

## **CABINET**

### **29 January 2020**

*Present:* - Councillor Cory (Chairman)  
Councillors Fox, Goss, Higgins, King, Lilley and Luxford  
Vaughan.

*Also in attendance:* - Councillors Crow, Davies,  
Goacher, Scordis

#### **409. Minutes**

*RESOLVED* that the minutes of the meeting held on 20 November 2019 be confirmed as a correct record.

#### **410. Have Your Say!**

Councillor Scordis attended and with the consent of the Chairman addressed the Cabinet to raise issues in respect of the cutting back and pruning of trees where they impacted on Council homes and drew attention to a particular issue in Ladbroke Drive. He also raised concerns about the changes to the Neighbourhood Teams, which he considered had led to a less efficient service.

Councillor Goss, Portfolio Holder for Waste, Environment and Transportation, responded and invited Councillor Scordis to forward full details of the issues so that he could address them. In his experience the new Neighbourhoods Teams and the arrangements for reporting issues was working very well.

Councillor Goacher attended and with the consent of the Chairman, addressed the Cabinet to request information on how the Council was seeking to address air quality issues, in the light of media reports about the impact of air pollution on the health of residents. This was a particular issue in Castle ward. He also drew attention to the petition he had forwarded to the Leader in respect of the unauthorised removal of a hedgerow at Salary Brook. This was an opportunity for the Council to show it could deal assertively with developers and their contractors. The Council should also be looking into the relationship between the company who had removed the hedgerow and the landowner. Concern was expressed about the future of Salary Brook should Garden Communities proceed.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, stressed that the Council had been dealing with this issue for over a month, and was aware of the need to take appropriate action. He was very concerned about the removal of the hedgerow and the impact this would have. The Council was liaising with the developer and the Essex Wildlife Trust. If Garden Communities were to proceed, Salary Brook Country Park would be extended. In terms of air quality, this was a very serious issue and was addressed in

the Climate Emergency Action Plan. Whilst the Council monitored air quality, it did not have the powers in respect of highways and transport that would enable it to tackle the issue. The Policy and Public Initiatives Panel was looking at issues around the potential pedestrianisation of the High Street.

Councillor Crow attended and with the consent of the Chairman addressed the Cabinet to enquire as to the latest position on the installation of the elephant on the roundabout on North Station Road. He noted the advice of the Environment Agency that it was the responsibility of the Council to clear duckweed from the river Colne before it became a problem, and therefore would swift action be taken if duckweed began to become a problem in future.

Councillor Goss Portfolio Holder for Waste, Environment and Transportation and Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, responded. The Council was working with Essex County Council on the complex programme of works necessary for the works on the roundabout. This was part of the Fixing the Link scheme, which was well supported by local businesses. In terms of the river Colne, the Council was drawing up a strategy to deal with issues relating to the health and vitality of the river. The cost of clearing duckweed was approximately £20,000 and up to three clearances could be needed each year. The Environment Agency would act where there was a threat to wildlife from deoxygenation. Therefore, there needed to be a debate as to whether clearing the river when there was no threat to wildlife should be a priority for the Council.

#### **411. Climate Emergency Action Plan**

The Assistant Director for Environment submitted a report a copy of which had been circulated to each Member together with the recommendation from the Scrutiny Panel meeting of 28 January 2020.

Rory Doyle, Communities Group Manager, presented the Climate Emergency Action Plan to the Cabinet. He highlighted that the Carbon Trust had praised the Council for its previous track record. The Council had achieved a 40.8% decrease in carbon dioxide emissions since 2008 and reached the target in its 2016-19 Local Authority Carbon Management Plan a year early. The Action Plan incorporated a number of the Carbon Trust's recommendations. It also showed how the Council would work with the local community and other stakeholders to address the Climate Emergency. The Action Plan proposed to aim for a net carbon zero target in respect of emissions within the Council's direct control (Scope 1 and Scope 2 emissions) and some Scope 3 emissions. However, it was proposed that the Council should collect available data and measure further relevant Scope 3 emissions, and then report back to Cabinet when this further information was available.

