

AGENDA ITEM NO. 4

Minutes of a meeting of the Asset Development Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday 23rd March 2016 at 4:03pm

PRESENT

Councillor Bill Hunt (Chairman)
Councillor Steve Cheetham
Councillor Lorna Dupré
Councillor Lis Every (as a Substitute)
Councillor Coralie Green
Councillor Mathew Shuter
Councillor Lisa Stubbs

OTHERS

Maggie Camp – Legal Services Manager
Spencer Clark – Open Spaces & Facilities Manager
Emma Grima – Director, Commercial & Corporate Services
John Hill – Chief Executive
Phil Rose – Strategic Land Advisor
Adrian Scaites-Stokes – Democratic Services Officer
1 member of the press

54. PUBLIC QUESTION TIME

There were no public questions.

55. APOLOGIES AND SUBSTITUTIONS

No apologies were received. Councillor Lis Every substituted for Councillor David Chaplin.

56. DECLARATIONS OF INTEREST

Councillor Bill Hunt conceded that he might have a potential conflict with regards to agenda item number 5A, therefore he would leave the meeting and hand over to the Vice Chairman for that item.

57. MINUTES

It was resolved:

That the minutes of the Asset Development Committee meeting held on 1st February 2016 be confirmed as a correct record and be signed by the Chairman.

58. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- Councillor Lis Every had notified the Chairman that she wished to address the Committee with regards to agenda item 6.
- Within the next week Meadow Close and Manor Court Road in Witchford would be re-tarmaced on the 30th/31st March, weather permitting. The Chairman was delighted on behalf of the residents.
- The Council had received £650K for the sale of Barton Close, Witchford which was significantly more than a previous offer of £375K.
- The plans for Angel Drove car park were progressing well.
- An urgent item would be considered by the Committee in reference to the toilets at Barton Road, Ely and Carter Street, Fordham.

*Councillor Bill Hunt left the meeting at this point, 4:07pm.
Councillor Mathew Shuter assumed the Chair for the next item.*

59. **RECOMMENDATIONS FROM COMMERCIAL SERVICES COMMITTEE – REVIEW OF PUBLIC CONVENIENCES**

The Committee considered an urgent item, reference Q232, previously circulated, that related to recommendations from the Commercial Services Committee. The issue was urgent due to the potential imminent closure of both toilets.

The Director, Commercial & Corporate Services, reminded the Committee that it had reviewed public conveniences and had made some recommendations to the Commercial Services Committee. These included recommending the closure of the facilities in Carter Street, Fordham and Barton Road, Ely. With regard to the latter, consequently negotiations had taken place with the City of Ely Council who had agreed to contribute £8,000 to enable the Barton Road conveniences to remain open during 2016/17. Fordham Parish Council had stated that it would like to take over the Carter Street toilets. The Commercial Services Committee had agreed with these suggestions and had made urgent recommendations, as detailed in paragraph 2.1 to the report.

The Committee considered the first recommendation, relating to Carter Street, Fordham. The Chief Executive informed that Committee that this Council owned the site containing the conveniences but did not own access to it. Therefore, he suggested the Committee could include within the reversion clause a right of access to the facility should it cease to be of value as a public convenience. The Committee approved this suggestion and agreed the recommendation, as amended.

With regard to Barton Road, Ely, Councillor Lorna Dupré wanted to know more details about the recommended ‘annual review’, as there were no details on how it would be done, who would do it and what criteria would be used. The Committee needed to know the process and scope of that review. The details of this review would be needed in sufficient time to consider them, so the

procedures could be agreed. A proposal was therefore made that the scope and terms of reference be submitted to the Asset Development Committee for approval before the end of the calendar year 2016. This was duly seconded and, when put to the vote, declared carried.

The Chief Executive explained that there would be no limitations in the review and that it would not constrain the options available to the Council. Part of it would be concerned with whether the Council should continue to contribute to maintaining the use of the facility. It would also look at the wider implications of customer usage and the impact of the other closures. It would also look at usage levels once coach parking had re-located.

It was resolved:

- (i) That the freehold of the public conveniences at Carter Street, Fordham be transferred (at the value of £5.00) to Fordham Parish Council (subject to a reversion clause, which is to include a right of access to the facility, in the event of the asset ceasing to be utilised as a public convenience) and the one-off payment of £9,555;
- (ii) That the public conveniences at Barton Road, Ely be retained for 2016/17 subject to a contribution of £8,000 from City of Ely Council and an annual review, the scope and terms of reference of which to be submitted to the Asset Development Committee for approval before the end of the calendar year 2016.

Councillor Bill Hunt returned to the meeting and resumed the Chair.

60. **ASSET DEVELOPMENT – DEVELOPMENT MANAGEMENT PROCESS**

The Committee considered a report, reference Q228, previously circulated, to review the decision making process relating to site allocation and management of future development opportunities.

The Strategic Land Adviser advised the Committee that the decision making process had been reviewed to aid identification of suitable sites for progressing to the planning submission stage. Back in February the Committee had instructed that the potential community impact be assessed to provide more information for that process. This had subsequently led to a wider review of the whole process. To ensure decisions took account of relevant costs, Members would be fully briefed.

The Site Assessment Form, at Appendix A, included consideration of the Committee's request but had also added in technical and planning issues. So when this framework was followed it would flag up community elements and possible economic benefits. This format needed considering in the context of the flowchart shown at Appendix 2. This showed that, firstly, a site would be identified with its options. This would be submitted for pre-planning application advice, if found suitable. The planners would conduct their own review of the site and, if acceptable, the site would be brought to this Committee to consider whether to proceed with the application or to take no further action.

