester Hospital. Staff and visitors from the PCT and hospital are using the Country Park car without any financial benefit to the Council. Potentially, the demand for this facility will exceed its capacity if free parking continues.

**Conflict of Interest**

There are no conflicts of interest

**Type of Decision**

Service

**Dispensation**

N/A

**Authorisation by Communities Portfolio Holder**

Signature\_\_\_\_Councillor Tina Dopson\_\_\_\_\_

Designation \_\_\_\_Portfolio Holder for Communities\_\_\_\_\_

Date \_\_\_\_\_20/8/2010\_\_\_\_\_

(NB For Key Decisions the report must be made available to the public for five clear days prior to the period for call-in commencing.

**Authorisation by Street and Waste Services Portfolio Holder**

Signature\_\_\_\_Councillor Martin Hunt\_\_\_\_\_

Designation \_\_\_\_Portfolio Holder Street and Waste Services\_\_\_\_\_

Date \_\_\_\_\_18/8/2010\_\_\_\_\_

(NB For Key Decisions the report must be made available to the public for five clear days prior to the period for call-in commencing.

**Part B – To be completed by the Proper Officer (Democratic Services)**

**Call-in Procedure**

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

\_\_\_\_\_24 August 2010\_\_\_\_\_

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 \_\_\_\_\_ 1 September 2010 \_\_\_\_\_

Signed \_\_\_\_\_ Diane Harrison \_\_\_\_\_

Proper Officer

**Reference Number**

\_\_\_\_\_ COM-006-10/STS-001-10 \_\_\_\_\_

**Implementation Date**

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

After 5pm \_\_\_\_\_ 1 September 2010 \_\_\_\_\_



# CONSULTATION WITH PORTFOLIO HOLDERS FOR COMMUNITIES AND STREET AND WASTE SERVICES

Item

August 2010

<b>Report of</b>	<b>Head of Life Opportunities &amp; Head of Street Services</b>	<b>Author</b>	<b>Bob Penny</b> ☎ <b>282903</b> <b>Richard Walker</b> ☎ <b>282708</b>
<b>Title</b>	<b>High Woods Country Park – car park charging proposals</b>		
<b>Wards affected</b>	High Woods, Mile End		

This report proposes the introduction of car parking charges at the High Woods Country Park car park off Turner Road.

## 1. Decision Required

To agree to the introduction of car park charging at High Woods Country Park at the Visitor Centre at Turner Road only.

To agree the charges set out in Option 2 of the report effective until 31 March 2011.

To agree the annual review of parking charges

## 2. Reasons for Decision(s)

- 2.1 High Woods Country Park - the Council's largest open space and multiple Green Flag Award winner – is a site of Borough-wide importance. Its facilities include a car park at the Turner Road entrance adjacent to the Country Park Visitor Centre. There is a smaller less visited car park at Chanterelle on the east side of the Country Park. At present the car parks are provided for users of the Country Park only. However, there has been a trend, which is increasing, for staff and visitors from local workplaces and health facilities to use the Turner Road car park, especially Monday to Friday. Staff at the Country Park do not have sufficient time to monitor and restrict use to Country Park visitors only.

The Country Park has a large surrounding catchment area and is accessible by public transport – a regular bus service runs along Turner Road – on foot and by bike.

The High Woods Country Park Management Plan 2010 – 2015 approved by the Portfolio Holder earlier this year required Officers to investigate and consult on the possible introduction of car parking charges, and its impact on income and visitor numbers.

This investigation has been completed and it is considered - that in line with other country parks operated by Essex - it is not unreasonable to charge drivers for use of the Turner Road car park. The Council is seeking to generate additional income and income received will assist the overall budget position of the Council.



As implementation would not be until September 2010 at the earliest subject to the progress of the Parking Order, the proposed parking charges will be valid until 31 December 2011. Parking fees and charges are usually considered between October-December for implementation in January.

### **3. Alternative Options**

- 3.1 There is an option to continue to offer free parking at High Woods Country Park. This will not contribute to the budget pressures being faced by the Council. In addition, there is restricted parking for staff and visitors at the Primary Care Trust, and charging for parking at Colchester Hospital. Staff and visitors from the PCT and hospital are using the Country Park car park without any financial benefit to the Council. Potentially the demand for this facility will exceed its capacity if free parking continues.

### **4. Supporting information**

- 4.1 There is no precise data on the numbers of vehicles using the Turner Road car park; estimates based on overall numbers of visitors to the Country Park are felt to be misleading. A conservative figure of an average 50 car park users per day has been used for the purposes of this report.
- 4.2 It is known that a very large majority of visitors visit the Country Park for less than 2 hours. This tends to be for the purposes of informal recreation. A significant number of health activities and events take place in the Country Park, either organised directly by Country Park staff or health agencies. Many organisations, groups and clubs, as well individual visitors engaged in specific recreational activities, regularly use the car park. These include groups and individuals that are, either, already charged for their use of the Country Park (e.g. anglers, schools) or who volunteer their time to assist in looking after the site (e.g. volunteers from the Colchester Countryside Volunteer Ranger service)
- 4.3 Due to the previous dilapidated condition of the Turner Road car park it has recently been re-designed, re-surfaced and enlarged. Car parking bays and a coach parking area have been delineated to make more effective use of the space, and the car park now contains approximately 80 spaces. Work was completed by Easter 2010.
- 4.4 Due to the financial pressures being experienced by the Council there is a need to consider opportunities for income generation. Car parking at High Woods Country Park has been available at no cost since the opening at High Woods Country Park in 1987. Since that time opinion regarding vehicle use and the range of alternative options has changed. Improved public transport is offered through the frequent bus service to the hospital and new cycle routes have opened up access to the Country Park.
- 4.5 Charging at country park car parks is not a new approach. Essex County Council introduced charging at its country parks several years ago and nowadays the system includes a flat charge of £2.00 that makes no distinction between long and short stays, and there is a season permit of £60.00 for regulars.
- 4.6 The Council's Parking Services would establish the Turner Road car park as a pay-and-display facility, and carry out the day-to-day operational and enforcement role

in the car park. They would levy a management fee from the total income generated.

## 5. Proposals

5.1 It is proposed to introduce car parking charging at the Turner Road car park and three options are set out below. Potential income generation from parking fees is an estimation as actual numbers are impossible to predict. There will be resistance by some visitors to the introduction of parking charges and the total numbers of cars using the Turner Road car park may reduce as users decide to visit elsewhere, to make alternative parking arrangements or to travel by other means. On this basis a daily average of 50 cars throughout the year is being used as the basis of calculation.

5.1.1 Option 1 A standard low fee.

capacity	cars	turnover	usage	stay	price	days	weeks	yield
50	50	1	50	flat fee	0.5	7	52	9100
	<u>50</u>		<u>50</u>					<u>9100</u>

5.1.2 Option 2 A variable rate depending on the duration of stay.

capacity	cars	turnover	usage	stay	price	days	weeks	yield
50	2	1	2	>4	4	7	52	2912
	8	1	8	4	2	7	52	5824
	40	1	40	2	0.5	7	52	7280
	<u>50</u>		<u>50</u>					<u>16016</u>

5.1.3 Option 3 A flat rate.

capacity	cars	turnover	usage	stay	price	days	weeks	yield
50	50	1	50	all day	2	7	52	36400
	<u>50</u>		<u>50</u>					<u>36400</u>

5.2 There are benefits and disadvantages of each option.

- Standard low fees may encourage take up but will not maximise income.
- Standard low fees will provide limited management information regarding user activity which would assist in more effective pricing in future reviews.
- Variable rates provide management information and offer the customer greater choice.
- Variable rates have the potential for additional income.

- Variable rates are comparable with adjacent car parking facilities and therefore parking by those who are not using the Country Park is less likely.
  - A flat rate has the potential for maximising income.
  - A flat rate is lower than the charges at adjacent car parking facilities and therefore parking by those who are not using the Country Park is more likely.
- 5.3 In recognition of the profile of car parking use, it is considered that a flat rate would be an excessive cost for the majority of visitors who use the Turner Road car park for periods of less than 2 hours. It is also recognised that although the car park is currently provided for users of the Country Park use by Primary Care Trust and hospital staff, hospital visitors and commuters will continue in increasing numbers if parking charges are significantly less than the hospital and station parking charges. The current tariff at the hospital is £3.00 for upto 2 hours, £4.00 for upto 4 hours and £5.00 for over 4 hours. As a consequence it is proposed to consider allowing use by visitors who are not parking with the sole intention of visiting the Country Park.
- 5.5 Option 2 offering a variable tariff with the first 2 hours parking for 50p provides useful management information and is considered to be a reasonable fee compared with the other parking facilities nearby.
- 5.6 As the principle purpose of the car park is for the users of High Woods Country Park, long stay parking is to be discouraged as it is felt that this would monopolise the car park leaving inadequate space for the majority of park users who park their vehicles for periods of less than 2 hours. It is therefore considered that season tickets for long stay users would not be appropriate. It is recognised that the majority of users as well as staying for less than 2 hours are also regular users (often dog walkers) and therefore the cumulative cost of short stay car parking could be prohibitive. To address this point, season tickets may be an option. The current arrangement for season ticket holders is to purchase a “tax disc style” permit which is displayed on the vehicle. As no parking ticket is purchased, there is no management information regarding when the ticket was purchased and it would be impossible to monitor the use of the season tickets regarding vehicle arrival and departure times if the season ticket was to be available for short stay users only.
- 5.7 Future developments may enable smarter technology to be used so that visitors holding a season ticket for short term parking can purchase a parking ticket at a discounted rate. This would enable a ticket to be displayed in the car, provide management information about the use of the car park and provide evidence of time of commencing car park use for enforcement purposes. Until more information is gathered regarding the impact of introducing parking charges and the availability of ticket machine development, the impact of season permits on income is hard to assess. However, it is estimated that total income could reduce by around £2,000 per year. It is recommended that the introduction of season permits is considered when the charges are next reviewed and there is greater understanding of income generated.
- 5.8 Throughout the year the maintenance and patrolling of High Woods Country Park is enhanced by the support of Colchester Countryside Volunteer Ranger service (CCVR). This has been a successful way of engaging with the public and gaining volunteer help to support a range of activities in the park such as patrolling, litter collection, maintenance and providing information and support to park visitors. The

support given by CCVR is vital to the management of the Country Park. The cost calculations described above do not take account of attendance by unpaid volunteers which equates to approx 3 car visits per day. It is recommended that CCVR volunteers be given an exemption to the parking charges in recognition of the free help and therefore savings that they provide to the Council. It is known that the implementation of car park charges would deter some volunteers from continuing to offer their support.