Councillor Davies, Chairman of the Scrutiny Panel, attended and addressed the Cabinet to introduce the recommendations from the Scrutiny Panel. The Panel had stressed the need for the targets in the Action Plan to be measurable. The Panel were also keen to see the introduction of a Supplementary Planning Document that would require the installation of electric vehicle charging points in all new homes, and believed that other authorities had introduced such a policy. The Panel had noted the comments about

Leisure World and felt it would be useful to benchmark Leisure World against a similar facility of a similar age. The scale of the change required to deal with the Climate Emergency must not be underestimated and conservation and environmental sustainability issues had to be at the heart of everything the Council did.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, thanked the Conservation and Environmental Sustainability Task and Finish Group and officers for their work on the Action Plan. The comments of the Scrutiny Panel in respect of SMART targets would be considered further by the Task and Finish Group when the Action Plan was reviewed. In respect of the installation of electric vehicle charging points, it was not possible to make this mandatory at this stage and the Council's policy was as strong as it could be in the circumstances.

Councillor King, Portfolio Holder for Business and Resources, accepted there was a need for cultural change. However, progress was being made and all decision making reports were now required to address the conservation and environmental sustainability implications of the decision.

**RESOLVED** that:-

- (a) The findings set out in the Climate Action Planning Report prepared by the Carbon Trust (Appendix A of the Assistant Director's report) be noted.
- (b) The recommendations from the Conservation, Environment and Sustainability Task and Finish Group, as set out below, be approved.
  - (a) The Climate Emergency Action Plan be approved, subject to the inclusion and clarification of Scope 3 elements to the section entitled "Scope of the Carbon Emission Target".*
  - (b) The Climate Emergency Action Plan be kept under review and that the Council commit to a target in respect of additional Scope 3 emissions once measurement of this wider carbon footprint has been undertaken.*
- (c) The Climate Emergency Action Plan be **RECOMMENDED** to **COUNCIL** to note in accordance with terms of the motion on the Climate Emergency agreed in July 2019.
- (d) The recommendations from the Scrutiny Panel be noted.

#### **REASONS**

The Council has declared a climate emergency in recognition of the urgent need to take action to address global warming and the crisis being created by unavoidable climate change.

In declaring a climate emergency, the Council has made tackling climate change a New Strategic Priority and our initial Climate Emergency Action Plan (Appendix B) reflects this.

#### **ALTERNATIVE OPTIONS**

No alternative options were proposed, but it was open to Cabinet not to approve the

recommendations from the Task and Finish Group.

#### **412. 2020/21 Revenue Budget, New Strategic Priorities and the Medium Term Financial Forecast**

The Assistant Director for Corporate and Improvement Services submitted a report a copy of which had been circulated to each Member together with the draft recommendation from the Scrutiny Panel meeting of 28 January 2020.

Councillor Davies, Chair of the Scrutiny Panel, attended and addressed Cabinet to introduce the recommendations from the Scrutiny Panel. In addition, the Panel had considered the wording in paragraph 6.12 of the report that the release of the latest installment of £350K had been postponed was incorrect and should be clarified going forward. The Panel had also discussed the Town Fund and the potential impact that this could have on strategic priorities if the bid should be successful.

Councillor King, Portfolio Holder for Business and Resources, thanked the Scrutiny Panel for their comments. It was acknowledged that further feasibility work was required on the New Strategic Priorities and this would be provided. There were a number of significant variables which could have an impact, including the Town Fund bid, and priorities would change as matters progressed. A further report would be submitted to Council alongside the budget report, providing further information.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, explained that in respect of the wording of paragraph 6.12, it was accepted that the wording of the report should have stated that Council had not agreed to release the funds referred to in the report.

Councillor King presented the report. The budget report was an enabler that would allow the Council to meet its statutory requirements and its ambitious objectives. It was a prudent budget which would maintain sound reserves. The borrowing proposals were sound and were at the median level for local authority borrowing. The proposed Council tax rise was modest and the overall rise over recent years was well below the level of inflation.

*RESOLVED* that:-

- (a) The 2020/21 Revenue Budget and Medium-Term Financial Forecast as set out in Appendices A, G and H of the Assistant Director's report be approved.
- (b) The use of General Fund balances and reserves to make a £2.805m one off pension fund deficit payment for 2020/23 as set out in Section 7 of the Assistant Director's report be approved.
- (c) Revenue budget provision in 2020/21, 2021/22 and 2022/23 be made to meet the cost of the pension deficit payment for 2023/24 as set out in Section 7 of the Assistant Director's report.

