

Scrutiny Panel Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ
Tuesday, 28 March 2017 at 18:00**

The Scrutiny Panel examines the policies and strategies from a borough-wide perspective and ensure the actions of the Cabinet accord with the Council's policies and budget. The Panel reviews corporate strategies that form the Council's Strategic Plan, Council partnerships and the Council's budgetary guidelines, and scrutinises Cabinet or Portfolio Holder decisions which have been called in.

Information for Members of the Public

Access to information and meetings

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Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to most public meetings. If you wish to speak at a meeting or wish to find out more, please refer to Your Council> Councillors and Meetings>Have Your Say at www.colchester.gov.uk

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Scrutiny Panel – Terms of Reference

1. To fulfil all the functions of an overview and scrutiny committee under section 9F of the Local Government Act 2000 (as amended by the Localism Act 2011) and in particular (but not limited to):

- (a) To review corporate strategies;
- (b) To ensure that actions of the Cabinet accord with the policies and budget of the Council;
- (c) To monitor and scrutinise the financial performance of the Council, performance reporting and to make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions;
- (d) To review the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic and Implementation Plans;
- (e) To review the financial performance of the Council and to make recommendations to the Cabinet in relation to financial outturns, revenue and capital expenditure monitors;
- (f) To review or scrutinise executive decisions made by Cabinet, the North Essex Parking Partnership Joint Committee (in relation to decisions relating to offstreet matters only) and the Colchester and Ipswich Joint Museums Committee which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (g) To review or scrutinise executive decisions made by Portfolio Holders and officers taking key decisions which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (h) To monitor the effectiveness and application of the Call-In Procedure, to report on the number and reasons for Call-In and to make recommendations to the Council on any changes required to ensure the efficient and effective operation of the process;
- (i) To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are not the responsibility of the Cabinet;
- (j) At the request of the Cabinet, to make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the management of Cabinet business or jeopardising the efficient running of Council business;

2. To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):

- (a) To review and scrutinise decisions made, or other action taken, in connection with the discharge of those functions by the responsible authorities of their crime and disorder functions;
- (b) To make reports and recommendations to the Council or the Cabinet with respect to the discharge of those functions.

COLCHESTER BOROUGH COUNCIL
Scrutiny Panel
Tuesday, 28 March 2017 at 18:00

Member:

Councillor Beverly Davies
Councillor Christopher Arnold
Councillor Phil Coleman
Councillor Adam Fox
Councillor Mike Hogg
Councillor Lee Scordis
Councillor Barbara Wood

Chairman
Deputy Chairman

Substitutes:

All members of the Council who are not Cabinet members or members of this Panel.

AGENDA - Part A
(open to the public including the press)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

1 Welcome and Announcements

- a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.
- (b) At the Chairman's discretion, to announce information on:
 - action in the event of an emergency;
 - mobile phones switched to silent;
 - the audio-recording of meetings;
 - location of toilets;
 - introduction of members of the meeting.

2 Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

3 Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent, to give reasons for the urgency and to indicate where in the order of business the item will be considered.

4 **Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

5 **Minutes**

9 - 16

To confirm as a correct record the minutes of the meeting held on 28 February 2017.

6 **Have Your Say!**

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

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter relating to

the terms of reference of the Committee/Panel not on this agenda.

7 Decisions Taken Under Special Urgency Provisions

To consider any Cabinet decisions taken under the special urgency provisions.

8 Decisions taken under special urgency provisions

To consider any Portfolio Holder decisions taken under the special urgency provisions.

9 Referred items under the Call in Procedure

To consider any decisions taken under the Call in Procedure.

10 Items requested by members of the Panel and other Members

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

Members of the panel may use agenda item 'a' (all other members will use agenda item 'b') as the appropriate route for referring a 'local government matter' in the context of the Councillor Call for Action to the panel. Please refer to the panel's terms of reference for further procedural arrangements.

11 ICT Support Contract 17 - 26

See report of Assistant Chief Executive

12 Use of Advertising Boards in the Town Centre Discussion Paper 27 - 36

See report of Head of Community Services.

13 Senior Management Restructure 37 - 56

See report of Chief Executive

14 Draft Work Programme 16-17 57 - 64

See report of Assistant Chief Executive

15 Exclusion of the Public (Scrutiny)

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of

this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

Part B

(not open to the public including the press)

SCRUTINY PANEL

28 FEBRUARY 2017

Present:- Councillor Davies (Chairman), Councillor Arnold, Councillor Coleman, Councillor Fox, Councillor Hogg, Councillor Scordis, Councillor Wood

Also in Attendance:- Councillor T.Young

106. Minutes

RESOLVED that the minutes of the meeting held on 31 January 2017 be confirmed as a correct record.

107. Review of the Council's Funding and partnership arrangements with Firstsite

The Panel is asked to review the progress of Firstsite since the decision by the Arts Council to withdraw their National Portfolio Organisation status and to consider how effectively they support the Council's Strategic Plan priorities and provide value for money for the funding provided.

Noorzaman Rashid, Chairman of Firstsite and Sally Shaw, Executive Director of Firstsite attended the meeting and provided the Panel with a presentation. Councillor Tim Young, Portfolio Holder for Culture was also in attendance.

Noorzaman Rashid provided the Panel with a brief summary of the history of Firstsite, and informed the Panel that Sally Shaw, the current director, joined in April 2016. Noorzaman Rashid praised the work of Sally Shaw during her tenure to date. The Panel were also informed of the visitor numbers to Firstsite, which stood at 125,000 for last year, up from the previous figure of 80,000.

Noorzaman Rashid confirmed that Firstsite have in place a three-year funding strategy, a business plan, a service level agreement with Colchester Borough Council and a detailed agreement with Arts Council England. Firstsite have, so far, completed the vast majority of recommendations made to the organisation, with those remaining currently in progress.

Noorzaman Rashid stated that Firstsite is a nationally and internationally recognised organisation. The facility is an important part of the development of the cultural quarter in Colchester, and the Borough as a whole. Noorzaman Rashid highlighted that Curzon Cinema would assist with the development of the cultural quarter and confirmed that an agreement for Curzon Cinema to use Firstsites auditorium for the most popular films had been finalised.

With regard to the governance arrangements, these have been further strengthened; all but two of the board members are new in post and the gender split is almost equal. Firstsite will continue to further improve its relationships with local residents; in order to do this a Programme Advisory Board has been set up using analytics to gather a greater understanding of the exhibitions and events that residents and visitors would wish to see. In addition to this, Sally Shaw is meeting with a variety of stakeholder groups to gather further information.

An Innovation and Enterprise Group has been created to look at how Firstsite can operate more efficiently. The group includes staff members, trustees and local businesses. An example of the increase efficiency is the 'We Walk the Line' café which has recently been launched and will return a 10% profit by the end of the financial year 2017/18. Further opportunities such as pop-up food stalls, improvement of the retail experience, a business hub and other uses for the auditorium will be explored. Noorzaman Rashid acknowledged the challenges ahead, which include whether Firstsite receives the four-year funding agreement from the Arts Council.

Sally Shaw provided the Panel with information on her previous roles, which included Modern Art Oxford, London Underground and the Mayor of London. Sally Shaw also informed the Panel of the groundwork that had been completed at Firstsite prior to her arrival.

With regard to the programme going forward, Sally Shaw stressed the importance of providing both familiar art forms and those which are more unusual which would help attract local residents and visitors from further afield to Colchester. The aim is to cement Firstsite as a default visitor attraction within a 45-minute catchment area and further work is being undertaken to achieve this goal.

Firstsite has improved its reach, particularly in terms of diversity and with those aged over 45. Improvements have also been made in how Firstsite creates news coverage for the different range of events. Further work is required to ensure partnerships are made in Colchester and further afield; a collaboration is currently being worked on with the University of Essex.

Sally Shaw highlighted the success of the open submission exhibition where members of the public were able to showcase their own pieces of art. The event attracted 60,000 visitors and will be taking place again focused around a particular theme. Sally Shaw also highlighted the importance of regional culture and informed the Panel of a local artist that displayed their work in Firstsite and subsequently gave a donation back to Firstsite due to the success. Further to this Firstsite also has the capability to display renowned artists work including Andy Warhol. An artist will also be commissioned to produce a piece of work on the outside of the auditorium that will stay in place for a full year.

Sally Shaw also highlighted the Gee Vaucher exhibition which proved very successful, was promoted well through social media and managed to make the national newspapers.

Firstsite also held a Syrian pop-up café, in partnership with Refugee Action Colchester which received 2,000 visitors in one weekend.

Sally Shaw informed the Panel of a number of other events such as the Veterans Weekend, which included a talk from a Turner Prize winner and a two-week young artist's festival which attracted 9,000 visitors. The young artists' festival was delivered in partnership with the Paul Hamlin Foundation and Tate; since April 2016 young people have spent 27,000 hours at Firstsite.

Further partnership working is being undertaken with the Royal Opera House Bridge in Thurrock, and Creative Colchester Board to set up the local cultural educational partnership. The idea of the group is to bring the educational and cultural organisations together to understand what can be done better for children and young people. Sally Shaw also highlighted a Britishness project, which would aim to represent young people's view on Britishness and citizenship in the current political atmosphere.

With regard to outdoor spaces, Sally Shaw confirmed that the aim is to make the best use of the facilities with activities taking place throughout the summer months that would be free. This would benefit the whole area in terms of regeneration.

In conclusion to the presentation, Sally Shaw stated that the team are determined to make Firstsite relevant to a wide range of people. Over the next four years there will be annual themes;

- 2018 – World War One
- 2019 – Digital and Innovation
- 2020 – Essex Landscape and cultural significance (including wellbeing)
- 2021 – Tenth Anniversary of Firstsite

With regard to the tenth anniversary, Sally Shaw highlighted that this would be an opportunity to show the cultural impact and benefit to communities that Firstsite has had on Colchester.

Have Your Say!

Jonathan Pearsal

Jonathan Pearsal highlighted that he had always been a supporter of Firstsite, and was pleased to hear from the presentation the intended programmes for the facility. Jonathan Pearsal acknowledged that in previous years Firstsite had struggled, but it is now looking more positive with projects like flipside, and the new café 'We Walk the Line'. Whilst Jonathan Pearsal was concerned that the press coverage presented Firstsite in the wrong image, he hoped that the Committee and members of the public would respond positively to the presentation from the organisation.

Nick Chilvers

Nick Chilvers stated that whilst he was impressed by the intended programme for Firstsite, the message still needed to be circulated to members of the public to combat negative perceptions. This communication would need to be delivered in a variety of different formats rather than just electronically; Mr Chilvers suggested pop-up stalls in the Town Centre, attending different community groups and libraries across the Borough. Mr Chilvers believed that Firstsite should not proceed in becoming a venue for weddings and should also not invest heavily in providing food and beverages as this is provided across the Town Centre. Mr Chilvers stressed the importance of sound finances and ensuring the exhibitions displayed are accessible, which will increase the footfall at the facility.