- 5.9 It is also recommended that students attending the Country Park for educational sessions led by Country Park staff and anglers holding season permits and day tickets to use the site's fishing lake be given an exemption to any parking charges.
- 5.10 It is proposed that there would be no charge for motorcycles and minibuses would be charged as other cars on the basis that a mini bus utilises a single car parking space. Coaches would be charged a specific rate but those associated with pre arranged educational would not be charged although most school related coach visits result in the coach dropping off students rather than staying for the duration of their booking.
- 5.11 It is recognised that the use of the Turner Road car park has an impact on the number of people attending the Country Park Visitor Centre. A reduction in the number of visitors using the car park is expected to lead to less secondary spend at the Visitor Centre and an associated pressure on the £15,000 Country Park income target from sales.
- 5.12 The cost of providing the ticket equipment and site management including cash handling would be covered by the Parking Services management fee. Ticket machines would be emptied regularly to remove the potential of theft from the ticket machines and associated cost of repair.
- 5.13 It is proposed that income raised from car park charges is re-invested in the Country Park to deliver the new income target and maintain and develop its services, facilities and attractions. Income raised as a result of enforcement action following non-payment of a charge will provide an additional income stream within Parking Services.

## **6. Strategic Plan references**

- 6.1 There are no direct Strategic Plan references.

## **7. Consultation**

- 7.1 There has been no public consultation on the specific proposal to introduce car parking charges to High Woods Country Park though the intention to investigate and consult on the possible introduction of car parking charges, and its impact on income and visitor numbers was set out in the Country Park Management Plan 2010 - 2015.

## **8. Publicity Considerations**

- 8.1 It can be anticipated that a proposal to charge for facilities that have been previously offered freely will not receive public support. The approach to have charges based on duration of stay rather than a flat fee recognises the different usage patterns at the Country Park visitors and keeps the short stay parking to a

minimal charge. Alternative parking at Chanterelle will be offered at no charge although the cost of travelling to Chanterelle car park and its less convenient location may make short stay users reflect that the parking charge is not unreasonable.

## 9. Financial implications

9.1 The estimated income from car park charging is set out above. The standard low fee option is estimated to generate £9,100 per full year. The variable rate option is estimated to generate £16,016 per full year. The flat rate option is estimated to generate £36,400. It is considered that the seasonal variation of car park usage equates to 70% usage April – Sept and 30% Oct – March.

9.2 Income of £10,000 from car parking has been included in the 2010/11 High Woods Country Park budget. The longer that implementation is delayed the greater will be the pressure on the budget. If the car park charges were to be introduced from September 2010, the in-year income would be as set out below

9.2.1 £2,730 for the standard low fee option 1

9.2.2 £4,804 for the variable rate option 2

9.2.3 £10,929 for the flat rate option 3

9.3 As described in 5.11 it is anticipated that a reduction in the number of car park users and visitors to the park will have an impact on the income taken through the Visitor Centre. Whilst the impact cannot be accurately determined at this stage a 10% reduction in takings would create a £1,500 budget pressure.

9.4 The cost of supplying the ticket machines would be approximately £6,000 (costing up to £3,000 each, sited and connected, and there would need to be two provided), and would be found from the Parking Services trading account. The annual management fee which would cover the cost of machine maintenance, parking enforcement and cash collection would be £2,250 for a full year. It is expected that an additional amount would be charged for processing the coin to bank, and this is estimated to be £520 p.a. There will be a once-only set-up cost of £800 for advertising the fees and charges by revising the Parking Order, unless it was possible to link this with other changes.

A financial plan showing proposed expenditure and income expected from each of the options for a full year is shown in the table below:

	Option 1 Standard low charge Forecast	Option 2 Variable charge Forecast	Option 3 Flat rate charge Forecast
<b>Expenditure</b>			
Parking Services management fee	£2,770	£2,770	£2,770
<b>Total expenditure</b>	<b>£2,770</b>	<b>£2,770</b>	<b>£2,770</b>
<b>Income</b>	(£9,100)	(£16,106)	(£36,400)
Anticipated loss of income from Visitor Centre sales	£1,500	£1,500	£1,500
<b>Total net income</b>	<b>£4,830</b>	<b>£11,836</b>	<b>£32,130</b>

- 9.5 Subject to the decision reached, it would be possible to install ticket machines and commence car park charges in September 2010 (depending upon the Parking Order). The management fee would be charged pro rata for the remainder of the year. It is calculated that if the variable rate charging option set out is pursued.
- 9.6 Use of High Woods Country Park is seasonal. The summer season (April – Sept) sees a significantly higher number of visitors and therefore income generated from car park charges will not be delivered pro rata. If car park charges were introduced in September 2010 using, for example, the variable charge rate it is estimated that total income generated would be less than £5,000.
- 9.7 Failure to generate a net increased income of £10,000 will create a pressure on the High Woods Country Park budget.

## **10. Equality, diversity and Human Rights Implications**

- 10.1 An Equalities Impact assessment has been prepared. As the issue of access licences is associated with residents' location and car ownership it is not considered disadvantageous to particular equality target groups and there are no actions required to mitigate any negative impacts. The completed Equalities Impact assessment can be found on.  
[http://www.colchester.gov.uk/servedoc.asp?filename=equality\\_Impact\\_Assessment\\_Parking\\_Services.pdf](http://www.colchester.gov.uk/servedoc.asp?filename=equality_Impact_Assessment_Parking_Services.pdf)

## **11. Community Safety Implications**

- 11.1 There are no particular community safety implications.

## **12. Health and Safety Implications**

- 12.1 There are no health and safety implications

## **13. Risk Management Implications**

- 13.1 There are no risk management implications



## Cabinet

20 October 2010

Item  
**7(i)**

<b>Report of</b>	<b>Head of Resource Management</b>	<b>Author</b>	<b>Sean Plummer</b> ☎ 282347
<b>Title</b>	<b>2011/12 Revenue Budget and Capital Programme Update</b>		
<b>Wards affected</b>	Not applicable		

**This report provides Cabinet with an update on the 2011/12 Revenue Budget forecast and Capital Programme and recommends releases of money from the capital programme.**

### 1. Decisions Required

1.1 Cabinet is requested to consider the following items:

- i) Note the updated 2011/12 budget forecast as set out at paragraph 6.1 shows a current gap of £1.3m.
- ii) Note that officers are working towards delivering a balanced budget and that progress has been made to identify savings to assist with the delivery of the budget strategy. (See section 9).
- iii) Determine whether the cost pressures set out at paragraph 7.1 should be included in the 2011/12 budget forecast.
- iv) Determine whether the provisional savings set out at section 9 should be included in the 2011/12 budget forecast.
- v) Note the potential 2011/12 budget forecast variables and risks set out in Section 10
- vi) Note the current position on the capital programme
- vii) Agree the proposal to release funding for schemes as set out at paragraph 12.3.

### 2. Reasons for Decisions

- 2.1 The Council is required to approve a budget strategy and timetable in respect of the year 2011/12.
- 2.2 This report relates to the budget update and a review of the capital programme.

### 3. Alternative Options

- 3.1 There are different options that could be considered and as the budget progresses changes and further proposals will be made and considered by Cabinet and in turn Full Council.

#### 4. Background

- 4.1 A timetable for the 2011/12 budget process (see Appendix A) was agreed at Cabinet on 30 June 2010.
- 4.2 At this stage in the budget process it is important to identify the main areas of cost pressure and any planned growth areas together with the approach to balance the budget. Detailed budgets are currently being produced with the aim to complete this task by December. Work is currently progressing well and is in line with the budget timetable.
- 4.3 The Council's gross General Fund revenue budget is c£120million which translates in to a net revenue budget of £26million. This is the starting point and context in which to view the remainder of this report.

#### 5. Budget 2010/11 - Review

- 5.1. The Finance and Audit Scrutiny Panel (FASP) reviewed the budget position for the current year including outturn projections on 17 August 2010. The total position reported at what was an early stage showed a potential net overspend of £1.14m. The main factor affecting this position is the loss of certain Government grants.
- 5.2. Options for reducing the overspend this year have been considered alongside work for the 2011/12 budget. This has highlighted in year savings that will assist in minimising any underspend. FASP will receive a report on the half year position in November and this will in turn be reported to the next Cabinet meeting when any impact on balances will be assessed.

#### 6. Summary of 2011/12 Budget Forecast

- 6.1. Should Cabinet approve the items detailed in this report the current 2011/12 budget forecast shows a current gap of £1.323m. This reflects an increase in the level of cost pressures and also and further proposed savings. Assumptions regarding Government Grant, Council Tax and use of balances remain unchanged.

	<b>2011/12 £'000</b>	<b>Note</b>
<b>Base Budget</b>	25,670	
Remove one-off items	(1,313)	One-off funding of cost pressures etc
Cost Pressures (incl. inflation)	1,691	See paras 7.1)
Savings	(1,391)	(see para 9.2.)
<b>Forecast Base Budget</b>	<b>24,657</b>	
Government Grant	(12,265)	Assumes a reduction of 5% (£646k) on grant received in 10/11
Council Tax	(10,699)	Based on assumed nil increase in tax rate and notional increase in taxbase.
Use of Reserves	(370)	Reflects no longer using Capital Expenditure Reserve for accommodation costs and ceasing to use the Regeneration Reserve.
<b>Total Funding</b>	<b>(23,334)</b>	
	<b>1,323</b>	



- 6.2. As indicated later in this report, further work is ongoing to fully assess options to balance the budget including completion of remaining budget reviews and developing delivery plans for all savings, completion of detailed budgets and the ongoing assessment of risk areas.

