

19 January 2021

Report of	Assistant Director for Place & Client Services	Author	Andrew Tyrrell (CBC) Paul Smith (CCHL)
Title	Colchester Commercial Holdings Ltd (CCHL) Business Plans 2021 - 2024		
Wards affected	All Wards		

1. Executive Summary

- 1.1 In 2017 the Council set up a wholly owned company, Colchester Commercial Holdings Ltd (CCHL). Under CCHL, there are three subsidiary companies which have provided a diverse range of trading activities since April 2018; Colchester Amphora Energy Ltd (CAEL), Colchester Amphora Homes Ltd (CAHL) and Colchester Amphora Trading Ltd (CATL).
- 1.2 The companies had initial Business Plan periods spanning 3 years, for 2018-2021; with annual reviews of their Plans taking place at the Governance & Audit meetings of March 2019 and January 2020. The initial three-year Business Plan periods come to an end on 31 March 2021 and (under the Governance Agreement) new Business Plans will be required.
- 1.3 The new Business Plans shall be presented to the Governance and Audit Committee as the Shareholding Committee, to cover another 3-year period from 2021-2024. The Governance & Audit Committee are asked to review the Plans and make recommendations to Cabinet, who will then seek to agree the new Plans in March 2021.
- 1.4 In assisting the Committee, this Report also reminds the shareholder committee of the governance arrangements that the Council has in place in order to monitor and review the activities of the companies. The report also provides a short summary of achievements in this, challenging, financial year and updates from the Annual Report on performance that was considered by the Committee in June 2020.
- 1.5 It is a year in which a global pandemic has drastically affected the Council and the Company activities and posed many challenges, with impacts on some forecasted timelines and finances. However, it is also a period in which there have been some significant achievements, such as the completion of the Northern Gateway Sports Park, commencement of the first mixed-tenure housing scheme, and the significant investment secured in both Ultrafast Broadband and CCTV that is being delivered on schedule to provide critical infrastructure across the town.
- 1.6 The Council has also received two prestigious awards for being the 2020 "Best Commercial Council" at the MJ Awards and the "Entrepreneurial Council" at the LGC Awards; for setting up and operating the companies in the way that has achieved commercialisation while maintaining a public sector ethos.

2. Recommended Decisions

- 2.1 To review, and make recommendations to Cabinet on, the new draft Colchester Commercial (Holdings) Limited Business Plans for 2021-24, and the subsidiary companies; including an overall recommendation to agree the Business Plans (with or without any changes).
- 2.2 To consider whether, given current global uncertainties, the Committee wish to recommend a shift to a 'rolling' three-year Business Plan period model to replace the set three-year Business Plan period.
- 2.3 To review the achievements of the Council's companies in 2020/21 and note the ongoing governance arrangements which are in place.

3. Reason for Recommended Decision

- 3.1 At the Annual Meeting on 23 May 2018, the Governance & Audit Committee's terms of reference were amended to include the responsibility to act as the shareholder committee for Colchester Commercial (Holdings) Limited. As part of this role the Committee is required:
 - To consider and review the activities and financial performance of Colchester Commercial (Holdings) Limited and its subsidiary companies.
 - To receive, review and recommend Colchester Commercial (Holdings) Limited's business plans (including its subsidiary companies) annually.
 - To monitor, challenge and make recommendations to Cabinet regarding Colchester Commercial (Holdings) Limited and its subsidiary companies.
 - To make recommendations to Cabinet on how it should exercise the functions flowing from its ownership of shares in Colchester Commercial (Holdings) Limited and its subsidiary companies.
 - To recommend the constitution and appointment of Members to the Board of Directors, including to recommend to Cabinet the appointment of additional Directors to the Board of Colchester Commercial (Holdings) Limited.
- 3.2 The Report, Appendices (both public and confidential), presentation and debate collectively provide the Committee with satisfactory information regarding the companies' performance to date and, importantly, the forecasted continuation of their business over the next three years, as required to fulfil the above role.