Maria Wilby

Maria Wilby from Refugee Action Colchester, which supports refugees and asylum seekers across Colchester, highlighted the work undertaken in partnership with Firstsite to operate a pop-up Syrian café. Maria Wilby informed the Panel that the pop-up café started following conversations with Sally Shaw and the eagerness of the Syrian refugee families to demonstrate Syrian food and to find work. Maria Wilby thanked the staff at Firstsite for being so supportive which has led to further events taking place. The pop-up café provided the Syrian refugees with experience of working in a professional kitchen which has led to some receiving job offers and others being sent on food hygiene courses. The café also helped the Syrian families learn more about Colchester. Maria Wilby stressed to the Panel that through Firstsite providing this opportunity the families have felt empowered, benefitting both themselves and Colchester.

Lorna Fox O'Mahony

Lorna Fox O'Mahony from the University of Essex informed the Panel that Firstsite and the University have developed a strong partnership over the past year. Following changes in higher education over the last few years, the University and Firstsite have worked together to identify different opportunities for partnership working. The University has been involved in the Gee Vaucher and Andy Warhol projects and is also part of the local education partnership. The University is also part of a project called 'Go Essex'; a submission has been made to the Government as part of the great places scheme which will award £15m in places across England. The project, which is currently at the second stage of the bid, is seeking locations that can place arts and culture at the heart of local planning.

Below is a summary of the responses provided by Firstsite to Councillors questions;

- An updated milestones document and performance overview document will be circulated to Councillors following questions about recent performance. Firstsite confirmed that 90% of the recommendations made had been completed; the next objective is to develop a retail and marketing action plan. The current number of active volunteers at Firstsite is 70 compared to the target of 100.
- The most successful films that take place at Firstsite are the live streamed events from the National Theatre, the larger blockbuster films were not as successful but the

partnership with Curzon will improve this situation. Firstsite have upgraded the equipment and the license agreement in order to further develop the partnership with Curzon Cinemas and allow films to be shown in the auditorium. The number of films that Firstsite currently shows is approximately 2-3 per week.

- Firstsite have been putting in place measures to maximise the possibility of being re-awarded status as a National Portfolio Organisation (NPO). This included delivering on the key performance indicators, improving accessibility, footfall, press coverage and starting the process of applying for NPO status four months in advance. If there is a reduction in the funding provided by the Arts Council, the funding made available would have to be spread across the programme with a possible review on the money provided for marketing. Firstsite has a three-year funding plan which includes increasing and further improving applications to Trusts and Foundations, which would provide additional sources of funding, particularly for young people and well-being.
- Firstsite have been increasing the number of new visitors, repeat visitors and increasing the time that visitors stay at the facility. The current focus is attracting people who have yet to visit Firstsite; data on how to improve this is currently being collected. Events such as the Syrian Pop-up café, Veterans Weekend and the Flipside festival have brought a range of different and new people in to Firstsite.
- With regard to development around the site, the aspirations are there and it is likely that this will become a bustling area in 5-10 years' time. Firstsite will be applying for funding to develop the outdoor area, which will bring greater footfall and encourage the regeneration of the area. Firstsite are in contact with the Council's development partner and are being kept up to date with the latest developments as they occur. Firstsite welcomes those organisations and businesses that wish to invest in that area. The Panel also heard from the Portfolio Holder that the Creative Business Hub is already open, the Curzon cinema would be in place in the autumn and that the hotel was coming soon.
- Firstsite will be working in partnership with a range of organisations, some of which were not included in the NPO application. With regard to the Minorities, monthly meetings occur to discuss shared programme responsibilities; this has included in the past a Christmas Market and will now be looking towards other opportunities.
- Firstsite acknowledged the difficulty in ensuring that the galleries are open when evening functions and events are taking place; this is due to the resource required to staff the gallery at those times. Further work will be undertaken to assess the needs of those booking events space to ensure demand is met, alongside additional staff training that is being undertaken in partnership with Curzon. Firstsite do have an Innovation Enterprise Group that is looking into how the layout can be improved.

- The Ring of Towns event has not happened yet; venues that would be suitable around Colchester to display art and run activities from the different cultural organisations are currently being compiled. The aim would be for this to start to take place during the next financial year. Firstsite have contacted the Arts Council and informed them that this would take some time to implement.
- Firstsite are looking at the different galleries to assess what works best in each location and how Firstsite can improve. Firstsite have looked at arts organisations such as the Turner Contemporary in Margate, the Institute of Contemporary Arts and the Whitechapel Gallery in London. This is in terms of both the art displayed, role in the local community and an example of the regeneration of areas that arts galleries can provide.
- Firstsite confirmed significant levels of support from community groups across Colchester. Further planning will be required to ensure that the planned events can be delivered in the best possible manner; allowing for community groups to have the required funding in place and scheduled within a busy programme.
- In terms of footfall, Firstsite is aiming to increase the current figure by 25,000 over the next 18 months; this will be assisted by the opening of the Curzon Cinema. Further work is required to integrate Firstsite into the other cultural and historical attractions in the town, which will deliver further increases in visitors to the facility.

Councillors thanked Noorzaman Rashid and Sally Shaw for attending the Scrutiny Panel meeting and were encouraged by the progress made by Firstsite

RESOLVED that;

- a) Updated milestone and performance indicator documents be circulated to Panel members.
- b) Panel members are encouraged by the progress at Firstsite.
- c) The Panel reviewed the progress of Firstsite.

108. Work Programme

Councillor Davies introduced the Work Programme for 2017-18. Councillor Davies informed the Panel that a recommendation will be made to Cabinet regarding restructuring of the Senior Management Teams at Colchester Borough Council. Councillor Davies requested that the proposals come to the Scrutiny Panel at the next available opportunity for review.

Panel members also discussed potential items for review during the next municipal year. This included discussions on whether there are different perspectives from which to review the Hospital; this could include looking at the issue from a patient point of view by speaking to different patient representative groups. Councillor Scordis highlighted the issue of the Walk-in Centre and the options that are being proposed.

Councillor Coleman highlighted an issue of funding for academy schools and whether there is any scope for the Scrutiny Panel to review this during the next year. The Democratic Services Officer confirmed that information would be circulated to Panel members informing them of the current Academy and Free School arrangements.

Councillor Davies also requested that the Big Choice awards be included in next year's review and Councillor Arnold also requested that the Vineyard Gate development be included on the provisional work programme.

Members of the Panel also requested a digital agenda training evening in the near future.

RESOLVED that;

- a) The Senior Management Restructuring report be scheduled for review by the Scrutiny Panel at its next available meeting.
- b) The Democratic Services Officer circulate information on Academies and Free Schools.
- c) That a digital agenda training session be arranged for Scrutiny Panel members
- d) That the Work Programme be noted.

Report of	Assistant Chief Executive	Author	Kieran Johnston ☎ 507880
Title	ICT Support Contract		
Wards affected	N/A		

The Panel is invited to review this report and the progress made to date to restructure the ICT Team and transition from an outsourced support contract to an 'in house' team

1. Action required

- 1.1 The Panel is invited to review this report and associated documents, and to comment on the progress made to date and the planned activity.

2. Reason for scrutiny

- 2.1 To provide information about the new ICT structure; to provide assurance that the transition plan is robust; and assurance that progress is on track to deliver the new 'in house' team on a cost neutral basis with a go live date of 1 April 2017

3. Background information

- 3.1 The Council has had its technical ICT service delivered by outsourced providers for over 15 years. The Council's ICT Strategy is forward thinking and is dependent upon the adoption of cloud technologies and the adoption of new ways of working. The existing outsourced ICT contract was not in harmony with this and there is a contractual break point in the contract at 1 April 2017. The ceasing of the contract and the transition back to an 'in house' team was agreed through a Portfolio Holder Decision dated 7 Dec 2016, which can be found [here](#).
- 3.2 Corporate ICT has been working to a detailed transition plan which includes a restructuring of the existing in house Corporate ICT team, the necessary recruitment to the new support posts (which includes transfer of a 9 staff from the current supplier under Transfer of Undertaking Protection of Employment (TUPE) rules), the transfer of knowledge and novation of contracts from the external supplier to the Council, and the purchase of 'service desk' software to provide a knowledge base, and to manage individual customer requests and larger scale issues.
- 3.3 The transfer to an 'in house' team is to be delivered on a cost neutral basis with the expectation of meeting existing standards of support on go live and becoming increasingly responsive and proactive over the first year of service. The standard service will be delivered between the hours of 8am and 6pm as per the existing contract.

4. The rationale and the new team structure

- 4.1 Appendix A describes the new team structure, provides some context around the roles in the team, and outlines the rationale for the change

5. Transition activities

- 5.1 The transition activities are grouped under 4 key work streams and each of these work streams are on track to deliver to time and budget.
- 5.1.1 The People stream has focused on defining a new ICT team structure to support the organisation, appointing staff into the new roles and managing the TUPE process for Contractor staff.
- 5.1.2 The Services stream has focused on developing and testing our service delivery processes and on ensuring that all relevant ICT third party contracts are novated back to CBC.
- 5.1.3 The Technical Services stream has focused on defining all functions and technical processes to be delivered by the new team (based upon Information Technology Infrastructure Library (ITIL) standards) and ensuring we have the skills and technology available to deliver these.
- 5.1.4 The Operations stream has focused on managing the change and communications associated with the transition period, and on configuring our new ICT Service desk software.

6. Recruitment and accessing appropriate skills

- 6.1 We have commenced recruitment activities and have appointed appropriately skilled and qualified staff into key roles. Further recruitment activity to date indicates that we will not have significant issues in recruiting into technical roles in the near future, although we will continue to monitor this.
- 6.2 Alongside our successful recruitment, significant work has been undertaken to develop a network of contacts and further support options to ensure we have access to additional skills if required. These options/opportunities include:
- Working with Braintree District Council to align our skills and ensure that we make best use of resources. Also working together to develop further options around enhanced or further support.
 - Working closely with the Essex Online Partnership in the development of a talent sharing and skills bank initiative that allows us to call on specific skills from other members.
 - Working closely with Microsoft Gold Partners enabling us to access very technical Microsoft resources for proactive and reactive activities
 - Utilising our training credits as part of our Microsoft Enterprise Agreement to upskill staff.

The Team for In-House IT Services

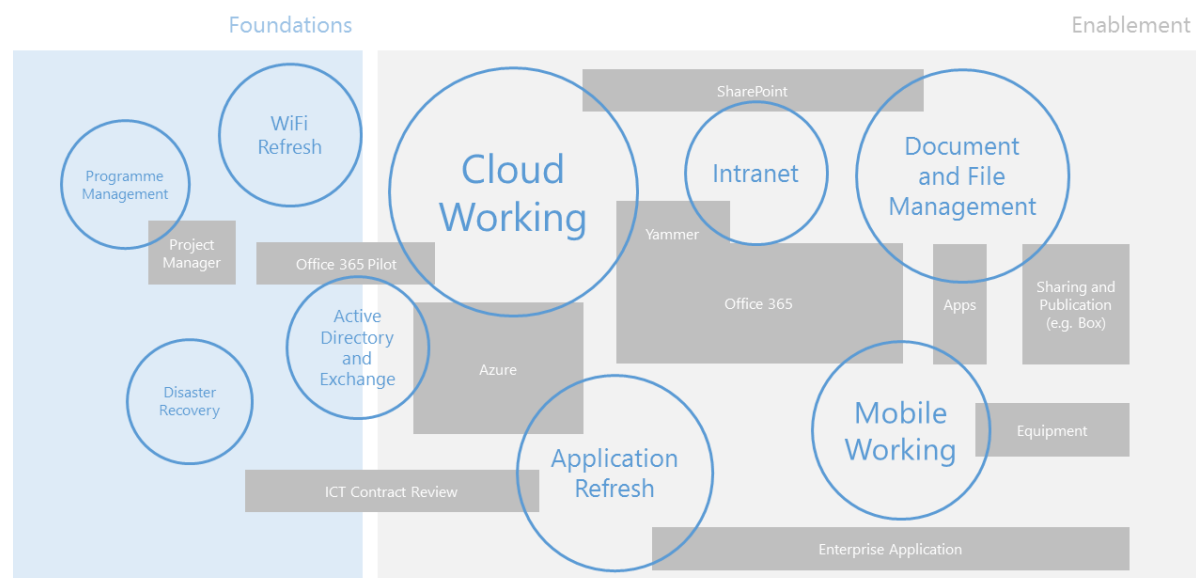
JANUARY 2017

Why change?