- (d) The pension 'pass through' arrangement from April 2019 for Amphora employees as set out in Section 7 of the Assistant Director's report be approved and authority for completion of the final agreement be delegated to the Portfolio Holder for Business and Resources in conjunction with the section 151 Officer.
- (e) The allocation of £500k in the 2020/21 budget for the Local Plan be approved, noting that use will be dependent on the Planning Inspectorate hearing outcomes and the consequent way ahead for garden communities, North Essex Garden Communities Ltd or alternative approaches.
- (f) The Capital Strategy and Capital Programme set out in Appendix B of the Assistant Director's report be approved.
- (g) The budget resilience statement set out in Appendix D of the Assistant Director's report and the forecast level of reserves and balances set out in Appendix I of the Assistant Director's report be noted.
- (h) The Treasury Management Strategy Statement and prudential indicators set out in Appendix E of the Assistant Director's report be approved.
- (i) *RECOMMENDED to COUNCIL* the 2020/21 revenue budget requirement of £24,514k.
- (j) *RECOMMENDED TO COUNCIL* Colchester's element of the Council Tax at £195.57 per Band D property being an increase of £4.95 (2.6%).
- (k) Care leavers treatment as designated persons for council tax purposes removing any council tax liability be approved, in accordance with Section 13 of the Assistant Director's report.
- (l) The 2020/21 implementation agreed in 2019 Budget Setting of a 200% council premium for properties empty over five years be noted.
- (m) The recommendations from the Scrutiny Panel be accepted.

## **REASONS**

The Council is required to determine its annual budget requirement and set a council tax by 11 March preceding the new financial year.

The Chief Finance Officer must report to the Authority on the robustness of the estimates used to calculate its budget requirement and the adequacy of the proposed reserves.

## **ALTERNATIVE OPTIONS**

No alternative options were proposed.

## **413. Increasing the Supply of Affordable Housing – 100 Homes Project**

The Assistant Director for Place and Client Services submitted a report a copy of which had been circulated to each Member.

Greg Edwards addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to express his support for the 100 Homes Project. There was a national and local housing crisis. Due to barriers imposed by the government, Councils could not build sufficient social housing to meet housing need. This was an excellent scheme that would facilitate the provision of housing to vulnerable residents.

Councillor Pearson attended and with the consent of the Chairman addressed the Cabinet to support the 100 Homes Project. There were 3000 people on the housing needs register, so whilst this scheme was welcomed, it would not address the overall need. The Cabinet should do all it could to seek an assurance from central government that Councils would be permitted to build social housing themselves. This was the only way to meet the housing need on the scale required.

Councillor Fox, Portfolio Holder for Housing, introduced the report. This was one of a number of schemes through which the Council was seeking to address housing need. This was a particularly innovative scheme which worked around the constraints that central government imposed on local authorities. The properties would be managed by Colchester Borough Homes, which would ensure they were maintained to a good standard. As the properties would not be funded via the Housing Revenue Account, they would not be subject to Right to Buy which was a further advantage.

*RESOLVED* that:-

- (a) The addition to the capital programme for the acquisition of approximately 100 local homes at market rates be approved
- (b) It be agreed to assist with the setting up of a new charity whose charitable aim will be to work to reduce homelessness in Colchester and the approval of any associated expenditure, which will be fully recovered, be delegated to the Assistant Director for Place and Client Services.
- (c) The Council enter into a limited liability partnership (LLP) with the new charity "Hollytree's Homes" for the purpose of managing genuinely affordable local homes.
- (d) The long-term leasing of the acquired homes to the limited liability partnership for a minimum of 80 years be approved.
- (e) The granting of up to £2 million of retained right to buy receipts, affordable new homes bonus and affordable housing commuted sums to the limited liability partnership to use to increase designated affordable housing for borough residents be approved.
- (f) Initial rent levels for the homes, as dictated by the lease with the limited liability partnership, be no more than the Local Housing Allowance to ensure that they are genuinely affordable for local residents.
- (g) Authority be delegated to the Chief Finance Officer/section 151 Officer, in

consultation with the Portfolio Holder for Business and Resources, to finalise the funding arrangements that will enable the limited liability partnership to obtain its long leasehold interest.

## *REASONS*

There are currently just under 3,000 households on the Council's Housing Register seeking affordable housing. The Council continues to seek new and innovative ways to increase the supply of affordable housing and provide good quality, affordable and stable homes for Colchester's residents who are in housing need.

The use of a charity led LLP enables the Council to maximise the use of retained Right to Buy receipts, affordable housing new homes bonus and commuted sums to secure far more affordable homes than just using this funding on its own and to do so at pace. The proposed lease solution ensures that the homes remain genuinely affordable and are offered on a longer-term basis than other solutions to provide households with greater future certainty and security. The lease structure also ensures that the Council retains the freehold or long leasehold interest in the homes and can benefit from any future capital appreciation or additional revenue income.