## 7. Cost Pressures

- 7.1. The following cost pressures expected in 2011/12 have mostly been previously identified through the Medium Term Financial Forecast (MTFF) process and as part of the recent development of the budget:

	£'000	Comment
Inflationary pressure	140	Net inflation impact, including the assumption of a nil pay award for 2011/12 and general increase averaging c1.5% with income rising by c2%
Incremental pension contributions	250	Previous triennial reviews of the pension fund have shown a significant deficit due to market conditions and increased life expectancy. This financial pressure is one being felt by all local authorities and other organisations. The impact of the current triennial review will need to be considered as part of the 2011/12 budget and we expect to have an indication of the required funding in the Autumn and a planning figure of £250k is assumed at this stage.
Minimum Revenue Provision (Commutation adjustment)	71	Increase in calculated figure based on statutory criteria and decisions taken in respect of borrowing.
Car Parking Income	200	It has previously reported that income from these services is below budget assumptions. Based on current forecasts it is considered appropriate to make an allowance at this stage for reduced income.
Cemetery and crematorium income	130	
Sport and Leisure Grants	130	It has previously been reported that there will be a cost pressure arising from the ending of the free swimming grant. In addition, it is currently anticipated that other reductions in funding will occur next year.
HPDG, LABGI, ABG	770	The budget forecast for 2011/12 had previously assumed that funding from these grants would cease in 2011/12.
<b>Total</b>	<b>1,691</b>	

- 7.2. Cabinet need to determine whether the cost pressures detailed above should be included within the current 2011/12 budget forecast.

## 8. Growth Items

- 8.1. No growth items have been identified at this stage in the budget process.

## 9. Savings/Increased Income

9.1. The budget strategy for 11/12 was agreed by Cabinet in July. This included five tracks in our budget strategy:-

- Income generation
- Efficiencies (including but not exclusively FSRs)
- Total Place – projects with partners to look at how we reduce duplication
- Shared services
- Cuts and reductions

9.2. Significant progress has been made in identifying budget savings. The table below provides a summary of proposed savings totalling £1.4m including items previously reported to Cabinet.

	£'000	Comment
Total Service Items	904	Current savings across services.
Fundamental Service Reviews	335	Housing and Revenues and Benefits
Shared Services	50	Current target
Income Generation	102	Forecast additional income
<b>Total</b>	<b>1,391</b>	

9.3. Further budget saving options have been identified and these are currently being assessed in more detail. This includes consideration of savings arising from ongoing FSRs of Street Services and museums and arts services.

## 10. Risks and Variables

10.1. On 30 June 2010 Cabinet considered the budget strategy and MTF. The MTF set out the key areas that may impact on 2011/12 budget forecast and potentially later years. These have been reviewed and continue to represent the key variables including areas that may have positive or negative affect on the budget forecast. The list is provided at Appendix B and several of these items are considered within this report and we will continue to review all issues as the budget progresses.

10.2. One of the main current risks is the level of Government funding. The Comprehensive Spending Review is due to be announced on 20 October. Whilst this will provide an indication of grant funding for next year it will be necessary to wait until the detailed grant announcement in November / December.

10.3. It should be noted that the Council's general fund balances remain £0.5m above our current assessed recommended level of £1.5m. However, there is currently an estimated overspend in 2010/11 as set out in section 5 and this may therefore impact on the level of balances. This position and that of other reserves will be assessed as part of the budget and reported to Cabinet in December.

10.4 Cabinet is asked to note the potential 2011/12 budget forecast variables and risks set out above.

## 11. Future Years

11.1 As part of consideration of budget issues facing the Council, SMT and Leadership Team have been considering future year budgets. The Medium Term Financial Forecast (MTFF) reported

to Cabinet in July showed a budget gap over the next three years of circa £3.2m. Based on the proposals within this report the cumulative gap has now reduced to £2.7m.

## 12. Capital Programme

- 12.1. The current approved capital programme including spending to date was provided to Finance and Audit Scrutiny Panel (FASP) on 17 August 2010.
- 12.2. A review of the capital programme is taking place to ensure that it reflects strategic plan priorities.
- 12.3 The forecast of Capital Receipts shows total funding for 2009/10 of £4.160m, and commitments for the year totalling £3.388m. This leaves an amount of £772k that is available to release. The Capital Programme contains unreleased schemes totalling £996k, of which £559k is shown as being required in 2010/11. These schemes are as follows:

Scheme	Amount	Description
Heritage Fund - incl. Roman Walls	14.0	There is already £24k of released resources within the capital programme for emergency repairs to the Roman wall at Priory Street. The amount requested for release is the balance required to complete this work.
St Botolphs	545.0	The funds will be used to implement phase 2 of the town centre improvement works as part of the better town centre campaign which will include funding further works beyond those provided through the £550,000 Haven Gateway monies being spent this year on the first phase. Unfortunately funding to have been provided by the Council's delivery partner, ECC for this year has been withdrawn, but we would hope to secure additional funds going forward and this sum will also allow us to match offers as required. The funding has been specifically allocated to carry out traffic and in particular public transport improvements in the town centre to facilitate the replacement of current temporary bus arrangements by 2012.
<b>TOTAL</b>	<b>559.0</b>	

## 13. Strategic Plan References

- 13.1 The Council has agreed three Corporate Objectives including the aim to "shift resources to deliver priorities". The 2011/12 budget and the Medium Term Financial Forecast will be underpinned by the Strategic Plan priorities and will seek to preserve and shift resources where needed to these priorities.

## 14. Consultation

- 14.1 The budget strategy report to Cabinet in June has been considered by the Strategic Overview and Scrutiny Panel on 20 July 2010. That Panel will also review an update of the budget later this year and FASP will consider the final budget proposals in January.

- 14.2. Consultation took place to inform the Strategic Plan which remains the main driver of the budget.
- 14.3. Given the additional pressures on the budget it was felt that consultation with residents was important to assess their priorities for services. Having looked at good practise across a number of other authorities, a format was designed that asked residents to identify the services they consider most important and least important. It also asked for ideas on how to save money and generate more income. The information from this consultation is now being analysed to inform the budget decisions.
- 14.4. Statutory consultation is also due to take place with business ratepayers in December / January.

## **15. Financial implications**

- 15.1 As set out in the report

## **16. Equality and Diversity Implications**

- 16.1 Consideration will be given to equality and diversity issues in respect of budget changes proposed as part of the budget process. This will be done in line with agreed policies and procedures including production of Equality Impact Assessments where appropriate.

## **17. Risk Management Implications**

- 17.1 The strategic risks of the authority will be considered in developing the 2009/10 budget and all forecast savings/new income options will be risk assessed as part of the budget process. This report sets out some of the key risks / variables at this stage in the budget process and as stated earlier this will be refined during the year.

## **18. Other Standard References**

- 18.1 There are no specific Publicity, Human Rights, Community Safety or Health and Safety implications at this stage.

## **Background Papers**

Report to Cabinet 30 June 2010

Revenue and Capital budget position reported to FASP on 17 August 2010.

<b>Appendix B</b>	
<b>2011/12 Budget Timetable</b>	
<b>Budget Strategy March 10 – July 2010</b>	
<b>March – June (SMT and Budget Group)</b>	Budget Group Meetings Agreed Update MTFF /Budget Strategy Review potential cost pressures, growth and risks Consider approach to budget Initial budget reviews started
<b>Cabinet – 30 June 10</b>	<ul style="list-style-type: none"> <li>• Report on updated budget strategy / MTFF</li> <li>• Timetable approved</li> </ul>
<b>SOSP – 20 July 10</b>	Review Cabinet report
<b>Budget Group / Leadership Team - June / July</b>	Consider review of capital programme Consider approach to consultation
<b>Detailed Budget preparation and Budget Setting Consultation</b>	
<b>Budget Group / Leadership Team regular sessions on progress / budget options now - December</b>	Review budget tasks (the 5 tracks) Consider outcomes of Fundamental Service Reviews
<b>Cabinet – 20 October 10</b>	Budget Update
<b>Cabinet – 1 December 10</b>	<ul style="list-style-type: none"> <li>• Budget update</li> <li>• Reserves and balances</li> <li>• Grant settlement</li> </ul>
<b>SOSP – 11 January 11</b>	Review Cabinet report / Budget Position (Strategic Review)
<b>FASP – 25 January 11</b>	Review consultation / Budget position (Detailed proposals)
<b>Cabinet – 26 January 11</b>	Revenue and Capital budgets recommended to Council
<b>Council – 16 February 11</b>	Budget agreed / capital programme agreed / Council Tax set

*Leadership Team to review budget progress during year.*

Ref	Risk / Area of uncertainty	
1	<i>Government Grant and the Comprehensive Spending Review 10 (CSR10)</i>	<p>What the CSR10 will provide is difficult to predict, however, it is clear that public finances are continuing to come under increasing pressures. The MTFF assumes a cash reduction in grant 5% pa for the next three years.</p> <p>For illustrative purposes a 1% change in the level of grant equates to £130k.</p> <p>The CSR 10 is due to be announced on 20 October.</p>
2	<i>Government grants and partnership funding</i>	<p>The Council's budget has changed over recent years with a greater emphasis on funding from both partner organisations and Government bodies. These funding streams can rarely be guaranteed and can therefore add to our cost pressures. The 2010/11 budget includes funding in respect of HPDG and the LABGI scheme. The announcement that these funds have been withdrawn has resulted in cost pressures this year. Other examples include Benefit Administration grant which is expected to be reduced. Other changes seem possible and will be assessed as part of the budget strategy.</p>
3	<i>Pensions</i>	<p>An allowance has been built in for increases in pensions costs based on the results of the recent actuarial review and therefore are fixed for 2010/11. However, an updated review will be undertaken that will inform the cost for 2011/12 onwards. The recent and ongoing economic downturn is highly likely to impact on the pension fund and therefore whilst an increased allowance of £250k each year from 11/12 has been made for this it will need to be reviewed when more reliable estimates are available.</p>
4	<i>Concessionary Fares</i>	<p>CLG and DoT consulted on the future administration of the concessionary fares scheme. The favoured option being a transfer of responsibility to upper tier authorities (e.g. Essex County Council). In many ways this would mirror existing locally negotiated arrangements.</p> <p>There is a second consultation currently taking place on the amounts of funding to be transferred. At this stage, this represents a risk to the Council which could be positive or negative.</p>
5	<i>Fees and charges</i>	<p>As has been seen in the past few years we have experienced pressures arising from changes in income levels. In 2008/09 we experienced significant shortfalls in income in respect of planning and building control fees and car park revenue (on and off street). Looking ahead to 2010/11 and beyond it is difficult to estimate how income levels may continue to be affected. However, the 10/11 budget assumes some increase in revenue from planning which has recovered to an extent during the last 12 months. The updated budget forecast includes assumptions regarding reduced income from car parking and cemetery and crematorium.</p>
6	<i>Inflation</i>	<p>An allowance for general inflation has been built into the 11/12 forecast and MTFF, and specific increases allowed for</p>