The need for change has been a significant contributor to the decision to cease our Capita ITES contract at a natural break. The contract CBC and Capita signed up to five years ago is increasingly unfit for our technology environment, and many of the outcomes of the Technology 2018 programme are rendering this type of contract outmoded.

The cessation of the contractor and client arrangement provides the opportunity to design a holistic IT service that meets the needs of the Council.

As the Technology 2018 programme gathers pace and enables new ways of working, increased productivity and better collaboration, our focus moves away from servers, applications and desktops and heads towards delivering effective cloud and enterprise technology, increasing our data maturity and lifting digital skill levels across our digital immigrants, as digital natives begin to flood our workforce.

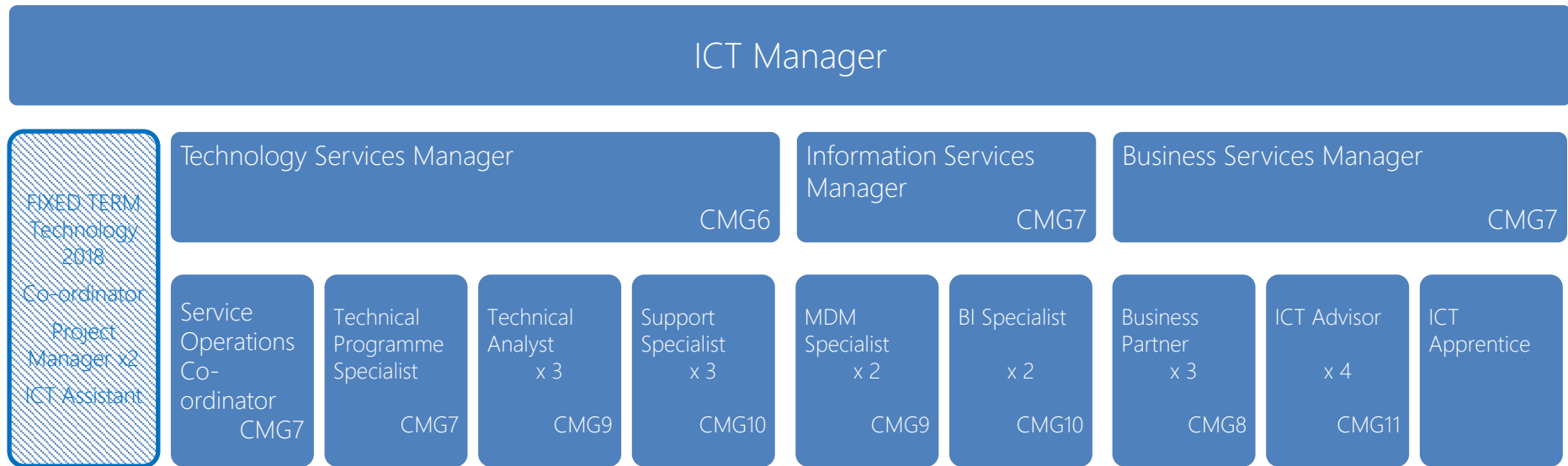


TECHNOLOGY 2018 **ICT STRATEGY** FOR COLCHESTER

Appendix A

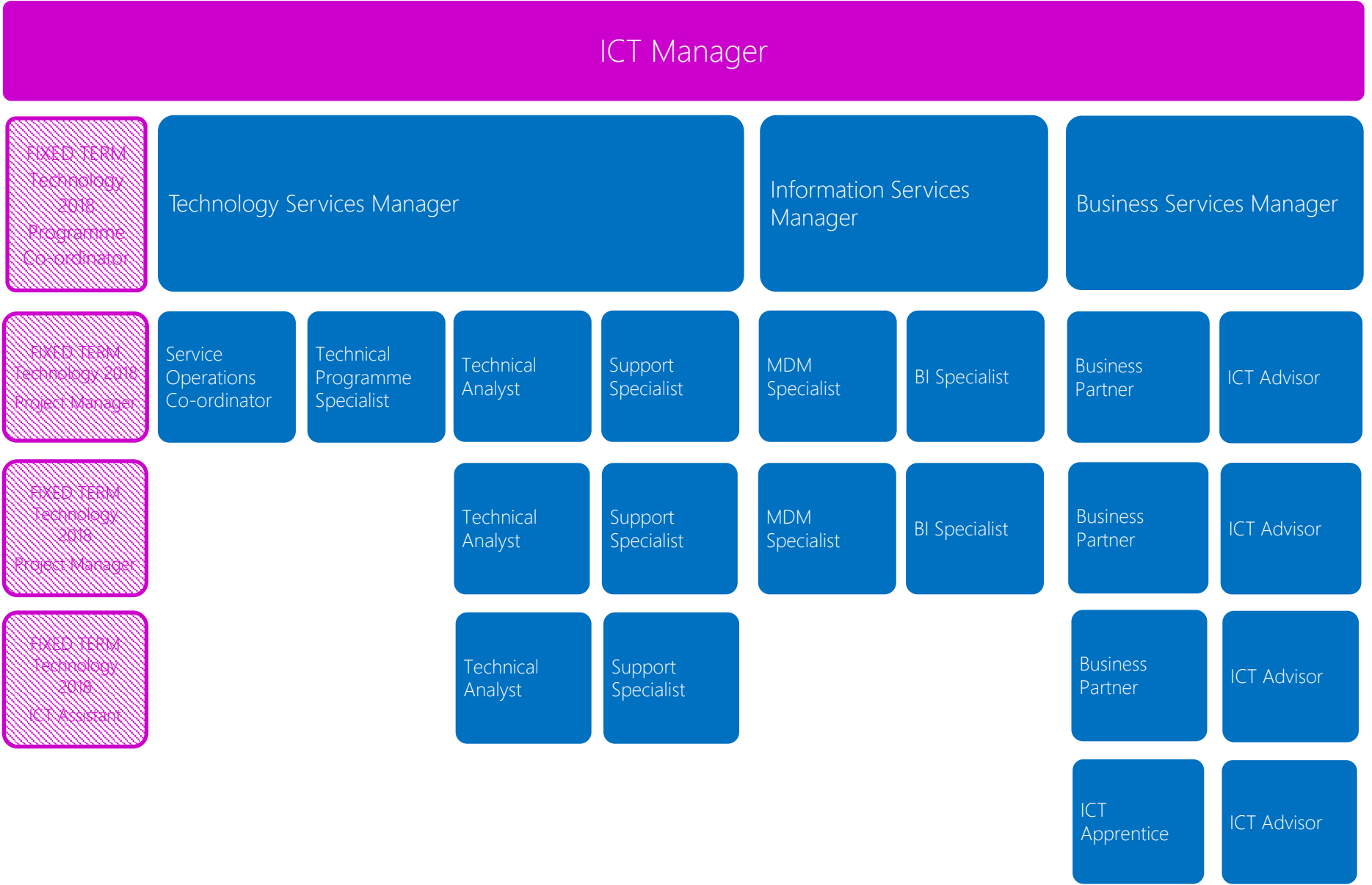
The New Team

The team to see the organisation through this cultural change and onwards has been devised by the ICT Manager and the Strategic ICT and Communications Manager following consultation with IT staff at CBC and Capita.



Grading on this structure has been completed by CBC's Job Evaluation Panel.

The structure showing a box for each FTE post is below. Only the roles in blue below were part of formal consultation with affected staff.



Role Pen Portraits

The **ICT Manager** is a leader, being the head of profession and accountable for the delivery of ICT operations. They are knowledgeable and understand business needs, delivering strategic aims and controlling programmes, transformation activities and finances. Using their ability to motivate and negotiate, they direct innovatively and listen actively, designing and maintaining a high quality IT service. Members of their team feel empowered to deliver collectively and as individuals. Managers and colleagues, as ICT customers, look to them for technology leadership and continual service improvement.

Technology Services

The **Technology Services Manager** takes control of technical delivery, maintaining services regardless of location and maintaining security regardless of threat. They ensure effective ICT is delivered by developing a team with solution-focussed technical skills. They know that ICT must be robust, scalable and always available, at least within reason. The TSM understands how to assess and mitigate risk and impact, providing assurance that change is managed properly and addressing problems effectively. Responsible for the delivery of programme co-ordination, they also provide second line and third line support that meets, and endeavours to exceed, customers' expectations.

The Technology Services team comprises the **Service Operations Co-ordinator, the Technical Programme Specialist, Technical Analysts and Support Specialists**. Strong technical skills are evident, as is commitment to continuing professional development. Between them there is knowledge and experience in providing excellent technical delivery, alongside collaboration with consultants and suppliers. The SOC makes sure day-to-day operations are running smoothly and resilience is sufficient. The TPS has an ear to requirements coming in through Business Services and enables realistic activity programming. Technical Analysts love to find solutions, both for new working practices and for existing problems. Support Specialists provide the glue between customers and technology, fulfilling service requests and resolving technical issues. All team members are quick and keen to respond to major incidents, ensuring disruption is minimised. They understand the value of technology in delivering effective public services.

Information Services

Data, information, knowledge and wisdom are the domain of the **Information Services Manager**. They articulate the value of information, providing assurance and security whilst ensuring the right information is available to the right audiences. They know the data maturity of the Council and put in place continual improvement activities. The services they provide enable the organisation to use accurate, complete and timely information intelligently. The ISM understands the dependencies on information captured or referenced across the organisation, and upholds standards that maintain its value. Colleagues, members of the public and other public sector bodies all feel assured of the quality, appropriate transparency and appropriate protection of the Council's information.

The Information Services team are specialists in good information management practices; Master Data Management and Business Intelligence.

MDM Specialists are knowledgeable and experienced in implementing and using data standards, advocating the value of single centrally managed datasets where data can be maintained accurately and completely: capture once, use many times. They effectively manage addressing and geographic information, alongside harnessing their MDM capabilities to deliver excellent asset management and configuration management records.

Whilst MDM Specialists focus on single central data sources, **BI Specialists** employ their skill to manage information in abundance. Unstructured or partially structured data, residing in files, documents or records, is managed effectively through document management systems, network shares and collaboration platforms. BI Specialists help customers create or consume what they need, ensuring retention and destruction is controlled. They are proficient in reporting and analysing information so that the organisation makes informed decisions.