By matching the future repayment of the funding of the acquisition of the homes to expected rental income profile, the LLP is being financed in the most cost effective way. This funding will come via an institutional investor with a lower initial cost that increases by inflation over the duration of the agreement.

The lease and funding structure will enable a small financial surplus to be generated by the LLP which will flow back to the Council as rent under the lease. This surplus will contribute to funding front line services for Colchester residents.

## *ALTERNATIVE OPTIONS*

The Council could do nothing however, as detailed in section 5 of the report, with rising homelessness pressures resulting in reduced lifetime outcomes for the affected households and the financial impact for the Council, this is not considered a realistic option.

The Council could extend its own acquisition programme within the Housing Revenue Account (HRA). However, this would require additional borrowing within the HRA, along with subsidy from other sources such as Right to Buy receipts. This would need to be justified by a business case under the prudential borrowing regime. Any solution delivered in the HRA can potentially be affected by central government policy regarding rent levels, tenancy types and changes to the right to buy rules. The LLP solution, as it is not constrained by central government rent policies, offers much greater future flexibility on the use of the homes and rent levels.

The Council could set up a community benefit society (CBS) or a wholly owned company (in addition to the existing wholly owned companies the council has setup). Both of these have been explored and discounted because the CBS model would see the CBS take

ownership of the assets meaning it benefits from any increases in the value of the homes and that the Council would not have any mechanism to control the use of the assets or rent levels in the longer term. The wholly owned company model has been discounted because the Council has already undertaken significant borrowing to then on-lend to its companies and any additional borrowing would further expose the Council; as any new company would be wholly owned it would not be able to benefit from the subsidies available such Right to Buy receipts that the Council can make available and improve the viability of the model. It would also be a less tax efficient model than the LLP, reducing the financial benefit that can be achieved.

#### **414. Housing Revenue Account Estimates 2020-21**

The Assistant Director for Place and Client Services submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that:-

- (a) The 2020/21 HRA revenue estimates as set out in Appendix A of the Assistant Director's report be approved.
- (b) The dwelling rents as calculated in accordance with central Governments rent policy (set out in paragraph 5.8 of the Assistant Director's report) be approved.
- (c) The HRA revenue funded element of £6,962,500 included within the total management fee for Colchester Borough Homes (CBH) (set out in paragraph 5.15 of the Assistant Director's report) be approved.
- (d) The revenue contribution of £2,716,000 to the Housing Investment Programme included in the budget (paragraph 5.31 of the Assistant Director's report) be noted.
- (e) The HRA balances position in Appendix B of the Assistant Director's report be noted.
- (f) The Medium Term Financial Forecast (MTFF) set out at Appendix C of the Assistant Director's report and the 30 Year HRA financial position set out at Appendix E of the Assistant Director's report be noted.

#### *REASONS*

Financial Procedures require the Assistant Director for Place and Client Services to prepare detailed HRA estimates for approval by the Cabinet, setting the new rent levels for the new financial year.

#### *ALTERNATIVE OPTIONS*

No alternative options were proposed.

#### **415. Housing Investment Programme 2020/21**



The Assistant Director for Place and Client Services submitted a report a copy of which had been circulated to each Member together with the recommendation from the Scrutiny Panel meeting of 28 January 2020.

*RESOLVED* that:-

- (a) The Housing Investment Programme for 2020/21 be approved.
- (b) The Capital Medium Term Financial Forecast (CMTFF) set out at Appendix A of the Assistant Director's report be noted.

### *REASONS*

Each year as part of the process to agree the Council's revenue and capital estimates the Cabinet is required to agree the allocations to the Housing Stock Investment Programme. These allow for work to be undertaken to maintain, improve, and refurbish the housing stock and its environment.

Cabinet annually agree to accept a proposed 5 year Housing Investment Programme (HIP) in principle as the framework for procuring housing related planned works, improvements, responsive and void works and cyclical maintenance.

The proposed investment programme is linked to the Asset Management Strategy (AMS) and reviewed annually in the light of available resources and for each annual allocation to be brought to Cabinet for approval as part of the overall HIP report.

The Colchester Borough Homes (CBH) Board have considered the content of the Cabinet report submitted and is now seeking approval for the 2020/21 Capital programme.

The Assistant Director's report seeks the release of funds under grouped headings as described in the AMS and supported by the Management Agreement dated 9<sup>th</sup> August 2013, which governs the contractual relationship between Colchester Borough Council (CBC) and CBH.