4. Alternative Options

- 4.1 No alternative options are provided due to the required role of the Committee as shareholder, set out above.

5. Background Information

5.1 Origins

- 5.1.1 The Localism Act 2011 enabled local authorities to undertake activities designed to make a profit, but only if delivered within a trading company structure. Using these powers, the Council established wholly owned companies that were incorporated under the Companies Act 2006 on 1 June 2017 and began operating from 1 April 2018.
- 5.1.2 The original Business Plans covered a three-year period from 2018-21 and reflected the Council's aim to create a commercial approach to activities that could deliver some services and products directly, whilst generating profits that would be reinvested in the Council to help continue to deliver non-profitmaking services with social value. This public sector ethos, at the heart of the companies, remains a core purpose that will be increasingly important as the borough, Council and companies all recover from the current global pandemic. The companies enable the Council to operate its direct trading services and development functions within a more commercial culture, and to contribute towards the challenges of ongoing budget pressures.
- 5.1.3 Three subsidiary companies, each with distinct areas of trading, were also formed:
- Colchester Amphora Energy Ltd (CAEL)
 - Colchester Amphora Homes Ltd (CAHL)
 - Colchester Amphora Trading Ltd (CATL)

5.2 Governance Structure

- 5.2.1 Good governance, accountability and transparency are essential to Council activities and a cornerstone to improving public services. In discharging this accountability, the Council is required to make proper arrangements for the governance of its companies. It was imperative that an appropriate governance structure was put in place to ensure the sound and robust management of the companies, alongside protection of the Council's financial and reputational investment in them.
- 5.2.2 CCHL is a private company limited by shares, with the Council being the sole shareholder. The Council consequently retains full control over the direction of the companies, manages the risks and receives the resulting financial and benefits. Profits made by the company are returned to the Council after tax via an annual dividend payment although there are other financial benefits to the Council too (e.g. see 5.4 below).
- 5.2.3 The Board of CCHL is made up of 4 Councillors, whilst the Managing Director of CCHL is also the Chief Executive of the Council. The shared representation on the Board ensures that the Council's direction is embedded within the holding company and its subsidiaries (whilst providing freedom to operate in a commercial marketplace). This has seen the companies driving forward delivery of several activities as outlined in the agreed Business Plans.
- 5.2.4 Each subsidiary also has a Board with three Directors; each with legal duties through the common law directors' duties and the statement of general directors' duties which are set out in the Companies Act 2006. These are not exhaustive in terms of the duties that are owed by a Director to an organisation. Board members are also subject to other legal duties, including many important legal obligations for making investments, disposing of property, health and safety requirements, employment laws, as examples.

5.3 Management Agreement

- 5.3.1 A Management Agreement between the Council and CCHL sets out how the companies will provide a range of services to the Council. The companies are then managed and monitored in accordance with the target budgets and other KPI's agreed with the Council under the Management Agreement.
- 5.3.2 Within the Management Agreement there is a schedule of Council and Company representatives and related arrangements for governance. Representatives meet in regular liaison meetings, where the Council, as "Client", monitors the provision of services, financial and budgetary performance, non-financial performance and other matters set out in the Management Agreement.
- 5.3.3 The Management Agreement also sets out audit requirements, with the companies subject to the same audit and inspection requirements as the Council. Copies of audited accounts must also be provided to the Council. Similar requirements also exist regarding complaints, enquiries and legal proceedings related to any services provided by the companies.
- 5.3.4 Budgets are set in accordance with the Council budget setting process, framework and timeframe. Submissions are made and considered as part of the overall annual Council budget process. This includes a Management Fee for services that the Council receives from the companies. This fee is set out in the Management Agreement and agreed annually, as part of the Council budget process.