Councillor Coralie Green welcomed this document as it was helpful in providing useful information. However, the social impact of any development was very important but the document rated it as a 'minor' consideration. This should be changed as this was a crucial element in the process. Consulting Ward Members had not been included, but it should be. This would also have to include cross-border Members as part of the formal process.

Councillor Bill Hunt thought that Councillor's Green views had merit and also wanted neighbouring Ward Members involved in the consultation. Councillor Mathew Shuter contended that County Councillors ought to be involved as well. Any consultation with Members had to be timely, so they had time to consider the options and make a response. The Chief Executive cautioned the Committee, as some related matters could be of a sensitive nature.

Councillor Lorna Dupré agreed with involving relevant Members and therefore proposed that Ward and other appropriate Members be included in the consultation during the process.

Councillor Lisa Stubbs queried how any weighting in the plan would work. In response the Committee was informed that no thought had been given to specifically weighting any consideration within the process, bar the designation of major and minor issues. It would be up to the Committee to decide on a site's relative merits.

Councillor Lis Every spoke on behalf of the Ely East Ward, Councillor Richard Hobbs and herself. With regard the open space in The Vineyards identified for development, careful consideration of the objections received reflected the views of the community. That area was used by local elderly people and was highly regarded. The new procedures presented to the Committee were a clear improvement, as it would take the community view into consideration. If this process had been used with regard to the Vineyards site then the decision taken may well have been different.

The Chairman thought that serious notice ought to be taken of Ward Members' views. With that in mind, he adjourned the meeting at 4:35pm to take advice from the Chief Executive.

The meeting reconvened at 4:40pm.

The Chief Executive then revised the recommendations in the report to account for the views expressed in the meeting. This included re-designating social impact part as a major constraint, inclusion of Councillor Dupré's proposal to consult Members and the removal of The Vineyards site from the Asset Development Programme.

Councillor Mathew Shuter was slightly confused, as the Committee had previously voted to approve proceeding with The Vineyards site to the planning application stage and to provide a seating arrangement for pedestrians. The Chief Executive acknowledged that the new recommendation reversed that view in the light of the newly proposed procedures. The Committee may not

have re-considered its position had it not been for Councillor Every bringing the matter up, due to the continuation of local objections.

Councillor Bill Hunt deemed it important to listen to local Members and residents. It was apparent that the balance had swung against developing the site. People were entitled to change their view.

The Committee then considered the revised recommendations and these were approved.

It was resolved:

- (i) That the format of the Site Assessment Form be approved subject to criteria 3.4 (relating to social impact) being re-designated as a major constraint and included in section 2 of the Form;
- (ii) That the proposed Development Management Process be approved subject to the inclusion of consultation with Ward and other appropriate Members;
- (iii) That removal of the site at the Vineyards, Ely from the Asset Development Programme be approved and the related planning application be withdrawn.

61. **ASSET MAINTENANCE PROGRAMME 2015/16**

The Committee considered a report, reference Q229, previously circulated, that updated Members on the Asset Management Planned Maintenance Programme for 2015/16 including spend to date.

The Open Spaces and Facilities Manager updated the Committee on a number of tasks that had been completed including the replacement of distribution boards and fire doors, the completion of car park lining and the refurbishment of lighting in the attic at The Grange. Ongoing works included work at Ely riverside, re-surfacing repairs and replacement of Velux rooflights over Easter.

Councillor Lisa Stubbs queried the financial figures in the report, as they appeared incorrect and some were missing. The Committee needed to look at what was actually spent against the additional works, and there were some discrepancies in the report so it was difficult to correlate the figures. Was there any idea of the cost of next year's programme and who would be working on the figures? The revenue programme covered operational properties with the non-operational ones holding tenants, but with what type of leases? It was noted that there was no planned expenditure for 6 and 8 St Thomas's Place, Ely. There ought to be a five-year plan for maintenance, so this should be built in.

The Open Spaces and Facilities Manager stated that the programme ran through the financial year and next year's figures were being worked on by himself and his assistant. The Committee might have to wait until the end of the year to find out what works had been completed and which unfinished

works would be transferred to the new year. There was currently a tenant in one of the properties in St Thomas's Place with the other property being re-let. The Council's properties were let with a mixture of different types of lease.

It was resolved:

That the actual spend to the end of February 2016 as set out in Appendix 2 be noted.

62. **EXCLUSION OF THE PUBLIC INCLUDING REPRESENTATIVES OF THE PRESS**

It was resolved:

That the press and public be excluded during the consideration of items 9 to 12 because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category 3 of Part I Schedule 12A to the Local Government Act 1972 (as amended).

63. **LITTLEPORT COMMUTER CAR PARK**

The Committee considered an Exempt report, reference Q230, previously circulated, that outlined some proposals relating to the commuter car park in Littleport.

The Strategic Land Adviser outlined the current situation regarding car parking and advised of a potential option to improve the situation. The Committee asked questions relating to that option, with reference to potential costs and benefits, but were in favour of proceeding with it.

It was resolved:

That the Chief Executive and Strategic Land Adviser be instructed as per the report's recommendations.

64. **LAND DEVELOPMENT OPPORTUNITIES AND ASSET DEVELOPMENT PROGRAMME UPDATE 2015/16**

The Committee considered an Exempt report, reference Q231, previously circulated, that provided an update on land development opportunities and the asset development programme.

The Strategic Land Adviser advised the Committee about a number of potential development opportunities and their current status. A couple of additional sites had been identified for further investigation.

It was resolved:

That the progress in relation to the Land Development Opportunities and Asset Development Programme be noted.

65. **FORWARD AGENDA PLAN**

The Committee considered its forward agenda plan.

The forward agenda plan was received.

66. **EXEMPT MINUTES**

The Democratic Services Officer apologised as the Exempt minutes were missing from the agenda paperwork. The Committee decided to consider them at its next meeting.

The meeting concluded at 5:37pm.