### *ALTERNATIVE OPTIONS*

No alternative options were proposed.

## **416. Award of Housing Adaptations Contract**

The Assistant Director for Place and Client services submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that:-

- (a) A contract be awarded to Barron's Building Services to undertake adaptations of the existing housing stock to meet specific needs for specific residents as set out in the Assistant Director's report, for a duration of 2 years with an option to extend for up to 2 additional years in 12-month stages (2+1+1 years).

(b) In the event that the recommended contractor cannot commence work then the contract will be awarded to the next contractor.

### *REASONS*

Under the Council's constitution contracts with a value of over £500,000 require Cabinet approval unless otherwise delegated.

Following an invitation to tender and evaluation of the submitted bids against the published criteria Barron's Building Services submitted a tender, which passed the criteria for being able to deliver against the specification and offers the best financial position to the Council compared to other tenders.

### *ALTERNATIVE OPTIONS*

To award a contract to an alternative bidder, would almost certainly result in legal challenge as the tender results are from an open procurement process and would not provide the Council with the best tendered bid as judged against the defined criteria.

Re-tender the service, however the commencement of this contract is planned for February 2020 and repeating the procurement exercise would delay the start of this works provision.

## **417. Use of the Council's "HRA Estate" to Facilitate Significant Inward Investment in Broadband Infrastructure**

The Assistant Director for Place and Client Services submitted a report a copy of which had been circulated to each Member.

Councillor Fox, Portfolio Holder for Housing, introduced the report and highlighted the £10 million investment VX would be making in the borough. This would give access to ultra-fast connectivity to residents in social housing at affordable rates. Councillor King, Portfolio Holder for Business and Resources, paid tribute to the work of Council officers for securing this innovative investment. This demonstrated that Colchester was seen as a key destination for commercial companies looking to innovate.

### *RESOLVED that:-*

(a) The Broadband deployment proposals outlined by VX on a commercial basis as described in the Assistant Director's report be agreed.

(b) Colchester Amphora Trading Ltd (CATL) be appointed to act on behalf of the Council, to draw up Heads of Terms for a cooperation agreement with VX which delivers the best commercial outcomes from a joint approach to infrastructure deployment, as part of the Borough's Local Full Fibre Network and wider Digital Strategy deployments.

(c) Authority to agree and enter into the lease arrangements with VX, with any necessary consents, for the placement of equipment on the Council's HRA property be

delegated to the Assistant Director for Place and Client Services, in consultation with the Portfolio Holder for Housing.

(d) Authority to agree any other resultant matters relating to the final details of the wider proposals, as described in the Assistant Director's report, be delegated to the Assistant Director for Place and Client Services, in consultation with the Portfolio Holder(s) for Commercial Services, and/or Resources, as relevant to the specific matters that may arise, having regard to their respective portfolios.

## *REASONS*

VX, a Swedish technology company and digital infrastructure specialist, bring more than 20 years' experience building and operating full fibre FTTP (fibre-to-the-premises) open access networks globally. The company "mission" is "to create value in the community in which we live and work, to help individuals, businesses and the community as a whole to gain their digital freedom". VX's key differentiator is a partnership approach with local authorities in deploying FTTP networks that serves the entire community.

Building on their existing operations across Europe, South Africa and South-East Asia, VX is entering the UK market and is already building a large fibre optic network together with Stoke City Council across the Potteries. It wishes to target Colchester as its second UK deployment, ahead of Bristol and later, up to 7 more cities. The opportunities presented to the Council by the VX proposals are unique and unlikely to be repeated from any other commercial fibre operator. They will deliver both commercial and practical benefits, serving the Council's and residents' interests for many years to come.

Taken together with the core network built using the LFFN funding, the VX investment will greatly enhance the availability and take-up of future-proof, full-fibre broadband in the Borough and will solve one of the most significant challenges inherent in fibre deployments (how to extend a core network to reach end users – the so-called "final drop" connections).

## *ALTERNATIVE OPTIONS*

The Council could decide not to enter into an agreement at all, or not to enter into an agreement to use the properties within the HRA estate; however, this would delay or obstruct the social and economic benefits set out in the main report and would not deliver the significant inwards investment proposed at this time.