5.4 Service Level Agreements (SLAs)

- 5.4.1 Alongside an annual dividend payment, the Council receives income from the companies rent for use of office space and other Council venues, as well as payments for services the companies receive from the Council. These services are outlined in a Service Level Agreement (SLA). The current SLA also runs from 1 April 2018 to 31 March 2021 mirroring the Business Plan period and is being renewed for 2021-24 to continue these arrangements.
- 5.4.2 The SLA forms another part of the intrinsic partnership between the Councils companies and the services provided by the Council. The SLAs govern the respective roles and responsibilities of each party in the provision of the paid services and provide service specification and standards. The following services are commissioned from the Council by CCHL:
- ICT and telephony
 - Communications, marketing and PR
 - Human Resources
 - Finance
 - Legal, audit, insurance, health and safety, procurement, security and post
 - Room and Hall keepers' services (Governance)
 - Accommodation
 - Fleet
 - Customer Services.
- 5.4.3 Performance of each service, delivery standards and any quality assurance matters are monitored at quarterly review meetings between named individuals within Council service areas and CCHL.

5.5 Business Plans

- 5.5.1 The companies' Business Plans must be delivered in full compliance with the governance requirements of the Council. The Business Plans require the agreement of the Cabinet following recommendations from this Committee as the shareholder duties set out (above).
- 5.5.2 The overarching Business Plan for CCHL (Colchester Commercial Holdings Ltd) reflects their holding company role in providing the strategic direction, financial performance monitoring and senior management capacity for the subsidiary companies. Although CCHL is a holding company, it does undertake some trading activities that are also set out in this overarching Business Plan. For example, CCHL also provides the senior management service and strategic direction to the Council's Sport and Leisure function.
- 5.5.3 As a Council-owned company, this Business Plan is shared openly and transparently as part of good governance that allows anyone to understand what the companies are designed to achieve, and the intentions over the Plan period. The subsidiary company Business Plans then add some finer details to those overarching aims, projects and workstreams; but are not shared publicly because they contain sensitive information that would disadvantage the commercial companies (e.g. with commercial competition in respective fields, in legal or financial negotiations, or during future contract tenders, etc).
- 5.5.4 The 2021-2024 CCHL Business Plan continues from the 2018-2021 plans. These had identified some growth objectives which (due to the global pandemic) have had to be realigned and, as expected, economic recovery in the post-Covid world is reflected in the new Business Plan. Alongside delivery of the management agreement services for the Council). The Plan sets out aims to:
- Continue to deliver against set targets
 - Return to the successful ongoing series of events that help raise Colchester's profile
 - Develop a second programme of sites for CAHL to continue building desirable homes
 - Carry on assisting with the 'New Council Affordable Housing Programme' for the Council
 - Open the completed Sports Park and continue delivering the Colchester Northern Gateway
 - Progress even further with the ongoing improvements and investment in Digital Technology in Broadband, Helpline and CCTV
 - Complete the commenced Colchester Northern Gateway (CNG) Heat Network and explore new opportunities to develop more low carbon projects in Colchester
 - Maintain a pipeline of other capital development projects that create new revenue incomes for the Council
 - Continue to explore markets for other CCHL products and services
- 5.5.5 The CAEL (Colchester Amphora Energy Ltd) Business Plan builds on the energy section of the CCHL Business Plan and sets out the rationale for the company activities. This was initially to focus on the Northern Gateway Heat Network which has completed successful trials, secured funding and started to be developed on site ready for the forthcoming 'Colchester Northern Gateway South' development. To be able to trade and supply heat the Council needs an energy company. The Council commitment to the low carbon agenda is demonstrated through CAEL operations, to provide leadership in the development of 'infrastructure-first' energy provision.
- 5.5.6 The resulting Northern Gateway Heat Network, which secured £3.45m of Department of Business, Enterprise and Industrial Strategy (BEIS) funding, will provide an innovative ultra-low carbon heat solution to residents, businesses and other commercial users as part of the proposed growth planned in this part of the borough. The project will be the

first of this scale in the UK and was 1 of only 9 pilot projects that gained grant funding nationally. The partnership structure between the Council and CAEL allows the grant funding to be combined with Renewable Heat Incentive (RHI) that will help increase financial benefits of this major infrastructure investment, in addition to the great social and environmental value this pioneering project achieves.

