

CABINET

5 MARCH 2014

Present :- Councillor Anne Turrell (the Leader of the Council)
(Chairman)
Councillors Nick Barlow, Tina Bourne, Annie Feltham,
Martin Hunt (Deputy Leader) , Beverley Oxford,
Paul Smith and Tim Young

Also in Attendance :- Councillor Mary Blandon
Councillor Nigel Chapman
Councillor Theresa Higgins
Councillor Mike Hogg
Councillor Brian Jarvis
Councillor Sue Lissimore
Councillor Gerard Oxford
Councillor Will Quince

85. Minutes

The minutes of the meeting held on 29 January 2014 were confirmed as a correct record.

86. Colchester's Homelessness Strategy 2013-2018

Councillor T. Young (in respect of his position as Chair of Colne Housing) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Commercial Services submitted a report a copy of which had been circulated to each Member together with minute 49 of the meeting of the Scrutiny Panel on 11 February 2014.

Cabinet received a presentation on the Homelessness Strategy from Karen Paton, Housing Strategy Officer.

Councillor Bourne, Portfolio Holder for Housing, explained that the Council had a statutory duty to carry out a review of homelessness and produce and publish a Homelessness Strategy based on that review. The Council took this duty very seriously. It worked in partnership with local voluntary organisations on homelessness issues and needed their help to deliver the Strategy. The importance of the Strategy was shown by the fact it helped deliver six Strategic Plan priorities.

Councillor Turrell, Portfolio Holder for Strategy, Councillor Smith, Portfolio Holder for Business and Resources and Councillor T. Young, Portfolio Holder for Planning, Community Safety and Culture, expressed their support for the Strategy. It was a good example of collaborative work that would protect some of the most vulnerable people in the borough. In addition, the Council's work in bringing forward affordable housing and

increasing the charge on empty properties would help address homelessness. The work of the voluntary and charitable sectors within the borough, such as Shelter and Beacon House, was also highlighted.

RESOLVED that the new Homelessness Strategy for Colchester for 2014 to 2019 be approved.

RECOMMENDED TO COUNCIL that the Homelessness Strategy for Colchester for 2014 to 2019 be adopted as part of the Council's Policy Framework.

REASONS

The Council has a statutory responsibility to produce and publish a Homelessness Strategy based on a homelessness review every five years.

The new Homelessness Strategy for Colchester takes account of national guidance and local priorities arising from the homelessness review and consultation responses received. A corporate commitment to preventing homelessness is fundamental to achieving the main objectives of the Homelessness Strategy.

ALTERNATIVE OPTIONS

To not adopt the Homelessness Strategy. However it is a legal requirement to have a Homelessness Strategy and no alternatives exist to a review of homelessness and the development of a new strategy and delivery plan.

87. St. Botolph's Quarter – Approval of Draft Heads Of Terms for St. Botolph's Quarter site, comprising former remainder of Bus Station site, St. James House, Bus Depot and ticket office

The Head of Commercial Services submitted a report a copy of which had been circulated to each Member.

Councillor Jarvis attended and with the consent of the Chairman addressed the Cabinet. He was pleased to note the proposals for St Botolph's had reached this stage as the area had been in need of redevelopment for a long time. It would improve the attractiveness and the local economy. He asked if the administration was confident that the developers would see the project through and if there was a risk that they would sell the rights to the development to another developer, rather than undertaking it themselves. He also asked if the developer still had the same vision for a cultural basis to the redevelopment.

Councillor Barlow, Portfolio Holder for Regeneration, indicated that he would respond to these queries under Part B of the agenda. He explained tht the proposal was for a mixed use development that would include a hotel, restaurants and housing, including affordable housing. It would complement the Curzon development on the adjacent site. The scheme showed that that there was a willingness to invest in Colchester. He

thanked the Regeneration Team and the previous Portfolio Holder, Councillor Barton, for their work in bringing forward the scheme.

RESOLVED that:-

- (a) The long leasehold, or freehold as appropriate, disposal of the remaining St Botolph's Quarter land, identified by the area marked red on the plan attached to the Head of Commercial Services report, to Building Partnerships following a marketing exercise at the end of 2013, be agreed.
- (b) The draft Heads of Terms for long leasehold, or freehold as appropriate, sale including the financial offer proposed be agreed (as set out in the appendix including heads of terms in Part B of the agenda).
- (c) Authority be delegated to the Strategic Director in consultation with the Portfolio Holder for Regeneration to conclude the Heads of Terms and legal agreements substantially in accordance with the approved draft.

REASONS

To complete the redevelopment of St. Botolph's Quarter site, comprising former Bus Station site, St. James House, Bus Depot and ticket office, replacing with a new Hotel, a mix of restaurant uses and townhouses and apartments.

The proposed development will complement the new Curzon Cinema development planned at Roman House and the firstsite gallery.

To bring forward another stage of regeneration of the St Botolph's Quarter which will create 100 new jobs in the area.

To provide a capital receipt to the Council and a significant increase in Business Rates.

The formal approval of the Heads of Terms signifies a really positive step in bringing forward the regeneration of the wider area following a period of time that has seen an adverse economic climate.

ALTERNATIVE OPTIONS

The Council could conclude that the financial terms or regeneration objectives offered are not satisfactory and seek to remarket the site but the marketing exercise has demonstrated market value is being obtained and the proposals meet the Council's vision for the site

88. Depot and Offices, 123, Gosbecks Road, Colchester – Supermarket Proposal

The Head of Commercial Services submitted a report a copy of which had been circulated to each Member.