Business Services

The **Business Services Manager** is every manager's best friend. They understand what IT's customers want to achieve with information or technology, whether it's for a function, a service or the whole organisation. Their innovative approach and knowledge about the capabilities of technology support services to plan realistically and improve productivity. Best of all, they understand the business and therefore they know what is needed, so they can take it back their team and their colleagues to plan delivery. The BSM makes sure everyone who needs or wants to know gets to know, whether it's the latest technology news, progress on a project or the resumption of service after a major incident. Crucially, they use their excellent communications skills to deliver digital skills improvement across the IT user community, making sure that technology is used effectively by all.

The Business Services team are a positive and friendly group of customer-focussed IT professionals.

ICT Advisors are everyone's first point of contact, whether it's to borrow a laptop or solve a personal technology crisis! They can be reached on any digital medium, from Skype to email to instant messaging, as well as in the old-fashioned ways of making a telephone call or paying a personal visit. When they talk to customers, they respect that customer's request or concern and never make them feel stupid, although they will do what they can to enable the customer to help themselves.

Business Partners are the experts in improvement and innovation through the application of technology. Like ICT Advisors, they are keen to help and actively encourage digital skills improvement in making the most of technology. BPs understand the desired outcomes and support services to achieve them. Their excellent communication skills and their ability to easily build rapport means they can explain complex technical solutions in appropriate ways. Always verifying the business case stacks up, BPs will see activities through to programme planning and access the technical assurance that ensures successful delivery

Appendix A

For more information contact:

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10 January 2017

Scrutiny Panel

28th March 2017

Item
12

Report of	Head of Community Services Lucie Breadman	Author	Cassandra Clements 📞 282918
Title	Use of Advertising Boards in the Town Centre Discussion Paper		
Wards affected	Optional: Castle / Whole Borough		

The Panel is invited to discuss the use of A Boards in Colchester Town Centre and inform the Portfolio Holder of their views or recommendations

1. Decision required and reason for Scrutiny.

- 1.1 The Scrutiny Panel is invited by the Safer Communities and Licensing Portfolio Holder to discuss the use of A Boards in Colchester Town Centre and decide if they wish to make recommendations or inform any future approach.

2.0 Background Information

- 2.1 A Boards are used throughout the Borough by local businesses to promote their company or services. However, depending on the width of pavement/highway in front of their business the A Boards can cause an obstruction which is particularly an issue for the visually impaired, users of mobility scooters, prams and pushchairs, pedestrians in general and often vehicles.
- 2.2 There has been a number of requests to Colchester Borough Council from Access Groups to ban the use of A Boards entirely. Scrutiny Panel has been invited to discuss the situation, review the options below and to consider a view or recommendation to the Portfolio Holder.
- 2.3 There are currently approximately 288 A Boards in use within Castle Ward.

3.0 Policy & Enforcement Position

- 3.1 The only current policy in relation to A Boards is Essex County Council Highways Policy. Details of this are included as Appendix A. While they have a policy in place which does limit the size, number and location of the Boards ECC have also confirmed that they have no plans to enforce this on the ground.

CBC has enquired if ECC would delegate their authority to enforce the ECC policy in place but they have confirmed that our option to enforce would be through our own Planning Authority as A Boards are essentially outdoor advertising and CBC can address the issue from a planning enforcement perspective.

- 3.2 Planning - advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development. "A-boards" on highways (including footways) where vehicular traffic is prohibited will require express advertisement consent. They will also require the consent of the relevant council under section 115E of the Highways Act 1980

for permission to place items such as “A-boards” in highways (including footways) where vehicular traffic is prohibited.

- 3.3 National Planning Policy regarding adverts is contained in the National Planning Policy Framework. Paragraph 67 states; *“Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”*
- 3.4 Colchester Borough Council adopted guidance on A Boards is covered in the Shopfront SPD which states: The Council will discourage the display of A Boards outside shops. Any advertisements displayed on the highway (which includes the publicly adopted footway) will need both advertisement consent and also the consent of the highway authority. These applications in the future are likely to be refused.
- 3.5 Existing national and local policy and guidance is considered to set the framework for the approach to be taken to adverts including A Boards. Policy cannot be used to restrict the display of A Boards that are permitted by regulations/legislation. No change is therefore proposed.
- 3.6 Planning enforcement – advertisement consent: A business premises has deemed consent to display an advertisement if it is within their own area or forecourt. However, as most of the A boards in the town centre are not within an enclosed privately owned area or on a forecourt of a business premises in pure terms they require advertisement consent in order to made them legal.

Planning enforcement operates to protect the public interest, and as an unauthorised advert is a criminal offence, the only enforcement “tool” available to us (if a mutual agreement cannot be reached) is prosecution through the Magistrates Court. The case for prosecution would have to be made against the offending business and the landowner, which would often be Essex County Council Highways.

As with all planning enforcement complaints, before a decision to prosecute is made a judgement must be made on the degree of harm.

In addition, CBC’s Planning Enforcement Policy states that *“it is necessary to target available resources to have maximum effect. Attention will be focussed where there is the most harm in planning terms”* and A Boards in the town centre generally provide very little harm from a Planning perspective.

- 3.7 Very few complaints are received from a planning enforcement point of view, however, where they are received and the harm is felt to be worthy of action (usually from an obstruction point of view) negotiation with the business owner, by either planning enforcement, the Police, or Zone Team’s has generally resulted in removal.

Complaints about A Boards are usually received directly by the Zone Team as they are seen as an obstruction by the complainant rather than an advertising breach. There are a very small number received per year. Zone Wardens do not routinely monitor A Boards.

3.8 Few Councils take enforcement action against A Boards. For those that do there are a range of approaches, example below:

- **Tendring District Council, Maldon District Council, Braintree District Council:** These Councils all follow the ECC Policy and ask for Advertising Consent to be applied for before using A Boards.
- **Chelmsford City Council:** Chelmsford City Council implemented a Public Space Protection Order for their city centre. It covers a number of aspects including begging, fly posting, street drinking, as well as prohibiting A Boards.
- **Hackney Council:** Hackney do not allow A Boards at all and have adopted their own policy in relation to this. They have an enforcement team that liaise with businesses and remove the A Board if necessary.
- **Bath & North East Somerset Council:** Allow A Boards as per the highways guidance. We are not clear that they have any enforcement power but have adopted an approach whereby failure to comply with the Highways Policy results in removal of the A Board, and a written letter to the business to say that they will hold it for three months. In that three months the business can pay £100 + VAT to claim it back, or after that time it will be disposed of.

4.0 Current Situation in Colchester

4.1 A survey was undertaken in March 2017 from the following roads; **High Street, Head Street, Crouch Street East and West, Culver Street West, Trinity Street, Eld Lane, Sir Isaacs Walk, Long Wyre Street, Short Wyre Street, Queen Street, St Boltophs Street and Bank Passage.**

The guidance for whether the A-Frame was recorded as 'breach of policy' was taken from the Essex County Council policy 'for the placement of advertising boards on the publicly maintainable highway' published in February 2013.

The main breaches of the policy appear to be **amount of frames** (only 1 board per business allowed) and the **distance of the board from the kerb** (2m unobstructed footway width between the edge of carriageway and the board). There were a couple of other breaches such size of board but these were minimal.

- There were **288** A-Frames in total
- **168** of these were in breach of ECC policy
- This works out at **58%** of the total A-Frames being in breach of policy

Using the ECC policy regarding meter distance from the pavement the following roads would not be viable for A-Frames outside businesses:

- 1) Sir Isaacs Walk - Pavement is not wide enough from kerb to building along most of the entire stretch, but only in certain sections would they be allowed.
- 2) Eld Lane - Does not have a kerb line as it is fully paved.
- 3) Short Wyre Street - Pavement is not wide enough from kerb to building.
- 4) Long Wyre Street - Pavement is not wide enough along the entire stretch, but only in small sections.
- 5) Head Street - Certain sections of street are not wide enough from kerb to building.

5.0 Options Available

5.1 There are a number of options that could be taken, below summaries these:

Options	Advantages	Disadvantages
1)Do nothing	<ul style="list-style-type: none"> No impact on CBC resources No impact on small businesses 	<ul style="list-style-type: none"> No improvement to the Town Centre No improvement for Access
2)Follow the ECC recommended Policy	<ul style="list-style-type: none"> Attempts to tackle clear obstruction issues as we can clearly show the business they are breaking policy No new policy needed but would need to agree approach to take for the most impact to be achieved. 	<ul style="list-style-type: none"> No real enforcement power for CBC Most affected would be small businesses not major retailers due to locations of problem Resource intensive for Zones so would impact on other activities Would not cover all issues raised by Access Groups
3)Apply for a PSPO	<ul style="list-style-type: none"> Clear policy for removal and enforcement Fair across all affected areas Clutter free environment Long Term Solution Allows the use of FPN's 	<ul style="list-style-type: none"> Initially resource intensive Perceived lack of support to businesses Public Consultation May not be granted due to only having A Boards listed in it – disproportionate to the harm
4)Use Planning Advertisement regulations	<ul style="list-style-type: none"> Clear legislation in place. Would remove practically all A Boards other than those on private curtilage 	<ul style="list-style-type: none"> Very resource intensive Disproportionate response in relation to planning harm Criminal convictions Could be seen as heavy handed Negative publicity of prosecuting local small businesses Would need to prosecute ECC as landowner
5) Adopt an 'Area of Special Control' NPPG	<ul style="list-style-type: none"> Clear legislation in place. Would remove practically all A Boards other than those on private curtilage 	<ul style="list-style-type: none"> The planning authority is expected to consult local trade and amenity organisations about the proposal. Before a direction to remove deemed planning consent is made for specific advertisements, local planning authorities will be expected to demonstrate that the direction would improve visual amenity and there is no other way of effectively controlling the display of that particular class of advertisement. The comments of organisations, and individuals, whose interests would be affected by the direction would be sought as part of the process. Enforcement would need resources

- 5.2 It is unlikely that any option will please everyone and with each comes health and safety issues, a business perspective and possible impact on resources that has not been fully explored for the purposes of this paper.

5.3 Options explained:

- Do nothing – Whilst this is the least resource intensive option, it does not address the issues raised by access groups.
- Adopt ECC Policy - This is the most common route used in Essex, with 10 of the 12 authorities using it. This route would allow CBC to ensure there are no clear obstructions to the highway as the policy dictates exactly what is acceptable. It would also allow CBC to work with businesses to remove any second A Frame which we know to be one of the most common infringements of the policy. However it is worth noting that those businesses who will not be permitted to use an A Board due to the distance restriction are likely to be the ones that are on the smaller streets, with smaller shop fronts which is why they use them in the first place. It is not guaranteed that they will be able to have a hanging sign instead – this would have to be applied for through the existing Planning process. This is a resource intensive route and would mean that Zone Teams would be taken away from other Cleansing or Enforcement activity in order to enforce it. Businesses have also stated that in order for this to be fair, that it should apply to the Borough and not just the Town Centre which again would be hugely resource intensive.
- Adopt a PSPO - CBC could look into applying for a PSPO for a total ban on A Boards in Colchester (either town centre or Borough). This is essentially a route to CBC having a Zero Tolerance Policy on A Boards. This is not a guaranteed route as the PSPO may not be successful. Chelmsford do have one, though the A Board ban is only one of 6 points covered in it. Others include Begging, Street Drinking, Fly Posting, Rough Sleeping and Distribution of Free Printed Matter. This again would be exceptionally resource intensive initially (one year), though would be easier to monitor once all enforcement had taken place.
- Enforcement of Planning Advertisement Regs – whilst this is an option, it is highly unlikely that this route would be successful. It is very heavy handed as it results in criminal convictions. Again this option is exceptionally resource intensive and Officers would have to be taken off existing priorities to undertake this work.
- Adopt an 'Area of Special Control' - Similar to the PSPO option, CBC could look into applying for an 'Area of Special Control' for a total ban on A Boards in Colchester (either town centre or Borough). This is essentially another route to CBC having a Zero Tolerance Policy on A Boards. This is not a guaranteed route as again the harm may not be proved adequately and so may not be successful.