- 5.5.7 The 2021-24 CAEL Business Plan outlines the changes that have occurred over the last three years and how this project will evolve over the coming years following the Colchester Northern Gateway (CNG) south planning consent by the second quarter of 2021. The Northern Gateway Heat Network therefore remains the focus for CAEL (and the Council); however, the 2021-24 Plan also sets out other projects that are beginning to emerge, including the potential for an electricity 'microgrid' which would be powered through solar PV and most likely employ the use of batteries to retain peak generations of power.
- 5.5.8 The CAHL (Colchester Amphora Homes Ltd) Business Plan (21-24) reflects the completion of the first housing site by the 'new' company. It continues with the aims established in 2018: to respond to the need for more high-quality homes in the borough, including homes that are affordable for local people. This is now being achieved with developments that deliver cross subsidy mechanism with the target 30% affordable homes being provided alongside the sale of private market homes (and still creating a surplus to reinvest in other Council priorities). The company is due to complete its first homes at Creffield Road in April which has been the first demonstration of new mixed-tenure homes led by the Council (optimising existing assets) through its house building company.
- 5.5.9 The CAHL Business Plan from April 2021 also sets out how the company will try to develop several other sites, including two others that were agreed by Cabinet in October 2018 (St Runwald Street and Mill Road) that remain ongoing, as well as bringing forwards plans for some 'Phase 2' sites to develop a longer-term pipeline of new homes (and other beneficial development). The 'Phase 1' sites will deliver over 400 new homes (30% of these being affordable homes that are being retained in Council ownership using the Housing Revenue Account).
- 5.5.10 Finally, the three-year Business Plan for CATL (Colchester Amphora Trading Ltd) sets out how the company continues a range of commercial trading businesses and services to customers which generate income for the Council and raise the social and economic profile of Colchester as a place. CATL's offering has two main functions.
- Direct commercial trading services, including Helpline, Monitoring and CCTV and Events.
 - Professional property and business services offered initially to the Council and then to external clients as the company grows. These services include estates management of the Council's assets and commercial development and regeneration project management.
- 5.5.11 The CATL Business Plan highlights the direction of travel for the trading company services in recovery from the impacts of Covid-19. Areas such as Events, which were expanding very successfully prior to Covid-19 outbreaks, have been drastically affected throughout 2020-21. Recovery also outlines new business opportunities; for Events this focuses on growing the venues and introducing new markets, such as corporate functions. For Helpline, there are also new markets to be explored as the business is trading effectively and potential arises to make better use of the better digital technologies. Those digital technologies have also facilitated the new CCTV System

installed around the town due to complete shortly and which is already assisting with making the town centre safer.

- 5.5.12 The Local Full Fibre Network (LFFN) “Ultrafast Broadband” project that helped with CCTV digital upgrades, secured £3.3m of Department for Digital, Culture, Media & Sport (DCMS) grant that commenced spending in 2020. That start was co-ordinated and accelerated to minimise disruption in the High Street (during original lockdown periods). The investment and commencement at that time has since been expanding the town centre network north and east, which has led to an initial £10m of private inward investment from overseas (potentially rising to over £45m) that is already resulting in the Broadband the start of the network becoming available to the whole of urban Colchester (a project that continues into the new Plan period). This network will also now start to generate an annual income to the Council (as owner of the network managed by CATL).
- 5.5.13 For Development Services, CATLs Plan covers more work for the Council where CATL act as project managers, now that the Northern Gateway Sports Park, Jacks and The Mercury Theatre are completed. Whilst core capital projects, such as The Walk and the other Northern Gateway sites continue, work is also being picked up as ‘commissions’ for other Council departments, leading to plans to seek other public sector clients.