Ref	Risk / Area of uncertainty	
		<p>items such as pay</p> <p>The current (August 2010) CPI is 3.1% and RPI is 4.7% The economic forecasts published by HM Treasury point to inflation figures for 2011 of 1.7% and 3% for CPI and RPI respectively. Not all the Council's costs are directly linked to RPI and therefore we will continue to monitor the impact of inflation on all Council costs with particular attention on energy costs for which prices will be known in October for the following 12 months.</p>
7	<i>Use of reserves</i>	<p>The budget position for 10/11 includes proposals to use certain reserves and also reflects the impact of reserves used in 09/10.</p> <p>The forecast position on general balances shows that due to the improved 09/10 outturn and proposed use of balances this year that there is currently headroom of c£0.5m above the recommended level.</p>
8	<i>Legislation</i>	<p>There may be new legislation over the life of the MTFF for which any available funding may not cover costs.</p>
9	<i>Impact of regeneration programme e.g. car park closure and staff resources</i>	<p>As the regeneration programme progresses there will be an impact on income from car parks due to temporary and permanent closure of certain car parks and also the introduction of park and ride.</p> <p>We are currently using the Regeneration Reserve to meet some staffing costs to provide increased capacity to deliver the regeneration programme. The budget forecast includes funding for 2010/11 to ensure that the team can continue work. However, this will exhaust the Reserve and therefore any future costs will need to be considered as part of the budget.</p>
10	<i>Property review</i>	<p>A review of our assets was carried out and a 5-year Building Repairs and Maintenance Plan produced. There will continue to be financial implications arising from this for both the revenue budget and capital programme and these will be continue to be considered in detail by the council's Property Forum and included in the on-going updates of the MTFF.</p>
11	<i>Impact of growth in the Borough and demand for services</i>	<p>A number of Local Authority services are directly impacted by the increase of population in the Borough, such as waste services, planning, benefits etc.</p> <p>As part of the budget it will be necessary to consider whether there is a need for additional resources in these or other areas in order to maintain levels of service.</p> <p>A further area of risk is any increase in the demands for Council services arising from the impact on residents of the economic environment.</p> <p>At this stage no allowance for these areas has been provided within the MTFF. Fundamental Service Reviews (FSR) have been carried out or are being undertaken on some of the key areas affected by growth and /or also the economic climate such as benefits, housing and street services. The financial assumption made is that these reviews will assist in identifying efficiencies to cope with</p>

Ref	Risk / Area of uncertainty	
		changes in demand.
12	<i>Delivery of budget savings</i>	The 2010/11 budget continues to set some challenging targets for savings although for these have been reduced to reflect the current economic climate such as the salaries target. The MTFF assumes these targets will be delivered at these amended levels.
13	<i>Net Interest earnings</i>	<p>The budget is influenced by a number of factors including interest rates and cashflow movements. The treasury management strategy highlights the outlook for interest rates in the medium-term which points to continuation of unprecedented low levels into 2010/11.</p> <p>The 2010/11 budget as proposed shows a significant reduction in interest earnings and the MTFF currently assumes no further recovery in this area. This will be monitored and considered again as part of the 2011/12 budget.</p>





## Cabinet

Item  
**8(i)**

20<sup>th</sup> October 2010

<b>Report of</b>	<b>Head of Street Services</b>	<b>Author</b>	<b>Chris Dowsing</b>
<b>Title</b>	<b>The dissolution of the East Area Waste Management Joint Committee and the creation of a Member Partnership Board and IAA Member Working Group.</b>		
<b>Wards affected</b>	All wards affected		

**This report concerns the dissolution of the East Area Waste Management Joint Committee and the creation of a Member Partnership Board and IAA Member Working Group**

### 1. Decision(s) Required

- 1.1 To agree to the dissolution of the East Area Waste Management Joint Committee;
- 1.2 To agree to the proposal to create a Member Partnership Board and IAA Member Working Group;
- 1.3 That the Council's representative on the new Member Partnership Board and IAA Member Working Group be the Portfolio Holder for Strategy and Performance.
- 1.4 To consider the appointment of the Portfolio Holder for Street and Waste Services as a substitute Member; and
- 1.5 To authorise the Monitoring Officer to amend the Council's Constitution accordingly.

### 2. Reasons for Decision(s)

- 2.1 At its meeting on the 25 March 2010 the East Area Waste Management Joint Committee agreed to its dissolution and to the creation of two new Member groups that will assist in developing relations and knowledge of waste management at member level following the signature of formal Inter Authority Agreement (IAA) between all waste collection authorities and Essex County Council, apart from Colchester.
- 2.2 Colchester Borough Council's position remains that it has not signed up to the Essex Joint Municipal Waste Management Strategy and it has not signed an Inter Authority Agreement with Essex County Council (ECC). As such Colchester Borough Council has requested that ECC clarify its position in relation to Colchester's involvement.
- 2.3 ECC has indicated that they would want to see Colchester as a full and active member of the Member Partnership Board despite not having signed the strategy.
- 2.4 ECC is also supportive of Colchester being observers at both the Officer and Member IAA Working Groups. However as these are partnership meetings ECC feel the best course of action would be to get endorsement of that position from all the partners at the respective meetings.

### **3. Alternative Options**

- 3.1 The Joint Committee's are being dissolved and replaced by the Member Partnership Board and IAA Member Working Group. The Council could choose to not be represented on either of these Member groups.

### **4. Supporting Information**

- 4.1 The East Area Waste Management Joint Committee was established in 2005 and its constitution adopted by Colchester Borough Council on 25<sup>th</sup> May 2005. Its remit consisted of overseeing the Essex Joint Municipal Waste Management Strategy (JMWMS) and the procurement of waste management facilities. It was one of three such committees in Essex.
- 4.2 The Committee is fully constituted and is able take executive decisions on behalf of partner authorities, subject to their internal scrutiny processes. Since their inception the JMWMS has been adopted by all other Essex Authorities and a successful bid for Private Finance Initiative (PFI) credits has been made to government. However, the nature of the procurement exercise has changed significantly, with there no longer being any reference to waste collection arrangements nor the treatment of organic waste.
- 4.3 It has therefore been concluded by the Joint Committees themselves that they have served their purpose and should be replaced by alternative structures which are fit for the current circumstances.
- 4.4 The IAA's that exists between the District and Borough Waste Collection Authorities (WCA'S), other than Colchester, and Essex County Council are a legally binding document which commits all parties who have signed for the life of the PFI project.
- 4.5 In return for funding from Essex County Council the Waste Collection Authorities have set out in advance the scope and nature of the waste services they will deliver in a detailed Service Delivery Plan. However, under the new procurement arrangements and the IAA, the need for sound and effective member relations between Essex County Council and the WCA's remains as important as ever.
- 4.6 The matter was discussed at the Waste Management Advisory Board (comprising Members of the three Area Joint Committees) in January 2010 and subsequently by the Essex and Southend Member Project Board. Both boards concurred with the approach to dissolve the Area Joint Committees and replace them with two Member advisory groups: the IAA Member Working Group and the Member Partnership Board. Details of these new Groups are detailed at Appendix A and B.
- 4.7 The East Area Waste Management Joint Committee met on 25 March 2010 and recommended to its constituent Partner Authorities that the East Area Waste Management Joint Committee be dissolved. Similar recommendations were made by both of the other Area Joint Committees.

### **5. Proposals**

- 5.1 Being an active member of the Member Partnership Board and IAA Member Working Group would ensure that this Council is kept abreast of developments associated with the management of recycling and waste material both within the Borough and across the County. There are no other formal Member groups at which these details are discussed.

5.2 Both the Member Partnership Board and IAA Member Working Group have an advisory role only and are designed primarily to keep under review the working of the IAA and the development of new waste management approaches within the County.

## **6. Strategic Plan References**

6.1 This decision relates to the corporate objective to be cleaner and greener.

## **7. Consultation**

7.1 Not applicable

## **8. Publicity Considerations**

8.1 There has been ongoing publicity in relation to the decision of the Council to not sign up to the JMWMS and to not sign an IAA.

## **9. Financial implications**

9.1 There are no financial implications in relation to the decisions.

## **10. Equality, Diversity and Human Rights implications**

10.1 An equality impact assessment has been completed in relation to the JMWMS which can be viewed via the link below.

[http://www.colchester.gov.uk/servedoc.asp?filename=Street EIA Draft Joint Municipal Waste Management Strategy for Essex 2005 to 2030 .pdf](http://www.colchester.gov.uk/servedoc.asp?filename=Street_EIA_Draft_Joint_Municipal_Waste_Management_Strategy_for_Essex_2005_to_2030_.pdf)

## **11. Community Safety Implications**

11.1 There are no community safety implications in relation to these decisions.

## **12. Health and Safety Implications**

12.1 There are no health and safety implications in relation to these decisions.

## **13. Risk Management Implications**

13.1 In relation to risks to Colchester Borough Council from these decisions there is a risk that by not having any involvement in the Member Partnership Board and IAA Member Working Group the Councils ability to understand and possibly influence decisions at the Member level relating to the development of waste and recycling would be severely limited.

