

Scrutiny Panel Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ**

Tuesday, 08 November 2022 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

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

Have Your Say!

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Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document, please take it to the Library and Community Hub, Colchester Central Library, using the contact details below and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first floor.

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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 off-street 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, 08 November 2022 at 18:00

The Scrutiny Panel Members are:

Councillor Dennis Willetts
Councillor Sue Lissimore
Councillor Darius Laws
Councillor Mike Lilley
Councillor Sam McCarthy
Councillor Lee Scordis
Councillor Paul Smith

Chairman
Deputy Chairman

The Scrutiny Panel Substitute Members are:

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

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Please note that Agenda items 1 to 5 are normally dealt with briefly.

1 Welcome and Announcements

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

2 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 Urgent Items

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or

participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

5 Minutes of Previous Meeting

The Councillors will be invited to confirm that the minutes of the meeting held on 11 October 2022 are a correct record.

Scrutiny Panel Minutes 11 October 2022

7 - 18

6 Have Your Say!

The Chairman will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the terms of reference of the meeting. Please indicate your wish to speak at this point if your name has not been noted by Council staff.

7 Decisions taken under special urgency provisions

The Councillors will consider any decisions by the Cabinet or a Portfolio Holder which have been taken under Special Urgency provisions.

8 Cabinet or Portfolio Holder Decisions called in for Review

The Councillors will consider any Cabinet or Portfolio Holder decisions called in for review.

9 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.

Requests for Item 9(a) Items requested by members of the Panel and other Members

19 - 20

10 Update on Town Deal Projects' Progress

21 - 28

The purpose of the report is to provide an update on the Councils Town Deal Programme.

11 Family/Local affiliation in letting and/ or sale of local affordable housing and Gateway to Homechoice Allocations Policy

29 - 36

The purpose of the report is to provide information on the options available to the Council to change the way general needs properties

are let to households on the Housing Register to prioritise people with established ties to certain communities.

12 Work Programme 2022-2023

37 - 52

This report sets out the current Programme 2022-2023 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

13 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

11 October 2022

Present: -

Councillor Laws, Councillor Lilley, Councillor Lissimore, Councillor McCarthy, Councillor Scordis, Councillor Smith, Councillor Willetts

Substitutions: -

Also present: -

Councillor Fox, Councillor Sunnucks, Councillor J. Young

364. Minutes of previous meeting

RESOLVED that the minutes of the meeting held on 5 July 2022 be approved as a correct record.

365. Have Your Say

Mr David Smith addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1) to draw its attention to the handling of a situation relating to water damage done to his property by a faulty drain between his property and a Council-owned residential property next door. On 10 May 2022 this had damaged an internal wall between the properties. A Council officer had checked the situation and Mr Smith had raised this with Colchester Borough Homes [CBH] to request that they rectify the situation. On 30 May CBH had offered a decorating voucher to Mr Smith by way of recompense. Mr Smith had then sought an independent quotation for the cost of repairs, which he had provided to the Council. The Council then informed Mr Smith that their insurer [Zurich Insurance Group] to discuss the situation. Mr Smith informed the Panel that he had received no response within 21 days and had initiated legal proceedings, seeking a county court judgement [CCJ]. He then received a response from Zurich Insurance Group on the following day. Mr Smith complained that the response from Zurich had been unsatisfactory and that the Council and CBH needed to do more to get a better service from their insurers.

The Chairman thanked Mr Smith for addressing the Panel, explained that the Scrutiny Panel did not have powers under its standing orders to do anything to address the individual matter itself, but asked Councillor Julie Young, Portfolio Holder for Housing and Communities, who was in attendance whether she wished to address the issue raised by Mr Smith.

The Portfolio Holder acknowledged that Mr Smith had experienced a long process to seek a resolution to the issue and expressed her regrets that it had taken so long to move towards a resolution. Matters of insurance sat within the remit of Councillor Mark Cory, Portfolio Holder for Resources, so the Portfolio Holder for Housing and

Communities gave assurance that she would raise this with Councillor Cory, giving further assurance that she knew that this situation was being taken seriously.

Mr Smith pressed the Panel and Portfolio Holder to urge that the Council learned lessons from how the situation affecting his property had been handled, especially as there may be other residents facing similar problems but without the same means to pursue a resolution than Mr Smith himself had been able to employ. Mr Smith gave the observation that annual inspections no longer seemed to be carried out on CBH-managed properties which, in his opinion, led to problems worsening and costing more to mend in the long term.

The Chairman gave assurance that Mr Smith's comments and the response given would be captured within the minutes of this meeting and sent to the Portfolio Holder for Resources for his attention.

A Panel member asked whether other claims made on insurance policies held with Zurich Insurance Group could be examined to see which had been settled and which had been challenged or investigated. At the suggestion that the member might wish to write to the Portfolio Holder for Resources to request he order a review, the Panel member informed the Panel that he had already raised the issue and received no response from the Portfolio Holder.

RESOLVED that the minutes covering this part of the meeting be drafted and a copy sent to Councillor Mark Cory, Portfolio Holder for Resources, for his attention.