Some areas that will benefit from the use of HRA properties are more disadvantaged areas, and places where the faster broadband connections would otherwise not be available to residents for some time, including some of our social housing tenants. Aside from the social value, it is also counterproductive to the aim that the infrastructure deployed using LFFN funding is commercialised as quickly as possible to start generating growing revenues for the Council; where the VX proposals will enable this.

CATL has engaged over the past two years with the major telecoms operators, including the builders of urban fibre optic networks, such as City Fibre, Hyperoptic and Gigaclear. Colchester does not offer the scale required for their deployments, although Gigaclear will be working to deliver ultrafast connectivity in the rural parts and is already connecting a

small number of customers in them.

The Council could continue to use the Government's gigabit voucher scheme to carry out "final drop" connections (connecting from the curtilage of a property to the end customer). While this has worked successfully on a small scale, it does not provide the level of revenue needed for the mass densification of the network and its commercial transformation into a major revenue stream for the Council over the longer-term.

#### **418. Digitalisation of the CCTV Network**

The Assistant Director for Place and Client Services submitted a report a copy of which had been circulated to each Member.

Gary Mac addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). He was a member of the Williams Walk and surrounding area Neighbourhood Watch Committee. The Cabinet should consider installing a CCTV camera in Williams Walk. In view of its location and layout it had become a hotspot for drug dealing and other criminality and anti-social behavior, and the provision of CCTV coverage would help address these issues.

Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, indicated that he was aware of the issues in and around Williams Walk. He would be happy to meet Mr Mac to discuss the issues further but it was anticipated the CCTV coverage would be extended into the Dutch Quarter.

Councillor Higgins, Portfolio Holder for Commercial Services, introduced the report. The installation of a new digital network would give an opportunity to extend the CCTV network across the town centre, including the Dutch Quarter. This would improve the safety of residents. It was anticipated that the extension of CCTV to rural areas would be looked at as part of a future project.

*RESOLVED* that:-

- (a) The upgrading of the CCTV system as set out in the Assistant Director's report be approved and Colchester Amphora Trading Ltd be instructed to deliver this project for the Council.
- (b) Additional financial provision of up to £250,000 be made available in the CCTV capital budget, during 2020/2021.
- (c) Further decisions related to any related contractual arrangements, legal agreement, financial management, procurement processes, or contract award be delegated to the Assistant Director Place and Client Services in consultation with the Portfolio Holder for Commercial Services.

*REASONS*

The Council supports initiatives that will make the Town Centre cleaner, safer and more welcoming to visitors and residents alike. The investment will provide the Town Centre with a legacy that will provide long term benefits. The new CCTV system will help prevent and

detect crime, provide quality evidence to the police for prosecutions and manage emergencies and major incidents.

Colchester's existing CCTV system is an old analogue system that will not remain fit for purpose. The system is experiencing regular breakdowns with repairs proving to be uneconomic and unsustainable in terms of availability of parts. The analogue system is burdened with the cost of a significant annual service agreement, repairs and replacement of old technology and a significant energy bill all of which can be reduced to partly repay the investment in this much needed upgrade.

#### *ALTERNATIVE OPTIONS*

Not to upgrade the CCTV system; however, this would miss a once only opportunity to maximised efficiencies in delivery alongside the LFFN Broadband project; it would also mean that the system would not be as good, coverage would not be increased, and the CCTV would remain more expensive to maintain, and would be increasingly prone to failure. This would not realise the economic and social benefits of upgrading the system at this time.

Decommissioning the CCTV system entirely would provide a saving in terms of operational costs and maintenance, but this would be dwarfed by increased costs in other Council services, partner agencies and businesses from removal of this deterrent to crime and ASB. Removal of the service would be likely to have a significant negative impact on Community Safety in the borough and the Council's strategic relationship with key partners, both in terms of loss of coverage in the areas covered by the existing system and the opportunity cost of failing to improve and increase coverage as proposed in the Assistant Director's report.

#### **419. Updates to the Events Policy**

The Assistant Director for Place and Client Services submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that:-

- (a) The revised Colchester Borough Council Events Policy in Appendix A of the Assistant Director's report be approved and adopted.
- (b) Authority to agree any future updates to the Events Policy be delegated to the relevant Portfolio Holder (as set out in the Scheme of Delegation to Councillors at such a time as they may be necessary).

#### *REASONS*

To ensure that the Council has an up to date Events Policy that sets out adopted guidance for events held in Colchester. To help ensure that all events at Council venues, or where the Council can control them, are operated in a satisfactory and consistent manner.

#### *ALTERNATIVE OPTIONS*

Not to adopt an updated Events Policy; but this would mean that the Council would continue to operate a Policy that is already over 3 years old.