5.6 Key Achievements During 2020-21

- 5.6.1 Prior to the 2020-21 financial year the companies had hit their increasing dividend targets each year and had achieved several successful milestones on their establishment and growth. This led to Colchester Borough Council being named the ‘Best Commercial Council’ at the 2020 MJ Awards, as well as then scooping the award for ‘Entrepreneurial Council’ at the 2020 LGC Awards. These are very prestigious awards and acknowledge the innovative and forward-thinking approach the Council took in creating its companies, especially keeping a public sector ethos in their operation.
- 5.6.2 One of the deciding factors that clinched the awards was the range of complementing commercial pursuits that were seen to be a uniquely diverse mix of activities, making the Amphora Group capable of cross subsidising each subsidiary before returning a dividend to the Council. This allows the Council more control and capabilities in leading the delivery of multiple-faceted developments (combining and maximising links between housing, energy and trading activities) where many Council have only created a single housing company, or an events company, etc.
- 5.6.3 Like all companies, and the Council itself, the global pandemic of Coronavirus has had a profound impact on activities, affecting both financial and non-financial operations. 2020 was a year that challenged in unforeseeable ways and like no other year in living memory. Notwithstanding this, the companies will still manage to return a dividend profit to the Council in 2020/21, alongside some notable successes in their work.
- 5.6.4 In terms of highlights, given the Council declared a climate emergency, it is a huge achievement that CAEL has progressed through the trial exploration of boreholes to start building the infrastructure of the Northern Gateway Heat Network on site. The first pipes and inspection chambers were installed at Mill Road with the commencement of “The Walk”, ensuring that all necessary underground infrastructure was coordinated and installed at the same time (minimising cost and disruption across various projects, in addition to including the ultrafast broadband roll out).
- 5.6.5 This successful transition from feasibility phase, for such an experimental project, was a significant step. Having tackled various issues and obstacles that were all overcome to

reach implementation stages, many uncertainties have been removed and potential or theory has become a reality. The project has proven viable and now CAEL (and the Council) have begun delivering a significant flagship low-carbon heat generation network that will be the UK's biggest use of a ground-source heat. Consequently, the development has national significance, and has already attracted visits from academic and professional interests from the industry, due to their ability to learn from (and replicate) the innovative use of ground water to generate heat at this scale not otherwise available elsewhere in the UK.

- 5.6.6 In terms of housing achievements, like most industries CAHL have also faced several challenges in 2020 which they continue to overcome, but that has delayed some projects. Nonetheless, CAHL are continuing to progress "Phase 1" of their agreed development sites and will be delivering over 400 new homes in Colchester over the next few years. The first of these did commence development in summer 2020, and the Creffield Road development has since been managed on time and within budget, to bring these new homes into beneficial use from this April.
- 5.6.7 The contract was advanced at an uncertain time for the construction industry to help provide some local employment opportunities, with the winning company after competitive tender processes being from Tiptree. The site, despite different working practices on construction sites at present, progresses as planned. In addition, following the planning permission gained, the subsequent completion of the archaeological works at the start of this construction led to new learning about Roman Colchester's road network in this locality.
- 5.6.8 Benefitting from CAEL's delivery of the innovative heat network (above), the Mill Road site will also see CAHL delivering circa 350 homes (of which 105 are affordable homes). The wider site has proven more challenging than initially forecast, with the pandemic not helping the speed of progress, but an outline planning application is now expected to be approved within the next few months. Work on St Runwald Street also continues to conclude the "Phase 1" sites.
- 5.6.9 Throughout 2020 CAHL have also been managing projects to deliver entirely affordable housing on sites owned by the Council through its Housing Revenue Account (HRA). As with Creffield Road, the Council decided not to delay new contracts being tendered to provide employment opportunities at uncertain times which means that a steady flow of contractors for housebuilding carried on through 2020. As a result, Hardings Close is also due to complete in the Spring, followed by sites at Buffett Way, Scarfe Way and Military Road later in the year.
- 5.6.10 Similarly, CATL's "Development Services" have delivered several major projects and are continuing to deliver ongoing significant projects for the Council. Consequently, the first £2.9m of grant funding from Homes England was received by the Council in 2020, whilst £690k of Sports related grants have contributed towards the Sports Park. This funding has been helpful in providing a regionally significant venue with many sports and recreational offers when it opens. The "Wheels for All Cycling Partnership Project" saw a successful launch of an adaptive cycling programme for people with disabilities, whilst there is a "learn to ride" coach; ensuring that people of all ages and abilities will be able to enjoy this new inclusive facility to encourage healthier, active, lives.
- 5.6.11 In the town centre, construction managed by CATL has also helped the Council assist the roots of recovery. The £9m "Mercury Rising" Theatre expansion, though hindered, was the only construction site that managed to continue working non-stop throughout all stages of the Covid-19 pandemic and is almost ready to re-open. The refurbishment of