Councillor Smith, Portfolio Holder for Business and Resources, highlighted that this was a valuable deal that would bring jobs and investment to Colchester. It would provide jobs in the sector that the recent Economic Survey had shown there was the most demand for employment in the borough. Councillor T, Young, Portfolio Holder for Planning, Community Safety and Culture, expressed his support for the scheme. Whilst some residents had expressed unease about the number of supermarkets opening in the borough, he believed that there was sufficient demand and that a Lidl supermarket would increase the range of supermarkets available for residents.

RESOLVED that:-

- (a) The revised Heads of Terms including the sale price for a freehold disposal of land to the rear of 123 Gosbecks Road be approved (the draft terms are set out in part B of the report)
- (b) The sale of the land to Lidl supermarkets, as the successful bidder, following an extensive marketing process carried out by the Council's development partner, Scott Properties under the previous agreement for lease, be approved.
- (c) The Head of Commercial Services in consultation with the Portfolio Holder for Business and Resources be authorised to conclude the legal transaction substantially in accordance with the approved draft terms.

REASONS

Following a formal marketing process (agreed at Cabinet in 2012) to secure a foodstore operator for the site, it has become evident that there has been no interest from retailers in acquiring a long leasehold interest in the site. Therefore Cabinet is asked to agree a disposal of the site on a freehold basis for a one off capital receipt rather than an annual income.

ALTERNATIVE OPTIONS

A number of alternative options were considered prior to bringing a report back to Cabinet, as set out below:-

- Retain the land and continue to lease to CBH for operational purposes. Whilst this option would continue to provide a rental income to the Council, the income is not secure as operational requirements could change. The capital value of retaining the land for this purpose is not as high as the recommended sale option.
- Retain the land and seek alternative development uses. The majority of the site is located within an Employment Zone, so planning policy does not support the option of housing development in this location. A small office development would not create the same level of value at the proposed retail use.
- Review the retention or disposal of the site in the future – The opportunity to capitalise on the retail planning consent of the neighbouring property in order to gain the foodstore planning consent (which is also owned by Scott Properties)

may not exist in future years. The owner of the adjacent property may decide to proceed with a smaller scheme without the Council's land which will remove the potential to create extra value in the future.

89. Restoration of the Moot Hall Organ, Colchester Town Hall

The Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Chapman attended and, with the consent of the Chairman addressed the Cabinet to support the recommendations in the Assistant Chief Executive's report and to thank the Cabinet for its support. The restoration of the Moot Hall Organ would improve the cultural offer within the borough. He stressed that there would be no direct costs to the taxpayer from the project. Whilst the majority of the funding was coming from the Heritage Lottery Fund, funding was also being provided by two local trusts. There would be considerable community involvement and educational opportunities as the progressed.

Councillor Hogg attended and with the consent of the Chairman addressed the Cabinet to stress that whilst the work to bring forward the restoration of the Moot Hall Organ had been a team effort, the role of Councillor Chapman and his wife, Mary, had been crucial and he paid tribute to the work that they had put in to the restoration of the organ since 2001. There had also been considerable support from other former Mayors and the local community.

Councillor Smith, Portfolio Holder for Business and Resources, stressed that this was a good example of what Councillors could achieve. A cross party group of Councillors had worked diligently to bring the project forward without cost to the taxpayer. He also paid tribute to the work of the late Alderman Frank Wilkin. Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, Councillor Hunt, Portfolio Holder for Street and Waste Services and Councillor T. Young, Portfolio Holder for Planning, Community Safety and Culture also expressed their support and thanked Councillor Chapman for his work on the project.

RESOLVED that:-

- (a) The Council proceed with works to restore the Moot Hall Organ within Colchester Town Hall.
- (b) The Council enter into a contract with the successful contractor to undertake the aforementioned works.

REASONS

The Council supported by the Friends of the Moot Hall Organ was successful in its second round bid to secure grant funding from the Heritage Lottery Fund (HLF) for a project to restore the Moot Hall Organ within Colchester Town Hall.

The works are necessary to restore the Moot Hall Organ back to full working order. The Organ has not worked properly and therefore has not been played for more than ten years.

ALTERNATIVE OPTIONS

Decide not to undertake the restoration works therefore forfeiting the HLF Grant funding.

90. Progress of Responses to the Public

The Assistant Chief Executive submitted a progress sheet a copy of which had been circulated to each Member.

RESOLVED that the contents of the Progress Sheet be noted.

REASONS

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

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.

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

91. St. Botolph's Quarter – Approval of Draft Heads Of Terms for St. Botolph's Quarter site, comprising former remainder of Bus Station site, St. James House, Bus Depot and ticket office

The Head of Commercial Services submitted appendices to the report referred to in minute 87 a copy of which had been circulated to each Member.

RESOLVED that the appendices be noted.

REASONS

As set out in minute 87.

ALTERNATIVE OPTIONS

As set out in minute 87.

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

92. Depot and Offices, 123, Gosbecks Road, Colchester – Supermarket Proposal

The Head of Commercial Services submitted an appendix to the report referred to in minute 88 a copy of which had been circulated to each Member.

RESOLVED that the appendices be noted.

REASONS

As set out in minute 88.

ALTERNATIVE OPTIONS

As set out in minute 88.

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

93. Restoration of the Moot Hall Organ, Colchester Town Hall

The Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

RESOLVED that the Council enter into a contract with the supplier named in the Assistant Chief Executive's report to undertake the works to restore the Moot Hall Organ within Colchester Town Hall.

REASONS

As set out in minute 89 and in paragraphs 4.1 to 4.6 of the Assistant Chief Executive's report.

ALTERNATIVE OPTIONS

As set out in minute 89.