6.0 Strategic Plan references

- 6.1 Vibrant - Create the right environment for people to develop and flourish in all aspects of life both business and pleasure.
- 6.2 Welcoming - Ensure Colchester is a welcoming and safe place for residents, visitors and businesses with a friendly feel that embraces tolerance and diversity

7.0 Consultation

- 7.1 For options one, two and four, no formal consultation will be needed to implement these. For Option Three, a Public Consultation forms part of the application for a Public Space Protection Order.

8.0 Publicity considerations

- 8.1 There are mixed views about the need for A Boards ranging from wishing to clear the town of clutter, preventing obstructions for the reasons outlined, to not wishing to disadvantage businesses and being seen to hamper their ability to trade successfully.

9.0 Financial implications

- 9.1 Any action that involves enforcement or education would impact on the resources of the Council. This paper has not clarified those resources or costs which would need to be considered alongside any recommendation made to Cabinet for a final decision on how to proceed.

10.0 Equality, Diversity and Human Rights implications

- 10.1 This is an area that is predominantly being looked at because A Boards can cause an obstruction which is particularly an issue for the visually impaired, users of mobility scooters, prams and pushchairs. A current EQIA is available on the Council's website here <http://www.colchester.gov.uk/article/12744/Community-Services>

11.0 Community Safety implications

- 11.1 Implementing Option Three would be an opportunity for any other conditions relevant to the Town Centre to be added, such as street drinking, begging etc.

12.0 Health and Safety implications

- 12.1 Option One – doing nothing would mean there continues to be a risk to a target group when using the Town Centre.

13.0 Risk Management implications

- 13.1 N/A

14.0 Other Standard References

- 14.1 N/A

Background Papers

Appendix One – ECC A Board Policy



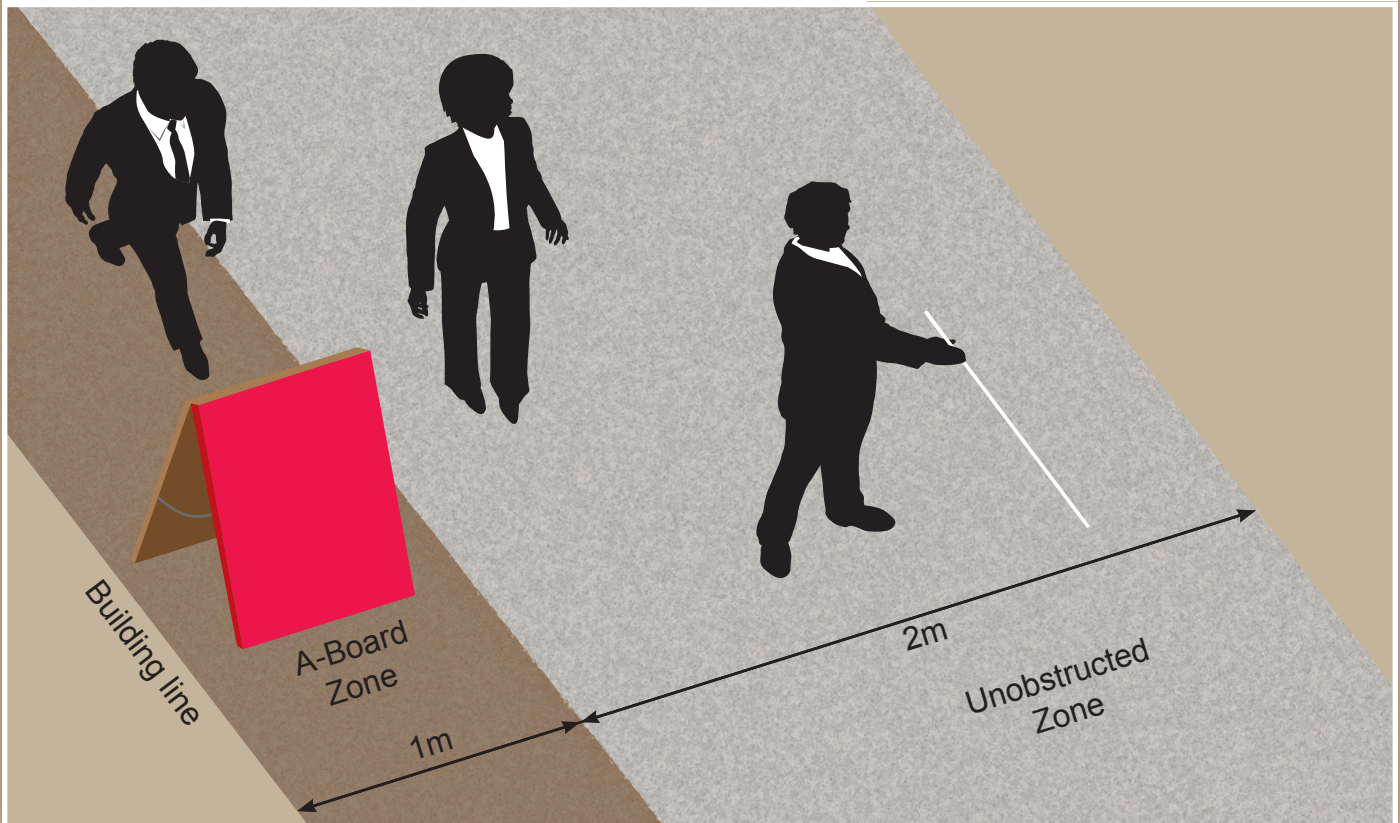
Essex County Council policy for the placement of advertising boards on the publicly maintainable highway



Essex County Council

An advertising board will be no larger than the standard A1 size (637x1100x800 mm) and normally two sided, however this does not prevent the use of new forms of mobile facilities. Any mobile facility must be of sufficient weight or design so as to prevent it being blown over in the wind and not creating a hazard to other highway users and be portable in case removal or re-siting is required.

A minimum of 2 metres unobstructed footway width **must** be maintained between the edge of carriageway and the advertising board. In exceptional circumstances, with the agreement of the borough/district or city council responsible for the location and following discussions with the appropriate access mobility groups a minimum clearance of 1.8 metres will be considered.



If a business has its own private forecourt adjacent to the highway the advertising board should be placed fully within the confines of the forecourt.

The advertising board must be positioned within the curtilage of the property to which it relates.

Only one advertising board per business will be allowed.



Advertising boards will not be permitted in conservation areas except with the written agreement of the borough/district or city council.

Sufficient public liability insurance should be in place.

The advertising boards will not:

- obstruct access to bus stops, taxi ranks or other frontages
- obstruct access to any service covers or apparatus
- be placed on or near to tactile paving or dropped kerbs
- obscure the visibility of highway users on or near a junction
- obscure any traffic signs or road markings

The advertising board will be kept clean and tidy, in good condition and appear professionally made with no content likely to cause offence.

The advertising board should be removed when the premises are closed.

If within a short distance a proliferation of advertising boards results in pedestrians finding it difficult to navigate, all owners will be asked to remove boards until agreement can be reached. (Essex County Council, borough/district and city councils).



This information is issued by
Essex County Council, Network Management Team

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Published February 2013



Scrutiny Panel

28 March 2017

Item
13

Report of	Chief Executive	Author	Adrian Pritchard 📞 282211
Title	Senior Management Restructure		
Wards affected	Not applicable		

The Panel is asked to consider the Cabinet report outlining the proposed Senior Management Team restructure.

1. Action required

- 1.1 The panel is asked to consider and comment on the Senior Management Restructure proposals included in the Cabinet report, in particular the Governance arrangements around the new company and its relationship with the Council.

2. Reason for scrutiny

- 2.1 Cabinet, at its meeting on 15 March 2017, agreed to refer the Senior Management Restructure report to the Scrutiny Panel for comments as part of the consultation process. In addition, the Leader of the Council requested that the Scrutiny Panel look at the Governance arrangements, which would be required, around the new company and its relationship with the Council if the restructure goes ahead.

3. Background information

- 3.1 The Scrutiny Panel meeting falls within the 30-day consultation period. Comments made by the Scrutiny Panel will be provided to the Chief Executive for discussion with the Leader of the Council prior to a decision being implemented.

Report of	Chief Executive	Author	Adrian Pritchard
Title	Senior Management Restructure		282326
Wards affected	Not Applicable		

To consider a senior management restructuring of the Council to ensure it is fit for purpose for the way of operating over the next 3-5 years.

1. Decisions Required

- 1.1 Approve the senior management restructuring proposals contained in this report and its appendices to begin the 30 day consultation period.
- 1.2 Refer this report to the Scrutiny Panel for their comments as part of the consultation process.
- 1.3 Delegate to the Chief Executive, in consultation with the Leader of the Council, any minor structural changes following the formal consultation. Should changes be sought from the proposal to the position of Chief Executive then a formal decision will be taken by the Leader of the Council.
- 1.4 A further report to Cabinet be presented on the most effective Company structure for the commercial ventures together with a relevant business case.
- 1.5 Agree that the Chief Executive implements the new structure applying the normal human resources policies of the Council.
- 1.6 Allow the Chief Executive to determine the most appropriate arrangement (TUPE or secondment) for existing staff in CBC to work in the new commercial ventures.
- 1.7 Include the £208k savings in 2018/2019 as part of the medium term financial forecast and to utilise some of the existing 'redundancy reserve' for the one off cost of implementation.

2. Reasons for Decisions

- 2.1 The Council is progressing a number of commercial type approaches which impinge of the operation of the Senior Management Team. In addition, the Council faces further budget reductions and a more efficient senior management structure can contribute to its savings target.

3. Alternative Options

- 3.1 To make no changes to the senior management whilst agreeing, on an ad-hoc basis company structures for specific opportunities.

4. Supporting Information

4.1 Context

- 4.1.1 The current senior management structure was introduced in early 2013. It was necessary to build on the work of individual fundamental service reviews each of which drove out cost or drove in income. It also set up the concept of certain services and assets being managed in a more business-like and commercial manner still within a public sector ethos.
- 4.1.2 From 2010 onwards the Borough Council has seen a significant reduction in its financial resources from Government; a change to greater volatility in its financial base through new homes bonus and business rate retention; a freezing of Council Tax over this period and a fluctuation in income streams due to the performance of the economy.
- 4.1.3 The current public sector austerity measures are set to continue and intensify well beyond 2020 given the Chancellor's recent budget announcements. Therefore the Council needs again to consider changes to its senior management arrangements to prepare for the next set of challenges, to make even greater efficiency gains and to increase its income lines still further.