366. Items requested by members of the Panel and other Members

Councillor Mike Lilley requested that the Panel conduct an investigation into the handling, by Zurich Insurance Group, of insurance claims made on Council policies, specifically to include information on the number of claims settled and the number investigated, challenged or refused.

The Chairman suggested that a briefing report be produced by officers to cover information and data relating to claims made to Zurich Insurance, to be circulated to Scrutiny Panel members so that the Panel could decide whether to add this to its work programme.

RESOLVED that officers produce a briefing report to cover information and data relating to claims made to Zurich Insurance, including data on the proportions of claims paid out/settled, challenged, investigated and/or refused, to be circulated to Scrutiny Panel members at the earliest opportunity so that the Panel could decide whether to add an item on this subject to its work programme.

367. Review of Colchester Borough Homes Performance 2021/22

Councillor Smith (by reason of connections with St Anne's Hall Community Association and Youth Club, both being recipients donations from the Community Fund) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Chairman welcomed the Panel's guests from Colchester Borough Homes [CBH], and Councillor Julie Young, Portfolio Holder for Housing and Communities.

The Portfolio Holder introduced the item, noting that 2023 would see the 20th anniversary of the creation of CBH and that she had sat on the Shadow Board which oversaw the company's founding, and then sat as a member of its first board of directors. The Portfolio Holder praised the work of CBH and its strong partnership with the Council.

Philip Sullivan, Chief Executive of CBH, presented the highlights and key points of the annual report being presented to the Panel. This covered subjects such as the demographic and diversity data relating to the Council's tenants, with an assurance that CBH used data effectively to inform and direct its work. The Panel were informed of the 35 homes which had had to be sold, under 'Right to Buy' provisions, as well as the 100 homes added to the Council's stock through a variety of means. This project aimed to bring good-quality homes into use, with all homes brought into use via the scheme having an EPC [Energy Performance Certificate] rated C or better.

Overall, performance in the key areas monitored was rated as either 'good' or 'very good'. High satisfaction rates had been recorded, which compared well to the rates recorded by CBH's peers.

Problems had been experienced with average letting times, but the average time to re-let a property had reduced from the 30.96 days recorded in the report, and now stood at 23 days.

The Chief Executive provided an update on any eviction proceedings, explaining that Covid-19 had meant a protracted period when no court dates had been available, leading to a backlog. Whilst eviction proceedings remained the option of last resort for CBH, where this had proven necessary, the lengthened waiting time for court action had resulted in the accruing of rent arrears in those cases awaiting court proceedings.

The Panel were informed of the ongoing work to maintain the Council's housing stock and to ensure its quality, even in the face of challenges presented by a tough labour market, which also affected CBH's contractors. 99% of homes had now obtained an electrical safety certificate in the past five years. Building safety remained a priority, and would continue to do so, with CBH mindful of the Social Housing Regulation Bill currently before Parliament. This was expected to lead to more proactive regulation, inspections and additional requirements relating to the Company's key performance indicators [KPIs].

Examples were given of CBH's work in the Borough's communities, including engagement work with residents. More work was now able to take place in person, following the pandemic and end of lockdowns. CBH continued to listen to its tenants and engage with their views, widening the ways in which it did so, and having communication options open to all residents in Council homes.

The work of CBH in addressing, preventing and reducing homelessness was outlined. The Company's priority was to prevent homelessness. During 2020-21, 1,157 homelessness applications had been received by the Housing Solutions Team. 298 instances had been recorded where homelessness was prevented or relieved. 38 people had been helped through initiatives for reducing rough sleeping.

Dirk Paterson, Chairman of the CBH Board, emphasised the importance of using data effectively, benchmarking performance against that of peers across the East of England. Many KPIs were shown to have been rated as good performance at low cost. Neighbourhood Management was rated as high cost due to the proactive work done by CBH to further improve the quality of its services. Indicators were moving in a positive direction, with CBH doing well but still finding ways to improve further. The cost per property of works done on void [untenanted] properties was discussed, with CBH comparing favourably to its peers and providing a low average cost for its work. The Board of directors had been taken to see the void property process in action, to see of what this consisted. Work on empty properties was done to a high standard, but still at a relatively quick speed compared to the Company's peer group.

Compared to the median cost of managing properties, CBH carried out its duties at a cost effective level within the East of England peer group. Overall, compared to the median per annum cost of managing properties, CBH managed the Council's properties at £3m per annum less than the median per annum cost for managing properties across the East of England peer group.

The Company's risk management approach was discussed, with risk management being a priority of the Board. Two days per year were scheduled for the Board to hold away days to conduct deep dives into the Risk Management Strategy and registers.

The CBH Strategic Plan was outlined, based around the three priorities of 'Customers', 'Colleagues', and 'Communities' and examples were given of the Company's outreach work to take this Plan forward to engage with communities. This included 'Warm and Toasty' clubs, work with charities and local groups, planting projects and initiatives such as 'Box Smart', a club for children to learn to box.

The Company's involvement with the production of high-quality new stock, such as on the former garage sites, was highlighted. The renovation of Elfreda House had proved challenging but was on track.