## **IAA Member Working Group**

### **Terms of Reference**

#### **INTRODUCTION**

These Terms of Reference has been approved by each Partner Authority as the terms of reference of the IAA Member Working Group. For the avoidance of doubt the IAA Member Working Group shall be established in such a way for those Parties who participate in it to work together in an open and transparent way to achieve the Aims and Objectives.

Any decision of the IAA Member Working Group shall stand as a recommendation to the IAA Officer Working Group and one or more Partner Authorities (where and if appropriate).

Southend on Sea Borough Council is not a party to the IAAs but is a party to the Joint Working Agreement. Southend on Sea Borough Council shall for the purposes of these Terms of Reference be invited to sit on this IAA Member Working Group as an observer.

#### **1. ESTABLISHMENT OF THE IAA MEMBER WORKING GROUP**

The IAA Member Working Group shall, unless the IAA Member Working Group otherwise decide, be referred to as the "IAA Member Working Group".

#### **2. AIMS AND OBJECTIVES**

- 2.1 The aims and objectives of the IAA Member Working Group are set out in Schedule 2 (Aims and Objectives). Notwithstanding the foregoing, the overriding purpose of the IAA Member Working Group is to act as an advisory body to the IAA Officer Working Group and as a forum for the Essex Waste Partnership to consider issues relating to the IAA's which affect one or more Partner Authorities and 'champion' recommendations of the IAA Officer Working Group within those Partner Authorities and the wider Essex Waste Partnership.
- 2.2 The IAA Member Working Group:
- 2.2.1 shall have no legal identity or personality;
  - 2.2.2 is not intended to be a joint board for the purposes of s101 of the Local Government Act 1972 or otherwise;
  - 2.2.3 cannot and is not intended to fetter the discretion of the Member of any Partner Authority but shall take into account the views from time to time expressed at any other member forum within the Essex Waste Partnership;
  - 2.2.4 cannot and is not intended to make decisions which bind or are intended to bind any Partner Authority; and
  - 2.2.5 shall be an advisory member group and shall not have any delegated powers.

### **3. MEMBERSHIP AND APPOINTMENT OF THE IAA MEMBER WORKING GROUP**

- 3.1 The IAA Member Working Group shall comprise each Partner Authority's Member who is a member for that Partner Authority with responsibility for waste (a "**Lead Member**").
- 3.2 Each Lead Member may appoint an alternate Member of his/her employing authority to act on his/her behalf provided that such alternative Member must have responsibility for or suitable knowledge of the waste functions, and such alternate Member shall be treated for this purpose as if he/she were the Lead Member.
- 3.3 Each Partner Authority may at any time appoint another Member to be that Partner Authority's Lead Member, and any member of the IAA Member Working Group shall automatically cease to be a member of the IAA Member Working Group upon ceasing to be an member of his/her Partner Authority.
- 3.4 All appointments to membership of the IAA Member Working Group shall be made by notification in writing from the Partner Authority to the chairman.

### **4. CHAIRMAN AND VICE-CHAIRMAN OF THE IAA MEMBER WORKING GROUP**

The IAA Member Working Group shall make its own arrangements for the conduct of its meetings, including electing two Members of the IAA Member Working Group, one to act as Chairman and one to act as Vice-Chairman at its meetings.

### **5. SECRETARY TO THE IAA MEMBER WORKING GROUP**

- 5.1 The IAA Member Working Group shall be supported by the secretary to the IAA Member Working Group.
- 5.2 The secretary of the IAA Member Working Group shall be an officer of one of the Partner Authorities appointed by the IAA Member Working Group for this purpose. Essex County Council shall meet the reasonable costs of the secretary in administering the IAA Member Working Group.
- 5.3 The functions of the secretary of the IAA Member Working Group shall be:
  - 5.3.1 to maintain a record of membership of the IAA Member Working Group;
  - 5.3.2 to summon meetings of the IAA Member Working Group in accordance with paragraph 6 below;
  - 5.3.3 to prepare and send out the agenda for meetings of the IAA Member Working Group in consultation with the Chairman, Lead Members and the IAA Officer Working Group;
  - 5.3.4 to keep a record of the proceedings of the IAA Member Working Group;
  - 5.3.5 to take such administrative action as may be necessary to give effect to decisions of the IAA Member Working Group; and
  - 5.3.6 such other functions as may be determined by the IAA Member Working Group.

## **6. CONVENING OF MEETINGS OF THE IAA MEMBER WORKING GROUP**

- 6.1 Meetings of the IAA Member Working Group shall be held at such times, dates and places as may be notified to the members of the IAA Member Working Group by the secretary to the IAA Member Working Group, being such time, place and location as:
- 6.1.1 the IAA Member Working Group shall from time to time resolve;
  - 6.1.2 the secretary of the IAA Member Working Group, in consultation where practicable with the Lead Members, shall determine in response to receipt of a request in writing addressed to the secretary of the IAA Member Working Group from any member of the IAA Member Working Group, which request sets out an urgent item of business within the functions of the IAA Member Working Group.
- 6.2 Meetings of the IAA Member Working Group shall be held in private.
- 6.3 The secretary of the IAA Member Working Group shall settle the agenda for any meeting of the IAA Member Working Group with the Chairman and shall incorporate in the agenda any items of business and any reports submitted by any of:
- 6.3.1 the Lead Members;
  - 6.3.2 the IAA Officer Working Group;
  - 6.3.3 the IAA Member Working Group;
  - 6.3.4 the chief executive of a Partner Authority;
  - 6.3.5 the chief finance officer to a Partner Authority; or
  - 6.3.6 the monitoring officer to a Partner Authority.

## **7. PROCEDURE FOR DECISIONS OF THE IAA MEMBER WORKING GROUP**

Any decision of the IAA Member Working Group shall stand as a recommendation to the IAA Officer Working Group.

## **8. POWERS OF THE IAA MEMBER WORKING GROUP**

The IAA Member Working Group shall be an advisory member board and shall not have any delegated powers.

## **9. ATTENDANCE AT MEETINGS OF THE IAA MEMBER WORKING GROUP**

- 9.1 Members of the IAA Member Working Group shall be entitled, upon prior agreement of the Chairman, to invite to any meeting of the IAA Member Working Group any other elected member of the relevant Partner Authority and/or any of the officers specified in paragraph 9.2 below, unless the particular member or officer has a conflict of interest as a result of a personal interest in the matter under consideration.
- 9.2 The following are the officers who shall have a right of attendance in accordance with clause 9.1:
- 9.2.1 the chief executive of any of the Partner Authorities;
  - 9.2.2 the chief finance officer of any of the Partner Authorities;
  - 9.2.3 the monitoring officer of any of the Partner Authorities;

- 9.2.4 the officers of Partner Authorities with responsibility for waste; and
- 9.2.5 the secretary to the IAA Member Working Group.
- 9.3 Notwithstanding the foregoing, the IAA Member Working Group shall be entitled to invite external stakeholders to any meeting of the IAA Member Working Group.

## **10. ADMINISTRATIVE SUPPORT**

Essex County Council shall provide facilities and administrative support to enable the IAA Member Working Group to operate in accordance with these Terms of Reference.

## Schedule 1

### (Definitions and Interpretation)

1. The provisions of this Schedule 1 shall apply and have effect in relation to the capitalised words and expressions used in these Terms of Reference:

<b>“Essex Waste Partnership”</b>	<p>the partnership consisting each of the Partner Authorities as set out below:</p> <ul style="list-style-type: none"> <li>• Basildon District Council;</li> <li>• Braintree District Council;</li> <li>• Brentwood Borough Council;</li> <li>• Castle Point Borough Council;</li> <li>• Chelmsford Borough Council;</li> <li>• Colchester Borough Council;</li> <li>• Epping Forest District Council;</li> <li>• Essex County Council;</li> <li>• Harlow District Council;</li> <li>• Maldon District Council;</li> <li>• Rochford District Council;</li> <li>• Southend-on-Sea Borough Council;</li> <li>• Tendring District Council; and</li> <li>• Uttlesford District Council.</li> </ul>
<b>“Inter Authority Agreements” or “IAAs”</b>	the agreements between Essex County Council and each of the Partner Authorities save for Southend-on-Sea Borough Council;
<b>“IAA Member Working Group”</b>	the group established in accordance with these Terms of Reference;
<b>“IAA Officer Working Group”</b>	the group established pursuant to clause 5 and schedule 5 of the IAAs;
<b>“Joint Working Agreement”</b>	the agreement between Essex County Council and Southend on Sea Borough Council setting out how those two authorities will work together;
<b>“Lead Member”</b>	has the meaning given to it in paragraph 3.1 above;
<b>“Partner Authority”</b>	each of the Partner Authorities who are a party to the IAAs together with Southend on Sea Borough Council and <b>“Partner Authorities”</b> shall be construed accordingly;

2. In these Terms of Reference, unless where the context otherwise requires:

a. the singular includes the plural and vice versa;



- b. headings are for convenience of reference only; and
- c. words preceding “include”, “includes”, “including” and “included” shall be construed without limitation by the words which follow those words.