4.2 Current Senior Management Arrangements

- 4.2.1 The current senior management arrangements are attached at Appendix 1 to this report.
- 4.2.2 They consist of an Executive Management Team of Chief Executive, Executive Director Customer and Communities, Strategic Director Place and Commercial and Chief Operating Officer. In addition there are 6 Heads of Service roles which, together with the Executive Management, make up the senior management of the Authority.
- 4.2.3 The cost of these 10 posts including salary, employer pension and National Insurance costs, is £1.129m

4.3 Rationale for Change

- 4.3.1 As financial constraints on local authorities specifically and the public sector more generally continue over the next 5 to 10 years then local authorities need to look towards more self-sufficiency in generating income and being more efficient in service delivery. This then enables the focus of resources to be on providing services to those in most need in society together with continuation of the more universal local government services provided to all residents within the district.
- 4.3.2 Therefore there needs to be a renewed emphasis on the more commercial services to grow business and increase income and profitability. Equally important is the use of our assets for income generating purposes and a greater need to concentrate on creating and taking opportunities in the commercial market place. In addition financial borrowing to invest in more lucrative business and property investments is another area to help generate much needed revenue funding for the Council. Much of this we have been

doing to date but a more appropriate company and senior management structure provides for the focus and expertise to deliver even more fully on the commercial aspects of the Council's financial needs.

- 4.3.3 The remaining services can be grouped somewhat differently within the Council structure to constantly challenge the way in which services are provided; continue the excellent evolution of customer services embracing even further the technological advances being developed in the market place; and to enhance the perhaps more limited opportunities of income generation from within those more 'traditional' local government services.
- 4.3.4 In any business or organisation the incubation of services or business developments are what keeps businesses in or ahead of the game. Our Fundamental Service Reviews were a prime example of this and so the new arrangements will allow for further fundamental reviews of our service groupings and the aim to resource a commercial incubation resource to seek greater income opportunities or to re-engineer services to secure more commercial service proposals.
- 4.3.5 In addition, there are services for which demand and costs are increasing significantly. In County Councils this tends to be in the social care area and in districts this tends to be in the housing and homelessness area. In order to manage and potentially reduce revenue costs for districts there is the need to provide more affordable housing.
- 4.3.6 So an approach being adopted by some councils is to use assets to build properties some of which are for sale, some for market rent and some for social affordable rent outside of the constraints of the Housing Revenue Account (HRA). Colchester Borough Council (CBC) has agreed in principle to adopt this approach. As this is solely housing related and the Council already has its own Arm's Length Management Company (ALMO) it seems only sensible to explore with the Colchester Borough Homes Board including the senior management capacity and capability of Colchester Borough Homes in the senior management changes being proposed.

4.4 Company Structure

- 4.4.1 The Borough Council has a well-established company structure in Colchester Borough Homes. It also has a smaller but equally focussed Colchester Community Stadium Company which specifically concentrates its efforts on the Community Stadium activities and both the commercial and community benefits derived from its use.
- 4.4.2 The establishment of company arrangements has a number of advantages over continuing within the local authority structure. These include:-
- Clear focus on its remit
 - Quicker decision making processes
 - Ability to take advantage of business opportunities as they arise
 - Scope to change the employment package offered
 - Ability to attract different skills and workforce
 - Accelerating the different culture required
 - Better tracking and response to market changes
 - Integration into the commercial sectors' networking opportunities

A wholly owned Local Authority Company allows appropriate democratic control retaining a public sector ethos but enables it the freedom to operate more commercially and respond to the needs of its customers and the business sectors in which it operates.

4.4.3. There are some potential financial implications relating to creating and operating a company including changes to VAT requirements and corporation tax on profits made. Consideration will be given to how these costs can be mitigated through the company structure.

4.4.4. Part of the senior management restructure is to create a company which can operate in a more commercial manner providing commercial services and utilising assets in a commercial environment.

4.5. Proposed Senior Management Structure

4.5.1. With the continuing ambitious plans of the Council I am proposing to continue with the existing number of executive management posts, albeit with a different configuration of services for which they have strategic responsibility, to delete the 6 posts of Head of Service and to introduce 4 posts of Assistant Director.

4.5.2. I propose a Strategic Director of Customer and Relationships responsible for all front end customer services and operations, together with strategic responsibility for external partnerships and as importantly external relationships. Partnership working is already a tenor of how we operate but as public sector resources continue to come under pressure then working in partnership with others to deliver services and deal with complex issues will become paramount to our way of working.

4.5.3. The Strategic Director will have a post of Assistant Director to manage much of the service and to continue the partnership working which is being forged with Essex County Council on the customer hub and spokes work; Basildon Council on the Customer Enterprise Partnership (CEP); and many other partnership arrangements already in operation or being explored for the future.

4.5.4. As part of the last senior management restructure I brought together most of the systems, processes and administration across the Council into the Professional Support Unit (PSU). I am proposing that the Strategic Director of Customer and Relationships with the Assistant Director, Customers, takes responsibility for the PSU and its activities both for our internal and external customers. The service can then accelerate the work across the organisation of customer journeys and identify the most significant next set of customer journeys to simplify for both cost reduction purposes but also for customer and resident usage purposes. It can also bring that learning to bear for internal customer activities and processes.

4.5.5. The second of the executive management posts is that of Strategic Director of Policy and Place. The role will combine the policy work needed for the place being the borough as a whole but also the policy work needed within the organisation to ensure we have the right resources to deliver to our residents, businesses and tourists. Effectively the financial and corporate functions of the Council. The Strategic Director will be Colchester's senior manager acting as the client for the ambitious Garden Settlements programme, the Colchester representative on delivery vehicles for the Colchester related

sites and the client role responsible for the performance of the Colchester Community Stadium Company.

- 4.5.6. I am proposing to bring the two sets of planning posts back into one team under this Strategic Director role. Having served its purpose of splitting out the various planning teams and seeing performance consistently rise to a very high level, the challenges the Planning service now face would be better tackled again as one team. It is also sensible to put Building Control within this combination of services following the disappointing outcome to the Essex shared service proposal. Building Control can seek to work even more closely with Planning and look to pick up business on the back of planning permissions approved.
- 4.5.7. The Strategic Director of Policy and Place will have one post of Assistant Director to manage many of these services; to act as the client for the work of Colchester Borough Homes; and to enhance the policy work needed for the organisation and its response to future government legislation and social policy.
- 4.5.8. The third post within the Executive Management Team is that of the Chief Operating Officer. It will retain its current strategic responsibilities for the Medium Term Financial Plan, budget strategy, borough-wide operational and zone-based services but will now include Regulatory Services minus Planning which has been moved to Policy and Place.
- 4.5.9. The Chief Operating Officer will have two Assistant Director posts who will manage between them the main services delivered by the Council. One Assistant Director will be responsible for Zones, Museums, Arts and Culture, Community Services and Bereavement Services whilst the other Assistant Director will be responsible for Environmental Health Services, Licensing and Land Charges, Waste Services, North Essex Parking Partnership and Elections and Registrations. Bereavement Services already has 95% of the customer base within its 'catchment area' and is progressing well the additional service of memorials. It may have other business opportunities but is not likely to identify large sums of additional income. On that basis it currently belongs back within the main services provided by the Council rather than continuing as part of the Commercial Services.
- 4.5.10. The proposed senior management structure is shown at Appendix 2.
- 4.5.11. As part of the way forward once the senior management positions have been filled we will commence further efficiency reviews of service areas, using the principles of previous Fundamental Service Reviews to again drive out inefficiency and costs to assist with our future savings targets.

4.6. Homes and Housing Development

- 4.6.1. The Borough Council has already established Colchester Borough Homes which is its management company for the housing stock owned by the Council together with a range of other housing services performed by CBH on behalf of CBC. CBH was also instrumental in project managing the process to deliver the first 34 Council properties from within the HRA.
- 4.6.2. As the Borough Council has agreed in principle to consider building further properties from the General Fund and using Council assets it seems only logical to utilise the expertise and senior management capacity within CBH to do so on the Council's behalf.

It will need to be a separate company but the Chief Executive of CBH could provide a leadership resource, albeit on a pro rata basis to the new Housing company; be provided with the necessary staffing and budgetary resources to kick start this and to second CBC and CBH staff into the separate company for expertise or additional resources, thus sharing costs. Additional expertise can be bought in as required, as happened when CBH project managed the build of the 34 HRA properties.

- 4.6.3. The Colchester Housing Development Company would be part of the suite of companies or company structure to ensure it operates in line with Council philosophy and delivers on the Council's priorities.

4.7. Colchester Commercial Services

- 4.7.1. As stated earlier in this report, part of the future is for local authorities to be more self-sufficient and to earn greater income and 'profitability' in order to continue to provide the services to our communities expected of us. Given this imperative the proposal is to create a wholly owned Local Authority Company known as Colchester Commercial.
- 4.7.2. Its functions will be split into firstly an operation of commercial development consisting of business growth for the borough as a whole; commercial development utilising some of the Council's assets to drive in significant revenue funding; and the Estates function provided for within the company but on behalf of the Borough Council estate as a whole.
- 4.7.3. Its second operation will be that of Commercial Services where it will manage and deliver the future income targets for the Sport and Leisure activities across the Borough, the recently launched Events service, the monitoring and response business and an aim to provide in the future a commercial incubation resource. This resource will be used to look at the functions within the Borough Council which could be improved in terms of income lines (e.g. Bereavement services; Planning; etc) and also to consider realigning services which could potentially provide a new and income generating service for residents or organisations (e.g. care closer to home business opportunity). The commercial incubation resource would work with existing managers and services across all areas of the Council's business and undertake a targeted programme of time limited reviews of extending or creating further future business income. It would operate on similar principles to that of our previous Fundamental Service Reviews but looking at the commercial income opportunities. The new company would need to generate further income to resource this commercial incubation service.
- 4.7.4. It has yet to be finally decided on the operating model and management structure for operating the North Colchester sports development facilities being planned for the North Colchester development. If it is decided to operate it in-house (and therefore work alongside and compliment that of our existing sports facilities) then it would be easily incorporated into the proposed Commercial Services functions. See Appendix 3.
- 4.7.5. It is proposed that the Chief Executive of the Borough Council is also Chief Executive of the Colchester Commercial Company to ensure the Company retains its public sector ethos and recognises the priorities of the Council in its work programme. The Colchester Commercial Company will have a full time Assistant Director post, at the same level as that of the new posts proposed in the Borough Council structure to be responsible for the delivery of income targets agreed with the Council. By proposing the post of Assistant

Director it is possible to delete the post of Economic Growth manager from the existing CBC structure.

- 4.7.6. It is proposed that the Chief Executive of the Borough Council is employed 4 days a week in that role and 1 day a week on a separate contract by the Commercial Company. Savings can then be made to employer pension costs together with reducing the full time role of PA to the Chief Executive to a 4 day a week post. In addition to the Chief Executive, it would be appropriate, when necessary to second the Strategic Director, Policy and Place to ensure expertise on commercial and housing delivery, alongside that of the garden settlements and joint venture companies.
- 4.7.7. The proposed structure of the Colchester Commercial Company is shown at Appendix 3 together with the Colchester Housing Development Company.