Not to delegate further updates to the Events Policy to a Portfolio Holder; but this would mean that all changes to the Policy, no matter how small, would continue to need a Cabinet decision (which may be disproportionate in many practical examples).

#### **420. Safeguarding Policy and Suicide Protocol**

The Assistant Director for Communities submitted a report a copy of which had been circulated to each Member.

Councillor Fox, Portfolio Holder for Housing, stressed the importance of the Safeguarding Policy and Suicide Protocol, which helped ensure that officers had the tools and processes to deal effectively with the most vulnerable residents.

*RESOLVED* that:-

(a) The revised Safeguarding Policy (Version 7) be approved and authority for minor amendments be delegated to the Assistant Director for Communities in consultation with the relevant Portfolio Holder.

(b) The revised Suicide Protocol (Version 2) be approved and authority for minor amendments be delegated to the Assistant Director for Communities in consultation with the relevant Portfolio Holder.

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*RECOMMENDED TO COUNCIL* that:-

(a) The revised Safeguarding Policy (Version 7) be adopted into the Policy Framework and that the Safeguarding Policy be reviewed formally every five years (unless there is a major change to legislation or approach).

(b) The revised Suicide Protocol (Version 2) be adopted into the Policy Framework and that the Suicide Protocol be reviewed formally every five years (unless there is a major change to legislation or approach).

#### *REASONS*

By reviewing and approving the revised Safeguarding Policy and Suicide Protocol, Cabinet will assist the Council in meeting its legal duties.

#### *ALTERNATIVE OPTIONS*

No alternative option was proposed as this was a statutory requirement.

#### **421. Youth Zones Sports and Social Centres**

Minute 43 of the Policy and Public Initiatives Panel meeting of 27 November 2020 was submitted to Cabinet, a copy of which had been circulated to each Member.

*RESOLVED* that:-

- (a) A forensic 'deep-dive' examination of potential funding for a Colchester Youth Zone, to ensure sustainability of both capital and revenue funding be undertaken;
- (b) Options for partnership working on a Colchester Youth Zone be explored, with priority given to securing the partnership and support of Essex County Council;
- (c) The potential impacts that a Colchester Youth Zone would have within the Borough be assessed, including impacts on reducing antisocial and criminal behaviour, improving health, skills and life opportunities for young people and long-term benefits for the wider communities of the Borough.

*REASONS*

As set out in detail in the minute from the Policy and Public Initiatives Panel.

*ALTERNATIVE OPTIONS*

It was open to Cabinet not to agree the recommendations from the Policy and Public Initiatives Panel to amend the recommendations.

#### **422. 2019 - 2020 Half Year Performance Report including progress on 2018-2021 Strategic Plan Action Plan**

The Chief Operating Officer submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that:-

- (a) The performance described in the Chief Operating Officer's report demonstrating the organisation's ability to operate effectively and achieve its strategic goals be noted.
- (b) The Reporting Timetable covering 2019-2020 be noted, specifically the dates for setting KPI targets for 2020-2021.

*REASONS*

To review 'amber' and 'red' KPI performance for 2019 – 2020.

*ALTERNATIVE OPTIONS*

No alternative options have been presented to Cabinet.

#### **423. Holy Trinity Church**

Minute 41 of the Heritage and Tourism Task and Finish Group meeting of 9 December 2019 was submitted to Cabinet, a copy of which had been circulated to each Member.

*RESOLVED* that that funding be made available for a feasibility study to determine the extent of works required to renovate Holy Trinity Church.

#### *REASONS*

The first step in moving the site forwards and potentially bring it back into use was to obtain a detailed feasibility study, as without this the extent of any works necessary to renovate the building would not be known, limiting any future use – either community or commercial.

#### *ALTERNATIVE OPTIONS*

It was open to Cabinet not to make funding available for a feasibility study to determine the extent of the works required to renovate Holy Trinity Church.

#### **424. Claudius Gateway**

The Assistant Director for Communities submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that the situation in respect of Claudius Gateway be reviewed and the Cabinet engage in further talks with Surya Foods to help look at options and find a way to ensure that the historic site remains open to the public and to involve the Business Improvement District in those discussions.

#### *REASONS*

To ensure continued public access to the ruins of the Claudius Gateway.

#### *ALTERNATIVE OPTIONS*

No alternative options are proposed, but it was open to Cabinet not to agree to the recommendation from the Heritage and Tourism Task and Finish Group.