Jacks was also completed, restoring a historic town centre building and bringing it back in to practical use ready ahead of the forthcoming public realm works that the Town Deal advanced funding will help create in St. Nicholas Square.

- 5.6.12 The town centre is also beginning to benefit from the recently increased LFFN ultrafast gigabyte broadband coverage that CATL intensified in the town with the £3.3m DCMS funding received in 2020. This project was implemented during lockdown to minimise disruption to the High Street as businesses re-opened and included coordination with ECC (Essex County Council) over their own pavement repair works. Works in the wider town centre were then rolled out, with the network expansion continuing to the east towards the University, and to the Northern Gateway.
- 5.6.13 This LFFN project undertaken by CATL attracted an initial investment from VX Fiber to expand the network even further, into some of our more deprived wards, a project that has been so encouraging that VX are now seeking to invest a significant amount of extra funding into Colchester to link the whole urban area to ultrafast Broadband.
- 5.6.14 During the same period through the latter half of 2020, the Council also took advantage of the Broadband works to install a new, fit for the future, digital CCTV system. This assisted in the first arrest within days of becoming operational and has seen an upgrade that will help make the town centre safer for years to come. In 2021 the town will also benefit once again from CATL's delivery of major events programmes that were significantly affected in 2020.
- 5.6.15 Where many services were negatively affected by Covid, CATL continued to see some returning growth in the Helpline service and that service was so critical to many vulnerable people at times when they had no friends or family support available in 2020 and 2021.

6. Equality, Diversity and Human Rights implications

- 6.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 The recommendations will have no disproportionate impact on any protected group.

7. Strategic Plan References

- 7.1 Governance is integral to the delivery of the Strategic Plan's priorities and direction for the Borough as set out in that Plan. The activities of the Council's companies contribute to most of the Strategic Plan priorities.

8. Consultation

- 8.1 There is no specific consultation requirement generated in relation to this Report. The Business Plans are considered by the Governance & Audit Committee in their role as shareholder prior to them being put before Cabinet for approval, providing consultation and a chance to comment and make recommendation on the Plans.

9. Publicity Considerations

- 9.1 There is no specific publicity consideration in relation to this Report. Individual activities of the companies that require public consultation will undertake them at appropriate times, by stakeholder engagement workshops, planning application consultations, press releases and Council reports.

10. Financial implications

- 10.1 In terms of overall governance, the companies operate as separate organisations with financial regulations agreed by relevant company boards. Where the companies are spending money on behalf of the Council, such as sport and leisure, capital budgets within the RIF, then all approvals are required to be in line with normal Council procedures.
- 10.2 In terms of the financial assumptions and dividend targets, when the companies were set up the financial targets and estimated dividend for 2018/19, 2020/21 and 2021/22 were broadly based on existing budget assumptions when services were operating within the Council and some year-on-year growth and expansion targets.
- 10.3 The 2018/19, 2019/20 and 2020/21 target dividend was set out in the CCHL business plan and council budgets assumed an increase in income. In both the first and second years of trading activities these dividend targets were met, with a £107,000 increase achieved. The third year, the dividend target was affected significantly by the unpredictable nature of Covid-19 on the world, however, a revised dividend which was agreed by the Council in mid-2020 is set to be achieved for 2020/21.
- 10.4 The 2021-2024 Business Plan for CCHL sets out how it is expecting to deliver (once again) increased dividends for the Council over the 3-year Business Plan(s) period, so that the Council can benefit from this in providing our services to the public. The first year will still be affected by the Covid-19 pandemic. For 2021-2024 the Business Plans set out a forecast as follows:

Table 1 - Group Consolidated Forecast

	2021/22	2022/23	2023/24
Income	£6,269,387	£7,646,821	£8,089,825
Expenditure	£6,131,401	£6,664,259	£6,940,661
Profit Before Tax	£137,986	£982,563	£1,149,164
Tax	£26,217	£186,687	£218,341
Profit Available For Distribution	£111,769	£795,876	£930,823

- 10.5 The “profit available for distribution” will slightly differ to the past dividends as the “non-housing” profits remain entirely available to support the Council's revenue budget (as per previous years), but the newly incoming “housing profits” will also be used for funding

within the Council's capital programme and repayments of borrowing by the Council and CAHL, in addition to other reinvestment in Council services. This reflects past agreements on financial structuring (in 2018) of the housing company developments.

- 10.6 The companies also generate other income for the Council aside from the headline dividend. The companies pay rent for use of the Council office space that they occupy, they also pay for the services they receive from the Council under the SLAs, as well as paying for use of the Council's venues in order to deliver the commercial events programme.
- 10.7 The existence of commercial companies allows the Council to access funding streams that are not available to the public sector, and for funding to be combined in projects where the Council and its companies form a partnership (each accessing their own grant or funding).

11. Health, Wellbeing and Community Safety Implications

- 11.1 Health and wellbeing is influenced by several factors, many of which fall under the responsibility of the Council. The Company activities span various aspects and assist the Council to do all it reasonably can to promote positive health benefits to our residents; whilst reducing, removing or minimising any unintended consequences to health that may arise from services or decisions. A number of the activities outlined in the main report, and the appended Business Plans demonstrate how health and wellbeing are being improved, such as the new Colchester Northern Gateway Sports Park, or the new CCTV system.

12. Health and Safety Implications

- 12.1 The matters herein do not result in harm to the health and safety of the general public. The work of the companies has individual health and safety requirements relevant to each activity. For example, construction is managed on site in accordance with a number of health and safety regulations.

13. Risk Management Implications

- 13.1 CCHL has a risk register that is actively managed. Each of the subsidiary companies also have their own risk register. All the companies have a Business Continuity Plan.
- 13.2 The key risks associated with the companies concern the financial risk attached to the delivery of income targets (capital and revenue) and management of costs. This is actively managed through regular monitoring and reporting on the financial position and the governance arrangements detailed within the report.

14. Environmental and Sustainability Implications

- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. Many of the company activities are helping deliver projects that will contribute towards the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the meeting three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.

14.2 This report and the Business Plans outline the activities of the companies. Projects such as the delivery of homes, jobs and sports and leisure provision, contribute towards sustainable communities. Projects such as the Heat Network, an innovative low-carbon energy network, make positive contributions to reducing the impact of growth. Thus, in summary, activities undertaken by the Council through its companies has considered the Climate Emergency and the sustainable development objectives set out in the National Planning Policy Framework (NPPF).

15. Appendices

PUBLIC Appendix

Appendix A: CCHL Business Plan 2021-24

CONFIDENTIAL Appendices

Appendix B: CAEL Business Plan 2021-24

Appendix C: CAHL Business Plan 2021-24

Appendix D: CATL Business Plan 2021-24

PLEASE NOTE that these 3 Business Plans contain commercially sensitive details and are confidential; but the overarching activities within them are consistent with, and reflected within, the public Business Plan for CCHL.