4.8. Financials

- 4.8.1. The current cost of the senior management structure is £1.129m. The proposed savings of the equivalent of 1 Head of Service post; the deletion of the post of Economic Growth Manager; and changes to the post of Chief Executive and its PA role amount to a total recurring saving of £208k.
- 4.8.2. There will potentially be one off costs depending upon which, if any, managers are not appointed to the new structure. These can be funded by the 'redundancy reserve' held in balances which is provided for such restructurings. One off costs are estimated in the range from £100k to £150k. By utilising the 'redundancy reserve' the savings of £208k can be taken immediately and will contribute to the 2018/2019 budget savings target.
- 4.8.3. There are few costs in setting up company structures. However as the proposed company or companies will need to be registered at Companies House they will be liable for corporation tax and some VAT accounting arrangements may differ to that of the Council. The exact nature of the company set up and the way in which it operates will be carefully considered to ensure it is the most tax efficient it can be. Being a private company also gives it the opportunity to operate differently than within the local government family and to consider how to reduce running costs which the local authority would find difficult to do. Therefore, expert advice will be sought on the most tax-efficient structure for the commercial operations (Housing Development; Commercial Services; potential Heat Exchange) and report back to Cabinet.
- 4.8.4. A business case is required to support the formal creation of a company and this will be brought back to Cabinet alongside proposed company structure arrangements.

4.9. Governance

- 4.9.1. The final configuration of the Commercial company structure(s) will require Company board directors. These will be defined as the Commercial company structure(s) are determined. The current CBC Trading Board will also need to be revisited as a number of its functions will now be the responsibility of the Commercial company board(s). In addition there will need to be a close working relationship between the existing Chair and Board of CBH and that of the board for the housing development venture.

4.10. Conclusion

4.10.1. This is about the future operation of Colchester Borough Council within the newly defined public sector. It is about being more self-sufficient in order to continue to provide quality services to the communities we serve and to provide quality tailored services to those residents with the most complex needs in our society. This new and less traditional set of structures allows the Borough Council the best opportunity to rise to the challenges facing it from an increasing population and from the continuing financial constraints being placed on local government and the public sector generally.

4.11. **Appendices:**

Appendix 1: Current CBC Structure

Appendix 2: Proposed CBC Structure

Appendix 3: Proposed Colchester Commercial Ventures Structure

Appendix 4: CBC Senior Management Restructure Savings

5. Strategic Plan References

5.1 The strategic plan sets out the direction of the Borough and Council in the medium term. This senior management restructuring ensures implementation of the plan and capacity in the areas of priority.

6. Consultation

6.1 There is a 30 day consultation with staff affected as part of our human resource policies which will be completed once approval of the report has been obtained.

7. Publicity Considerations

7.1 There are no public publicity considerations but the changes will be widely circulated within the organisation and to partner agencies.

8. Financial implications

8.1 The proposals identify an ongoing saving of £208k per annum. This will be used to help close the 2018/19 budget savings figure.

8.2. Costs can only be determined once decisions on existing staff affected are taken. However, it is estimated that the one off cost of redundancy and pension strain would be in the region of £100k to £150k. This total one off cost can be found from within the corporate redundancy budget held centrally showing the savings achieved to be taken immediately.

8.3. An assessment of the financial implications of operating a company structure has started in a number of areas such as the proposed housing company. More work is required to develop a business case for the wider commercial services and this will be presented alongside the proposed company arrangements.

9. Equality, Diversity and Human Rights implications

9.1 These considerations are enriched in the Council's human resource policies and procedures which will be followed in implementing the proposals.

10. Community Safety Implications

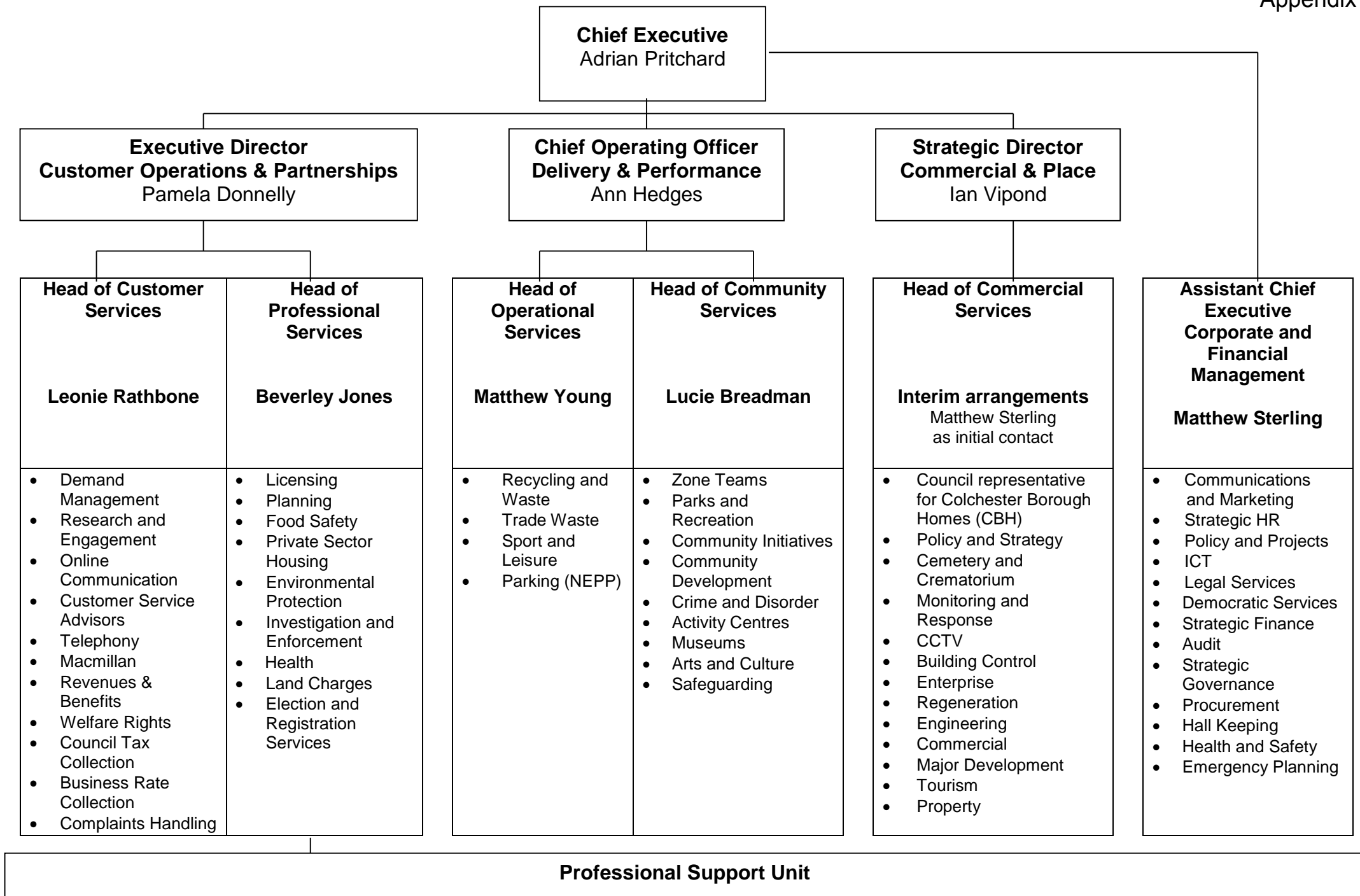
10.1 There are none.