#### **425. Business Rates Relief Policy 2020**

The Assistant Director for Customers submitted a report a copy of which had been circulated to each Member.

Sam Preston, Customer Business Manager, introduced the Business Rates Relief Policy. The aim was to streamline the policy and remove the much of the technical language so it was easier to understand. Most discretionary relief rates were being maintained at a broadly similar level. The aim was to use temporary relief where possible. Discretionary relief was also now provided to carbon neutral businesses.



Councillor King, Portfolio Holder for Business and Resources, stressed the benefits of the new policy, which should be clearer and therefore be simpler for both customers and officers to administer. The discretionary relief provided for carbon neutral business was indicative of the culture change in the Council in respect of the climate emergency and sustainability issues through the organisations

*RESOLVED* that:-

- (a) The Business Rates Relief Policy 2020-25 be approved and adopted.
- (b) An annual review of the Business Rates Relief Policy be undertaken.

#### *REASONS*

The policy has been designed to maximise the benefit of any government funded reliefs locally, this will enable the Business Rates Team to proactively award relief if a business meets the minimum criteria as set by government.

The policy provides discretionary relief whilst balancing the cost of relief locally against funding needed to support local services. In addition, a new criterion for discretionary relief seeks to support the Council's strategic objectives by incentivizing businesses to become carbon neutral.

#### *ALTERNATIVE OPTIONS*

It was open to Cabinet to reject or amend the Business Rates Relief Policy.

### **426. Tender of Internal Audit Contract**

The Assistant Director of Corporate and Improvement Services submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that the authority to appoint a contractor for the Council's Internal Audit service following a procurement exercise be delegated to the Portfolio Holder for Business and Resources.

#### *REASONS*

The value of the current contract falls below the threshold for a key decision. However, it is anticipated that there may be an increase in the contract cost, taking it over the threshold. Therefore, it is felt appropriate to seek prior approval for the authority to be delegated to the Portfolio Holder for Business and Resources.

#### *ALTERNATIVE OPTIONS*

Delay the decision to appoint the contractor until the Cabinet meeting on 11 March 2020, which would result in the appointment not being confirmed until 25 March 2020.

If there is a change in supplier this will result in a shortened handover period and it may

not be possible to ensure that the full Internal Audit programme is in place for the 1 April 2020.

#### **427. Request for Delegated Authority to Agree the Award of a Contract**

The Assistant Director for Corporate and Improvement Services submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that authority for approval of the award of the contract to the Recommended Bidder for the supply and management of the leased ICT devices be delegated to the Portfolio Holder for Customer, in consultation with the Assistant Director, Corporate and Improvement Services.

#### *REASONS*

The Council needs to invest to replace aging desktop and laptops. The proposed leasing approach enables the council to refresh and standardise equipment for managed monthly costs; ensuring always up to date, secure devices that are managed and secure, and support the Council's stated ways of digital working.

Delegation of the decision to the Portfolio Holder enables the Council to proceed in line with proposed timescales for procurement.

#### *ALTERNATIVE OPTIONS*

There is no nil cost, nil investment option as the existing equipment is end of life and requires replacement. Replacing existing devices on a 'like for like' basis would not enable the modern way of working, nor provide value. Replacing on a like for like basis would still carry a significant investment.

The Council could procure new devices rather than enter into a fully managed lease agreement, however this approach would bring no value in terms of supply, maintenance, whole life cost, or service.

#### **428. Amendment to the Scheme of Delegation to Officers**

The Assistant Director for Corporate and Improvement Services submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that the amended Leader of the Council's Scheme of Delegation to Officers attached at Appendix 1 of the Assistant Director's report, which came into effect on 6 January 2020, be noted.

#### *REASONS*

The Leader of the Council's Scheme of Delegation to Officers requires amending to reflect changes in responsibilities within the Senior Management Team.

#### *ALTERNATIVE OPTIONS*

No alternative options were presented.

#### **429. Progress of Responses to the Public**

The Assistant Director, Policy and Corporate 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 resolved under Section 100A(4) of the Local Government Act 1972 and the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 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.**

#### **430. Award of Housing Adaptations Contract**

The Assistant Director for Place and Client services submitted a not for publication appendix to the report, a copy of which had been circulated to each Member.

*RESOLVED* that the not for publication appendix to the Assistant Director's report be noted.

#### *REASONS*

As set out in minute 416.

#### *ALTERNATIVE OPTIONS*

As set out in minute 416.