## Schedule 2

### (Aims and Objectives)

- Each of the Members of the IAA Member Working Group wish to establish a clear and accountable forum for them to work together to promote the economic, environmental and social well-being of their respective areas and in order that they are able to assist and provide guidance to the IAA Officer Working Group in relation to the ongoing implementation of the Inter Authority Agreements in order for the Essex Waste Partnership to deliver against the Joint Municipal Waste Management Strategy.
- Each of the Members of the IAA Member Working Group, in recognition of the need for delivering best value, promoting financial efficiency and effectiveness, and securing continuous improvement in the provision of waste management services, wish to:
  - monitor the effectiveness of the implementation and progress of the Inter Authority Agreements;
  - consider and comment on recommendations of the IAA Officer Working Group and/or Member Partnership Board (as appropriate) which the IAA Officer Working Group is looking to submit to the relevant Partner Authorities;
  - act as 'champions' within their own Partner Authority in relation to the recommendations of the IAA Officer Working Group referred to in paragraph 1.2.2 above in order to assist the progress of those recommendations;
  - consider as a partnership any aspect of the Inter Authority Agreements including, but not limited to, the:
    - review of performance of existing collection schemes and associated costs and value for money;
    - annual capital and revenue funding;
    - opportunities for efficiency within the overall waste management system that could be realised; and
    - opportunities for further joint working across all or part of Essex,
    - and report any conclusions/findings to the IAA Officer Working Group and Member Partnership Board (as appropriate) for their consideration;
- work together in a spirit of mutual trust, support and respect, and to ensure that when difficulties or differences of opinion arise they are addressed quickly, honestly and openly;
- share in a fair and equitable manner the costs and work included in achieving these Aims and Objectives;
- endeavour to fully engage all stakeholders, where appropriate, and to maximise the contributions which each Partner Authority may be able to make; and
- provide a forum and mechanisms for ensuring that there is a coherent programme and organisational structure for joint working.
- Each of the Partner Authorities have agreed to establish and maintain the IAA Member Working Group with the membership, powers, duties and responsibilities set out in these Terms of Reference.

## Member Partnership Board

### Terms of Reference

#### INTRODUCTION

These Terms of Reference has been approved by each Partner Authority as the terms of reference of the Member Partnership Board. For the avoidance of doubt the Member Partnership Board shall be established in such a way for those Parties who participate in it to work together in an open and transparent way.

Any decision of the Member Partnership Board shall stand as a recommendation to one or more Partner Authorities (where and if appropriate).

#### 11. ESTABLISHMENT OF THE MEMBER PARTNERSHIP BOARD

The Member Partnership Board shall, unless the Member Partnership Board otherwise decide, be referred to as the "Member Partnership Board".

#### 12. AIMS AND OBJECTIVES

- 12.1 The aims and objectives of the Member Partnership Board are set out in Schedule 2 (Aims and Objectives). Notwithstanding the foregoing, the overriding purpose of the Member Partnership Board is to act as a forum for the Essex and Southend Waste Partnership to consider issues relating to the Joint Municipal Waste Management Strategies, the waste management system across Essex and acting as a 'champion' within those Partner Authorities and the wider Essex Waste Partnership.
- 12.2 The Member Partnership Board:
  - 12.2.1 shall have no legal identity or personality;
  - 12.2.2 is not intended to be a joint board for the purposes of s101 of the Local Government Act 1972 or otherwise;
  - 12.2.3 cannot and is not intended to fetter the discretion of the Member of any Partner Authority but shall take into account the views from time to time expressed at any other member forum within the Essex Waste Partnership;
  - 12.2.4 cannot and is not intended to make decisions which bind or are intended to bind any Partner Authority; and
  - 12.2.5 shall be an advisory member group and shall not have any delegated powers.

#### 13. MEMBERSHIP AND APPOINTMENT OF THE MEMBER PARTNERSHIP BOARD

- 13.1 The Member Partnership Board shall comprise each Partner Authority's Member who is a member for that Partner Authority with responsibility for waste functions (a "**Lead Member**").
- 13.2 Each Lead Member may appoint an alternate Member of his/her employing authority to act on his/her behalf provided that such alternative Member must have responsibility for

or suitable knowledge of the waste functions, and such alternate Member shall be treated for this purpose as if he/she were the Lead Member.

- 13.3 Each Partner Authority may at any time appoint another Member to be that Partner Authority's Lead Member, and any member of the Member Partnership Board shall automatically cease to be a member of the Member Partnership Board upon ceasing to be an member of his/her Partner Authority.
- 13.4 All appointments to membership of the Member Partnership Board shall be made by notification in writing from the Partner Authority to the other Lead Members via the Secretary to the Member Partnership Board.

#### **14. CHAIRMAN AND VICE-CHAIRMAN OF THE MEMBER PARTNERSHIP BOARD**

The Member Partnership Board shall make its own arrangements for the conduct of its meetings, including electing two Members of the Member Partnership Board, one to act as Chairman and one to act as Vice-Chairman at its meetings.

#### **15. SECRETARY TO THE MEMBER PARTNERSHIP BOARD**

- 15.1 The Member Partnership Board shall be supported by the secretary to the Member Partnership Board.
- 15.2 The secretary of the Member Partnership Board shall be an officer of one of the Partner Authorities appointed by the Member Partnership Board for this purpose. Essex County Council shall meet the reasonable costs of the secretary in administering the Member Partnership Board.
- 15.3 The functions of the secretary of the Member Partnership Board shall be:
  - 15.3.1 to maintain a record of membership of the Member Partnership Board;
  - 15.3.2 to arrange meetings of the Member Partnership Board in accordance with paragraph 6 below;
  - 15.3.3 to prepare and send out the agenda for meetings of the Member Partnership Board in consultation with the Chairman and the IAA Officer Working Group
  - 15.3.4 to keep a record of the proceedings of the Member Partnership Board;
  - 15.3.5 to take such administrative action as may be necessary to give effect to decisions of the Member Partnership Board; and
  - 15.3.6 such other functions as may be determined by the Member Partnership Board.

#### **16. CONVENING OF MEETINGS OF THE MEMBER PARTNERSHIP BOARD**

- 16.1 Meetings of the Member Partnership Board shall be held at such times, dates and places as may be notified to the members of the Member Partnership Board by the secretary to the Member Partnership Board, being such time, place and location as:
  - 16.1.1 the Member Partnership Board shall from time to time resolve;
  - 16.1.2 the secretary of the Member Partnership Board, in consultation where practicable with the Chairman and Lead Members, shall determine in response to receipt of a request in writing addressed to the secretary of the Member Partnership Board from

any member of the Member Partnership Board, which request sets out an urgent item of business within the functions of the Member Partnership Board.

- 16.2 Meetings of the Member Partnership Board shall be held in public.
- 16.3 The secretary of the Member Partnership Board shall settle the agenda for any meeting of the Member Partnership Board with the Chairman and shall incorporate in the agenda any items of business and any reports submitted by any of:
  - 16.3.1 the Lead Members;
  - 16.3.2 the IAA Officer Working Group;
  - 16.3.3 the IAA Member Working Group
  - 16.3.4 the Member Partnership Board;
  - 16.3.5 the chief executive of a Partner Authority;
  - 16.3.6 the chief finance officer to a Partner Authority; or
  - 16.3.7 the monitoring officer to a Partner Authority.

## **17. PROCEDURE FOR DECISIONS OF THE MEMBER PARTNERSHIP BOARD**

Any decision of the Member Partnership Board shall stand as a recommendation to the relevant Partner Authorities.

## **18. POWERS OF THE MEMBER PARTNERSHIP BOARD**

The Member Partnership Board shall be an advisory member board and shall not have any delegated powers.

## **19. ATTENDANCE AT MEETINGS OF THE MEMBER PARTNERSHIP BOARD**

- 19.1 Members of the Member Partnership Board shall be entitled to invite to any meeting of the Member Partnership Board any other elected member of the relevant Partner Authority and/or any of the officers specified in paragraph 9.2 below to attend such meeting to participate, unless the particular member or officer has a conflict of interest as a result of a personal interest in the matter under consideration.
- 19.2 The following are the officers who shall have a right of attendance in accordance with clause 9.1:
  - 19.2.1 the chief executive of any of the Partner Authorities;
  - 19.2.2 the chief finance officer of any of the Partner Authorities;
  - 19.2.3 the monitoring officer of any of the Partner Authorities;
  - 19.2.4 the officers of Partner Authorities with responsibility for waste functions; and
  - 19.2.5 the secretary to the Member Partnership Board.
- 9.3 Notwithstanding the foregoing, the Member Partnership Board shall be entitled to invite external stakeholders to any meeting of the Member Partnership Board.

## **20. ADMINISTRATIVE SUPPORT**

Essex County Council shall provide facilities and administrative support to enable the Member Partnership Board to operate in accordance with these Terms of Reference.

## Schedule 1

### (Definitions and Interpretation)

3. The provisions of this Schedule 1 shall apply and have effect in relation to the capitalised words and expressions used in these Terms of Reference:

<p><b>“Essex Waste Partnership”</b></p>	<p>the partnership consisting each of the Partner Authorities as set out below:</p> <ul style="list-style-type: none"> <li>• Basildon District Council;</li> <li>• Braintree District Council;</li> <li>• Brentwood Borough Council;</li> <li>• Castle Point Borough Council;</li> <li>• Chelmsford Borough Council;</li> <li>• Colchester Borough Council;</li> <li>• Epping Forest District Council;</li> <li>• Essex County Council;</li> <li>• Harlow District Council;</li> <li>• Maldon District Council;</li> <li>• Rochford District Council;</li> <li>• Southend-on-Sea Borough Council;</li> <li>• Tendring District Council; and</li> <li>• Uttlesford District Council.</li> </ul>
<p><b>“Inter Authority Agreements” or “IAAs”</b></p>	<p>the agreements between Essex County Council and each of the Partner Authorities save for Southend on Sea Borough Council;</p>
<p><b>“IAA Officer Working Group”</b></p>	<p>the group established pursuant to clause 5 and schedule 5 of the IAA’s;</p>
<p><b>“Joint Municipal Waste Management Strategies”</b></p>	<p>the Essex Waste Partnership’s Joint Municipal Waste Management Strategy and Southend on Sea Borough Council’s Municipal Waste Management Strategy;</p>
<p><b>“Joint Working Agreement”</b></p>	<p>the agreement between Essex County Council and Southend on Sea Borough Council setting out how those two authorities will work together;</p>
<p><b>“Lead Member”</b></p>	<p>has the meaning given to it in paragraph 3.1 above;</p>
<p><b>“Member Partnership Board”</b></p>	<p>the board established in accordance with these Terms of Reference;</p>
<p><b>“Partner Authority”</b></p>	<p>each of the Partner Authorities who are a party to the IAA’s together with Southend on Sea Borough Council and</p>

	<b>“Partner Authorities”</b> shall be construed accordingly;
--	--

4. In these Terms of Reference, unless where the context otherwise requires:
- a. the singular includes the plural and vice versa;
  - b. headings are for convenience of reference only; and
  - c. words preceding “include”, “includes”, “including” and “included” shall be construed without limitation by the words which follow those words.