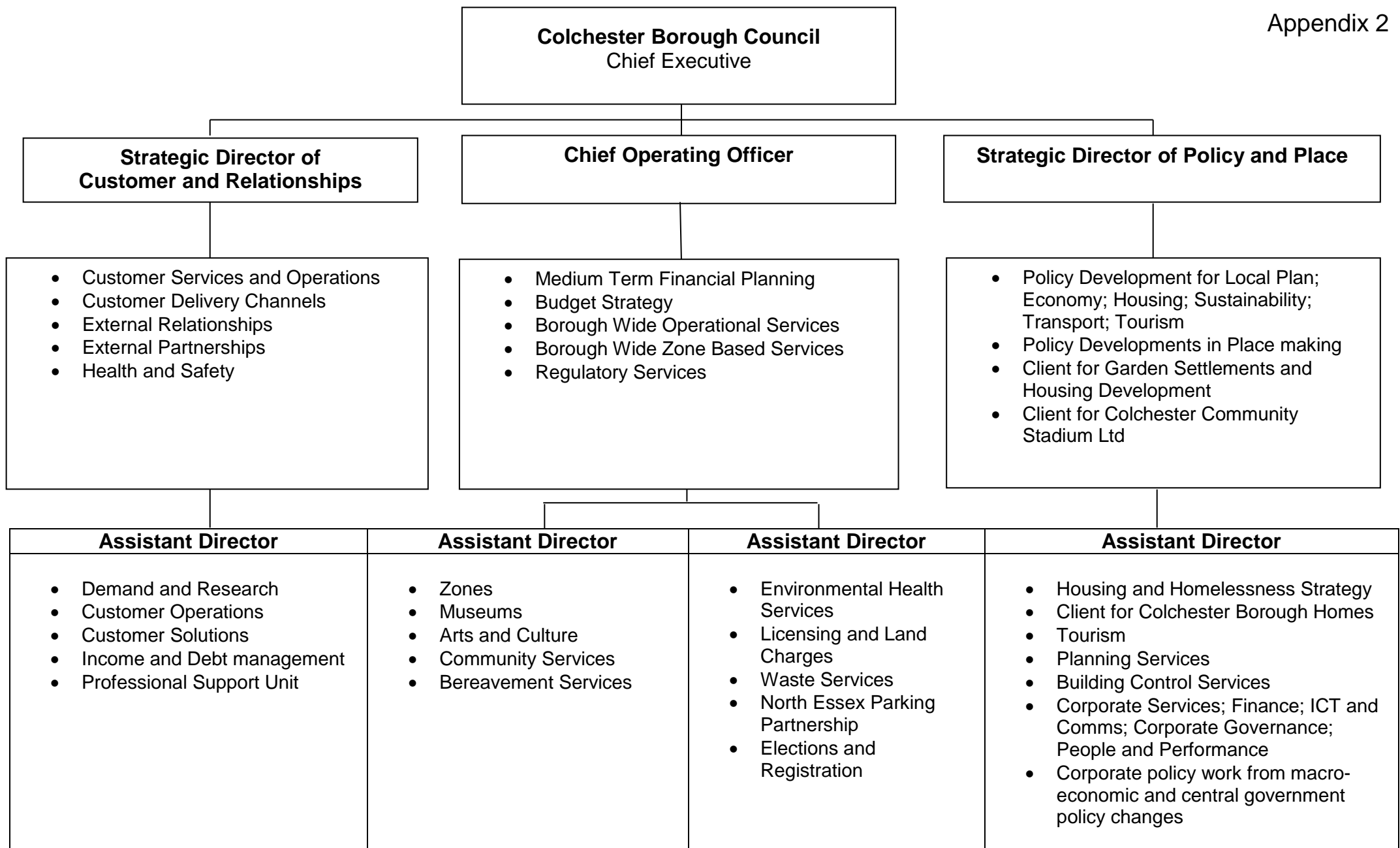
11. Health and Safety Implications

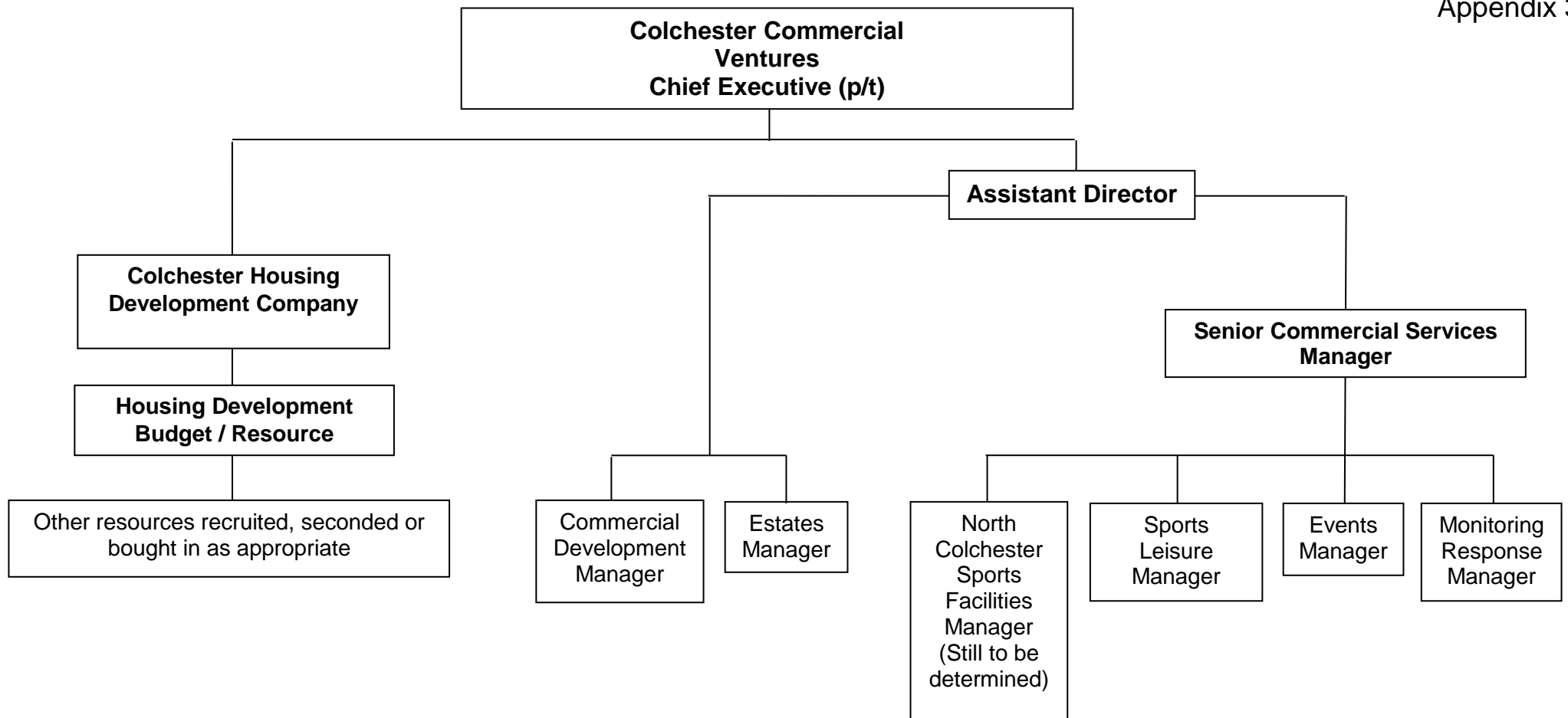
11.1 There are none.

12. Risk Management Implications

12.1 If this structure is not to be adopted then senior management arrangements will be added to an on ad-hoc basis without being the most efficient and effective structure going forward.







CBC Senior Management Restructuring Savings Schedule

Post	Saving (Including on costs) £'000
1 x Head of Service	97
1x Economic Growth Manager	85
1 day x PA to Chief Executive	7
Employer pension contribution savings on Chief Executive post	19
Total	208

Report of	Assistant Chief Executive	Author	Jonathan Baker Tel. 282207
Title	Work Programme 2016-17		
Wards affected	Not applicable		

1. Action Required

- 1.1 The Panel is asked to consider and comment on the final 2016-17 Work Programme.
- 1.2 The Panel may also wish to suggest items for inclusion on the 2017-18 Scrutiny Panel work programme

2. Alternative options

- 2.1 This function forms part of the Panel's Terms of Reference and, as such, no alternative options are presented.

3. Supporting Information

- 3.1 The Panel's work programme will evolve as the Municipal Year progresses and items of business are commenced and concluded. At each meeting the opportunity is taken for the work programme to be reviewed and, if necessary, amended according to current circumstances.
- 3.2 The Chairman of the Scrutiny Panel requested the inclusion of the Forward Plan of Key Decisions as part of the work programme for the Scrutiny Panel, and this is included an **Appendix A**.
- 3.3 Members may also wish to suggest items that could be included on the work programme for 2017/18. As part of the scoping for suggested items members of the Panel may wish to identify particular objectives or request certain information to be included. To ensure that this can be incorporated in to the agenda item it is recommended that this is provided at the earliest opportunity.

4. Strategic Plan References

- 4.1 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self governance provides a clear and demonstrable lead. Effective governance underpins the implementation and application of all aspects of the Council's work.

5. Standard References

- 5.1 There are no particular references to publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

Meeting date / agenda items and relevant portfolio
21 June 2016 <ol style="list-style-type: none"> 1. Call-in of Executive Decision – Gosbecks Archaeological Park Work Plan 2016-19 2. Financial Monitoring Report – End of Year 2015/16 3. Capital Expenditure Monitor – End of Year 2015/16
19 July 2016 <ol style="list-style-type: none"> 1. Year End 2015/16 Performance Report including progress on Strategic Plan Action Plan 2. Annual Scrutiny Report 3. 2017/18 Budget Strategy, Medium Term Financial Forecast and Budget Timetable 4. Treasury Management – Annual Report 2015/16
23 August 2016 <ol style="list-style-type: none"> 1. Staff Survey 2. Questions to Bus Companies in Colchester
20 September 2016 (Crime and Disorder Committee) <ol style="list-style-type: none"> 1. Safer Colchester Partnership (Crime and Disorder Committee) (Planning and Community Safety)
21 September 2016 <ol style="list-style-type: none"> 1. Colchester Waste Collection Strategy
8 November 2016 <ol style="list-style-type: none"> 1. Local Council Tax Support – Year 16/17 2. 2016-17 Revenue Monitor, period April – September 3. 2016-17 Capital Monitor, period April – September 4. Review of Colchester Borough Homes Performance 2015/16 5. Homelessness Strategy Progress Report and Delivery Plan 2015-2019
12 December 2016 <ol style="list-style-type: none"> 1. Colchester Waste Collection Strategy
13 December 2016 <ol style="list-style-type: none"> 1. 2016-17 6-monthly Performance report and SPAP (Leader / Business and Resources) 2. The Mercury Theatre and Colchester Arts Centre
31 January 2017 <ol style="list-style-type: none"> 1. 2017-18 Revenue Budget, Capital Programme, Medium Term Financial Forecast, Housing Revenue Accounts Estimate and Housing Investment Programme (Pre-scrutiny of Cabinet Decision) 2. Treasury Management Investment Strategy 3. Digital Challenge – One Year On
28 February 2017 <ol style="list-style-type: none"> 1. Review of the Council's funding and partnership delivery arrangements with Firstsite
28 March 2017 <ol style="list-style-type: none"> 1. Changes to ICT Support Contract 2. Senior Management Restructure 3. Advertising 'A' Boards Review

COLCHESTER BOROUGH COUNCIL

FORWARD PLAN OF KEY DECISIONS 29 March 2017 – 31 July 2017

During the period from 29 March 2017 – 31 July 2017 Colchester Borough Council intends to take 'Key Decisions' on the issues set out in the following pages. Key Decisions relate to those executive decisions which are likely to:

- result in the Council spending or saving money in excess of £500,000;
- have a significant impact on communities living or working in an area comprising two or more wards within the Borough of Colchester.

This Forward Plan should be seen as an outline of the proposed decisions and it will be updated on a monthly basis. Any questions on specific issues included on the Plan should be addressed to the contact name specified in the Plan. General queries about the Plan itself should be made to Democratic Services (01206) 507832 or email democratic.services@colchester.gov.uk

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the documents listed on the Plan and any other documents relevant to each decision which may be submitted to the decision taker can be viewed free of charge although there will be a postage and photocopying charge for any copies made. *All decisions will be available for inspection at the Library and Community Hub, Colchester Central Library, 21 Trinity Square, Colchester and they are also published on the Council's website, www.colchester.gov.uk*

If you wish to request details of documents regarding the 'Key Decisions' outlined in this Plan please contact the individual officer identified.

If you wish to make comments or representations regarding the 'Key Decisions' outlined in this Plan please submit them, in writing, to the Contact Officer highlighted two working days before the date of the decision (as indicated in the brackets in the date of decision column). This will enable your views to be considered by the decision taker.

Contact details for the Council's various service departments are incorporated at the end of this plan.

If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, 21 Trinity Square, Colchester or telephone (01206) 282222 or textphone users dial 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers)	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Colchester Northern Gateway Sports and Recreation Project approval of Framework Agreement consultancy fees	Yes	29 March 2017	Revolving Investment Fund Committee (Cllrs Cory, Feltham, Smith, T Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Revolving Investment Fund Committee report Framework Consultants' fee schedule	Lois Bowser, Project Manager Commercial Services lois.browser@colchester.gov.uk 01206 2825733
Severalls Mixed Use site - Decision regarding the disposal of the site to a developer.	Yes	29 March 2017	Revolving Investment Fund Committee (Cllrs Cory, Feltham, Smith, T Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Revolving Investment Fund Committee report	Elizabeth Flood, Regeneration Project Officer elizabeth.flood@colchester.gov.uk tel: 01206 507552
Housing Development Company - Following the Cabinet report in March that sought a	Yes	7 June 2017	Cabinet (Cllrs Bourne, Cory, Feltham, Graham, Lilley, B Oxford, Smith, T Young)	Cabinet report and business case	Holly Brett Housing Development Officer Holly.brett@colchester.gov.uk 01206 508830

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers)	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
decision in principle on the establishment of a wholly owned company to deliver housing subject to a full business case, officers are now bringing back a business case.			Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk		
Decision on the appointment of the main contractor for the conversion of the Former Garrison Gym into a community centre.	Yes	7 June 2017	Cabinet (Cllrs Bourne, Cory, Feltham, Graham, Lilley, B Oxford, Smith, T Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet Report	Bob Penny, Community Development Manager Bob.penny@colchester.gov.uk 01206 282903

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