## Schedule 2

### (Aims and Objectives)

- Each of the Members of the Member Partnership Board wish to establish a clear and accountable forum for them to work together to promote the economic, environmental and social well-being of their respective areas and in order that they are able to respond in a more effective and co-ordinated way in relation to the implementation of the Joint Municipal Waste Management Strategies.
- Each of the Members of the Member Partnership Board recognise in particular the need to address central government and European targets for recycling and recovery of waste and the promotion of sustainable development including the use of waste as a resource.
- Each of the Members of the Member Partnership Board, in recognition of the need for delivering value for money/best value, promoting financial efficiency and effectiveness, and securing continuous improvement in the provision of waste management services, wish to:
  - collaborate on the implementation of the Joint Municipal Waste Management Strategies;
  - monitor the effectiveness of the implementation and progress of the Joint Municipal Waste Management Strategies and the related action plan(s);
  - celebrate success within the Essex Waste Partnership;
  - consider performance across the Essex Waste Partnership and in the context of the Local Area Agreement (or any successor) including waste reduction, reused and recycling in accordance with the principles of the waste hierarchy;
  - act as 'champions' within their own Partner Authority in relation to the Joint Municipal Waste Management Strategies and the Essex Waste Partnership;
  - increase awareness of waste as a resource opportunity and to interact with a range of stakeholders to achieve an economically, environmentally and socially sustainable resource management programme;
  - provide support and advice to Partner Authorities in their endeavour to reach their statutory recycling targets;
  - consider the development and implementation of a strategic:
    - marketing plan (for the development of a materials marketing strategy);
    - waste minimisation and waste avoidance plan; and/or
    - education and awareness plan;
  - offer support to the IAA Officer Working Group, IAA Member Working Group and Partner Authority's engaged in any procurement for waste services,
  - receive reports on progress on the procurements referred to in paragraph 1.3.9;
  - work with statutory agencies, non-governmental organisations (NGOs) small and medium sized enterprises (SMEs), business, scientific and commercial organisations, ReMaDe Essex and other bodies who are in pursuit of developing, supporting and influencing the future direction of sustainable waste/resource management, where necessary;

- collectively lobby central or regional government on issues within the waste and environment sector;
- issue joint consultation responses where appropriate;
- review best practice systems and procedures and to advise the Partner Authorities accordingly;
- keep an overview of the East of England Regional Waste Management Strategy and to engage in the development of opportunities and discussions with neighbouring authorities;
- work together in a spirit of mutual trust, support and respect, and to ensure that when difficulties or differences of opinion arise they are addressed quickly, honestly and openly;
- share in a fair and equitable manner the costs and work included in achieving these Aims and Objectives;
- endeavour to fully engage all stakeholders, where appropriate, and to maximise the contributions which each Partner Authority may be able to make; and
- provide a forum and mechanisms for ensuring that there is a coherent programme and organisational structure for joint working.
- Each of the Partner Authorities have agreed to establish and maintain the Member Partnership Board with the membership, powers, duties and responsibilities set out in these Terms of Reference.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
POLICY REVIEW AND DEVELOPMENT PANEL  
HELD ON 1 SEPTEMBER 2010**

**Councillor Margaret Fisher (in respect of her membership of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).**

**7. Introduction of 20mph Speed Limits**

The Panel considered a report by the Head of Strategic Policy and Regeneration giving details of the recommendations of the Task and Finish Group formed to look into the introduction of 20 mph speed limits in the Borough, together with an outline of the current views of Essex County Council, the Highway Authority, on the matter of reducing speed limits in residential areas.

Paul Wilkinson, Transportation Policy Manager, explained that discussions had recently taken place with officers from Essex County Council on a number of matters including the issue of 20mph limits. Although there was the potential to introduce 20mph limits it did not appear to be an Essex County Council priority, especially on an area wide basis. If communities were keen to see 20mph introduced then their requests would have to be considered through the "localism" agenda. The interpretation of Essex County Council's strategy was that unless the average speeds were low already (around 20mph) then signed only limits, as implemented in Portsmouth, Oxford and other towns and cities, would not be introduced unless supporting physical speed reduction measures were deliverable and affordable.

Nationally the new Government was to release a paper for consultation on transport in urban areas and from recent Ministerial statements it appeared that part of this would encourage greater use of 20mph limits for safety and the promotion of walking and cycling. The outcome of this paper would need to be considered in the context of the localism agenda.

Essex County Council had recently further advised that in advance of the national Comprehensive Spending Review and Local Transport Plan process announcements, the County Council's Road Safety and Network Management teams had been asked to undertake initial investigations into delivery of 20mph limits with further information and discussion to follow.

In the circumstances, it was proposed that the Task and Finish Group should retain a role in developing the strategy for Colchester. However this work could not start until further lobbying of Essex County Council had been undertaken. An outline engagement and consultation plan had been developed by the Group but it was not intended to proceed with delivering this as it would raise public expectations prior to Essex County Council giving clear indication of support for the delivery of 20mph limits.

Councillor Willetts attended and, with the consent of the Chairman addressed the Panel speaking in enthusiastic support of the introduction of 20 mph limits in Colchester. He believed that the residents of Colchester wanted to see this policy implemented and he felt the Council should take the lead in delivering the initiative and ensuring the local police were supportive.

Councillor Spyvee attended and, with the consent of the Chairman addressed the Panel

speaking in support of the introduction of 20 mph limits in Colchester on the basis of greater road safety and the evidence that speed reductions would be achievable without the injection of large amounts of investment. He believed the Portfolio Holder should be requested to proceed with the initiative in as robust a fashion as was possible.

The Panel gave particular consideration to the following issues:-

- The overwhelming view that all efforts should be made to ensure the delivery of 20 mph limits in Colchester as soon as possible;
- The evidence gathered by the Task and Finish Group clearly confirmed the merits of the introduction of reduced limits in residential areas and that the delivery need not be an expensive option but was highly achievable using the will and consensus of local people;
- The need to take the opportunities to use the influence of local County Councillors to put pressure on the relevant officers at County Hall;
- The need for officers to continue to use the evidence gathered by the Task and Finish Group to seek changes in the current view of Essex County Council.

*RESOLVED* that the Portfolio Holder for Street and Waste Services be requested to report the following recommendations to the Cabinet -

(i) The work to engage with Essex County Council be continued using both political channels and consultation processes to try and influence their position;

(ii) The 20 mph Task and Finish Group and any further work on a structured engagement process be suspended for the time being pending an announcement from Essex County Council giving clear support for the delivery of 20mph limits;

(iii) The members of the 20 mph Task and Finish Group be thanked for their efforts and contributions to the very comprehensive work of the Group.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
POLICY REVIEW AND DEVELOPMENT PANEL  
HELD ON 1 SEPTEMBER 2010**

**8. Recommendations from the Night-time Economy Task and Finish Group**

The Panel considered a report by the Head of Environmental and Protective Services giving details of the recommendations of the Night Time Economy Task and Finish Group formed to focus on the issues arising from the Night Time Economy by investigating the main causes of the current situation, to seek best practice elsewhere and to develop a broad range of proposals to address these causes.

Beverley Jones, Head of Environmental and Protective Services, and Councillor Barlow, Portfolio Holder for Economic Development, Culture and Tourism explained that it had generally been agreed that one of the main drivers to creating a Town Centre that felt safe and welcoming to all in the evening was around changing the 'monoculture' that existed after about 5.30pm when the retail outlets of the town close and the bars, restaurants and clubs open. By increasing the diversity of the 'offer' in town, it would be possible to increase the diversity of the people using and accessing the town.

From this three key themes developed for the work of the Group:

- To investigate the commercial appetite for increasing the diversity of what was on offer in the town centre;
- To investigate the responsibilities held across Colchester Borough Council and other partner organisations such as the Police in relation to enforcement and influence;
- To recognise that this was not an issue which was experienced by Colchester alone and there may be much that could be learnt from best practice.

In order to understand the views of the businesses and the complex interaction between the very different approaches a workshop was arranged to consult as widely as possible with all the stakeholders of the Town Centre. In addition, it was intended undertake some Peer Research utilising the knowledge, skills and relationships that Borough Councillors hold in the geographic areas they represent.

It was further proposed that the integral best practice element of the project should be commissioned from the University of Essex. A brief was produced and agreed but in the current financial climate the cost of the research (in the region of £10k) was considered too great. Instead, a literature review of all research available had been undertaken and the results, Best Practice – Guidance, Research and Advice and Best Practice – In Practice were appended to the report. The best practice outlines recommendations to be taken forward for Colchester and also attempted to reflect the considerable amount of work that was being undertaken in respect of the town centre as part of the Better Town Centre work programme.

Councillor Lissimore attended and, with the consent of the Chairman addressed the Panel requesting that the members consider the benefits of linking the Night Time Economy outcomes with the potential pedestrianisation of the town centre. She was of the view that the better pub and club managers should be asked to assist to improve the town centre generally and that a Liaison Group comprising the local police, magistrates and young people be set up to investigate ways to improve bad night time behaviour.

Councillor Spyvee attended and, with the consent of the Chairman, addressed the Panel congratulating the Task and Finish Group on the volume of work they had completed, hoping that this could be built upon and the Group's recommendations could be implemented. He agreed that the town centre at night had seen significant improvements over a number of years. There was a high proportion of residents who lived in the town centre and he highlighted the benefits of the Purple Flag scheme, awarded to town centres which had achieved a certain level of success.

Councillor Cook attended and, with the consent of the Chairman, addressed the Panel explaining that the Government had announced the introduction of proposals to potentially give residents greater opportunities to comment on Licensing applications.

Lindsay Barker, Head of Strategic Policy and Regeneration attended the meeting and assisted members in their discussions. She confirmed that she was very keen to continue the work of the Better Town Centre Steering Group which provided an opportunity to coordinate initiatives collectively across the whole organisation and that she was keen to take forward a number of initiatives, including the Purple Flag award.

The Panel gave particular consideration to the following issues:-

- The significant impact made by the introduction of the SOS bus service;
- The very significant improvement in the atmosphere in the town centre at night compared to a number of years ago;
- The need to give time for new initiatives such as the later opening of some town centre shops on weekday evenings to deliver any lasting changes or influences

*RESOLVED* that, in his capacity as Chairman of the Task and Finish Group, the Portfolio Holder for Economic Development, Culture and Tourism be requested to report the following recommendations to the Cabinet for consideration -

- (i) Consideration be given, so far as is possible to the implementation of the recommendations of the Night Time Economy Task and Finish Group and arrangements be made for progress on them to be reviewed by this Panel in 12 months time;
- (ii) The members of the Night Time Economy Task and Finish Group be thanked for their efforts and contributions to the very comprehensive work of the Group and the Group be now curtailed.

## Summary of Recommendations from Night Time Economy Task and Finish Group

<b>1.0 Recommendations based on Wellbeing Theme</b>
1.1 Consider the introduction of an early warning scheme for customers who have already consumed enough alcohol. This will need strong partnership working with both venues and Colchester Police.
1.2 Consider additional staff (Street Wardens with PCSO's) in the town centre at night *
1.3 To investigate an extension of the street cleaning programme which should be carried out <i>while</i> people are in the town not just after the town has closed. *
1.4 Continue principle of CBC Night Time Pledge – try to ensure that all “night” operators/venues are signed up
1.5 Continue support for SOS bus and Street Pastor Scheme – investigate ways to use Total Place to provide additional funding to reintroduce First Aid provision to save A&E visits and Police time.
1.6 Build on success of “Tour Series” & “Colchester 2020” events in the High Street
1.7 To take a more proactive stance in relation to street cleanliness by extending the use of street litter control notices *
<b>2.0 Recommendations based on Enforcement Activities</b>
2.1 Investigate how Licensing can work with the Police to address the issue of the smoking ban and influence/ensure that the smoking areas are not on the street. Learn from best practice in other towns.
2.2 Work with enforcement agencies that are present in the town centre to see how legislation can be appropriately targeted to create more child-friendly areas or times *

2.3	Better, more co-ordinated use of regulation and enforcement – Licensing for premises & taxi, Street Care Officers/Wardens for litter, fly posting & distribution of leaflets, continue partnership with Police *
2.4	Consider issuing further Street Litter Control Notices in line with the priorities of the Street Care Strategy to ensure that businesses take responsibility for the area around their establishment. *
2.5	Investigate how the Licensing Act can be used to complement the introduction of Street Litter Control Notices to ensure that the most effective and appropriate action can be taken to ensure establishments take responsibility for the effects of their activities. *

<b>3.0</b>	<b>Recommendation based on Movement Theme</b>
3.1	Explore possibilities of expanding taxi marshalling scheme to other areas in town (Queen Street & Head Street) and expanding the services offered to provide allocation and opportunity for customers to share taxi's to reduce cost
3.2	Investigate the potential to pedestrianise or make the High Street “car-free”. There are possibilities around “shared spaces” which changes the way the High Street is used and feels, whilst keeping the evening traffic element which maintains a flow through and is important for safety
3.3	Work with ECC Highways Department to investigate the flow of traffic around the town centre

<b>4.0</b>	<b>Recommendations based on Place Theme</b>
4.1	Within the financial constraints of the town centre work - ensure that the lighting element of the public realm strategy is a key consideration during implementation.
4.2	Continue work on the Public Realm Strategy in order to design a space that people feel comfortable, safe and attracted to.



<b>5.0 Recommendations based on Appeal Theme</b>
5.1 Need to secure 4 -5 anchor events/activities as catalyst to start of culture change and stimulus for other venues to follow.
5.2 Build on success of “Tour Series” & “Colchester 2020” events in the High Street along with “GiFT Festivals” and “Colchester Carnival” to encourage other open-air activities such as ice-rink, concerns, fashion show etc
5.3 Build on success of “Tour Series” and “Colchester 2020” events by working with partners to encourage “Family Nights” in the town centre – possibly integrated with late night shopping evenings.
5.4 Build on success of “Tour Series” & “Colchester 2020” events in the High Street along with “GiFT Festivals” and “Colchester Carnival” as a signal for a change in culture
5.5 Continue to build on the historic shops and lanes to make more of Colchester’s smaller specialist shopping streets
5.6 Continue to work with ECC in relation to obtaining responsibility for street licences in order to develop a street licence scheme which provides the ability to develop a café culture across the town centre but with the necessary controls and annual renewal capability.
5.7 Take opportunity to build on the current collaborative approach within the Arts Venues of Firstsite, Arts Centre & Mercury Theatre and the Colchester and Ipswich Museum Service to see what opportunity there is to open later into the night and collaborate on programming and joint offers with other restaurant/dining establishments
5.8 Explore opportunities to see if the town centre library would consider later opening, perhaps to coincide with other events (Family Night) or late night shopping evenings
5.9 Review the provision of the Market in the town centre with a view to introducing regular, themed evening markets ( i.e. every first Thursday evening of the month with theme published and marketed well in advance) Variations such as; Antiques, French, Farmers Market, Car-boot Market, Free-swap or Plant-swap were suggested.

<p>5.10 Adult Evening Courses – Investigate possibility of bringing 3 or 4 course providers together with venues in order to secure 3 or 4 suitable courses provided in alternative Town Centre locations. . This principle could also be extended to children’s courses as they are already delivered in the Minorities and could be provided in alternative venues. CBC has a role to facilitate sourcing suitable venues (which don’t need to be cafés) and use Mosaic to assist social targeting.</p>
<p>5.11 Investigate Museum outreach possibilities in relation to providing workshops in alternative venues to the Museum buildings. CBC should lead by example with Museum events and blue badge talks in alternative venues in town rather than walks etc.</p>
<p><b>6.0 Recommendations based on Health Initiatives</b></p>
<p>6.1 Consider how to integrate “alcohol awareness” into health initiative programmes already being carried out (i.e. smoking intervention programmes)</p>
<p><b>7.0 Recommendations based on Insight</b></p>
<p>7.1 Consider how to achieve ongoing dialogue with consumers and potential consumers to provide insight into what diversity of offer is required for Colchester. What are their aspirations for the town and their perceived barriers to using it currently</p>
<p>7.2 Undertake Peer Research to obtain wide-ranging and representative feedback from our residents</p>
<p>7.3 Consider asking for interest in contributing to a focus group for the town centre</p>
<p>7.4 Close ongoing dialogue with town centre business representatives ensuring that the night-time/evening operators are represented. Consider the timing of meetings so as not to exclude these business representatives</p>
<p>7.5 Consider undertaking an opportunity audit of public venues to define their roles within the town-centre strategies</p>
<p>7.6 Consider undertaking a Diversity audit with two key themes focussing on performance and aspiration for the future: “The Destination” covering venues, accessibility, place and customer care and;</p>

“Consumer Choice & appeal” covering existing and potential customers who are described as ‘Consumers Now’ and ‘Consumers Tomorrow’	
7.7	Commission study to understand footfall in the Town Centre in order to inform both Public Realm outcomes, event/initiative locations, parking strategy & offer combinations of parking + event in order to influence footfall through the Town Centre.
7.8	To continue the workshop concept on a regular basis including all stakeholders for the Town Centre.
7.9	CBC has a role to play in helping the entrepreneurial spirit. There should be a case study on either the Philosophy Café or Pizza Express which could be used as shared learning with other businesses.
<b>8.0 Recommendations based on Strategy</b>	
8.1	Need to ensure that other strategies are integrated with this piece of work (i.e. Street Care Strategy and Licensing Strategy)
8.2	Licensing Policy & Planning Policy to work together to look at zoning and shaping areas of the town.
<b>9.0 Recommendation based on Partnerships</b>	
9.1	Continue and develop the joint approach to managing venues within the Town Centre *

***\* The Street Services Fundamental Services Review is also considering how work can be better co-ordinated and organised in all areas of the Borough and the town centre will be a focus of this initiative***

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

(i) Have Your Say speakers

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 8 September 2010	Dan Caffin	The Core Strategy and Development in north Colchester	Written response sent by the Leader of the Council and Portfolio Holder for Strategy and Performance on 22 September 2010	22 September 2010
Cabinet, 8 September 2010	Pete Hewitt	The Core Strategy and Development in north Colchester	Written response sent by the Leader of the Council and Portfolio Holder for Strategy and Performance on 22 September 2010	22 September 2010
Cabinet, 8 September 2010	Councillor Jean Dickinson	The Core Strategy and Development in north Colchester	Written response sent by the Leader of the Council and Portfolio Holder for Strategy and Performance on 22 September 2010	22 September 2010

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 8 September 2010	David Clouston	The Core Strategy and Development in north Colchester	Written response sent by the Leader of the Council and Portfolio Holder for Strategy and Performance on 22 September 2010	22 September 2010
Cabinet, 8 September 2010	Catherine Clouston	The Core Strategy and Development in north Colchester	Written response sent by the Leader of the Council and Portfolio Holder for Strategy and Performance on 22 September 2010	22 September 2010
Cabinet, 8 September 2010	Parish Councillor Gili-Ross, on behalf of Colchester Association of Local Councils	Creation of a Task and Finish Group to undertake an impact assessment of development in north Colchester	Written response sent by the Leader of the Council and Portfolio Holder for Strategy and Performance on September 2010	29 September 2010

**(ii) Petitions**

<b>Date petition received</b>	<b>Lead petitioner</b>	<b>Subject Matter</b>	<b>Form of Response</b>	<b>Date Completed</b>
1 October 2010	Marlon Sherman	Removal of wind chimes and items near graves at Colchester Cemetery	Response will be reported to future meeting	-