Action to reduce carbon footprints included use of photovoltaic panels on over 2,500 properties, heat pumps and other technical solutions, alongside insulation. Out of a stock of roughly 6,000, only around 900 properties had an EPC rating of D or lower. Whole-house refits would be needed in order to achieve carbon neutrality. Ways to achieve this goal were being investigated. 5,679 loft insulations had been completed, as had 5,485 cavity wall insulations.

Governance arrangements at CBH were outlined, led by the Board. Half of the Board were women, with three of four Board committees being chaired by women. The Board was actively engaged in work, guided by the values of CBH. The Board remained focused on addressing the rapidly-evolving requirements for regulation and

compliance, and on hearing from residents on such matters as the effects of the 'cost of living crisis.' Challenges included staff retention difficulties caused by other employers being able to offer more-generous pay.

The Management Agreement between CBC and CBH had previously been extended and was in place until August 2028, but CBH was planning further into the future. The provision of the next generation of housing was a key consideration. CBH would continue to work with Council colleagues and the Portfolio Holder to ensure that all housing KPIs continued to improve, as a key part of succeeding in providing a low-cost, high-quality service to the Council.

Councillor Sunnucks attended and, with the consent of the Chairman addressed the Panel to praise the performance of CBH, but also to urge closer scrutiny of the financing and accounts of the company. Councillor Sunnucks stated that the management fee was over £14m, which equated to over £2,000 per house per residential property per year, noting that this was greater than the per property cost given in the report provided [£1,019.60]. Councillor Sunnucks asked whether the management fee was set as a fixed-price or cost-plus contract and urged that CBH should be kept concentrating on minimising costs.

Councillor Sunnucks voiced disquiet that, once pension liabilities are considered, it appeared that CBH's financial position seemed unviable, and stated concern that expected changes would necessitate careful planning.

Councillor Sunnucks asked whether the Capital Programme included the purchasing of properties.

Regarding the questions relating to CBH's pension liabilities, the Chairman directed that it would be unfair to insist on answers to be given at this meeting, given that this did not form part of the report before the Panel. Philip Sullivan, CBH Chief Executive addressed Councillor Sunnucks' concerns explaining the different deficits relating to the pension scheme, such as any deficits shown in the triennial valuation, which are often dealt with via an individual annual deficit payment, or a change in employer contribution, such as the last time this arose where the employer contribution was increased from 16% to 20%. The debt shown in the accounts was explained as an actuarial debt which would only materialise in the event of a 'cessation event', which would be a circumstance when every employee left the scheme.

Councillor Sunnucks labelled the pensions liabilities as an existential risk for CBH and raised concern that this was not included in the company's strategic risk matrix, requesting that his concerns and advice that the situation be addressed be put on record. The Chairman covered the status of CBH as an ALMO [Arm's-Length Management Organisation] and suggested that more information could be sought from finance officers, following the meeting, to seek assurance regarding the pensions situation. The Chairman of the CBH Board gave an overview of the Board's scrutiny of the pensions situation, gave assurance that the company's auditors were satisfied and offered to share details with Scrutiny Panel.

The Panel discussed the performance benchmarking and asked if any views could be given as to how benchmarking measures might change across the length of the

Medium Term Delivery Plan and where burdens might fall most heavily on CBH. The Chief Executive expressed the view that there would be additional pressure on rent collection, with arrears expected to rise as a result of increased cost of living. Tenants were being affected by inflation, and ability to pay rent was decreasing. The company did however expect to maintain its performance level in comparison with peers. Increased costs might be experienced, including from dealing with increases in mental health problems and from rising costs of repair works.

Addressing questions regarding the total cost per property figures for CBH, The Chief Executive explained that the discrepancy between the amount quoted in the report, and the higher figure quoted by Councillor Sunnucks, based on the overall management fee total. The difference was due to paying for improvement works and delegated budgets for other services provided by CBH for the Council.

The Panel queried the 2022-27 Delivery Plan and asked what assumptions had been made on the housing market and customers' ability to pay, and whether performance targets would need to be adjusted to take account of ongoing economic changes. The Panel were informed that CBH was being ambitious and had extended financial inclusion training to officers of the housing team. Challenges were being considered and plans drawn up to address them, including difficulties in contractor work, as a result of the economic climate. KPI targets were being based on benchmarking data and more information regarding assumptions made (relating to the Delivery Plan) could be circulated to members following the meeting, if they wished to see it. The Chairman requested that this be done.

The renovation of Elfreda House was discussed, and the Chairman of the Board gave assurance that work had progressed, even in the face of problems caused by Brexit and Covid.

Praise was given to the Councillor enquiry service at CBH, and Panel members asked for more information on how the company would help residents maintain warmth and cope with energy costs. The Chief Executive explained the company's work with the Council on the 'help to heat' scheme, targeting properties with an EPC rated D or worse, of which the Council owned around 900. Ways to monitor energy usage and its effect on tenants were being set up and signposting to help for residents had been put in place. £2.5m had been earmarked for work to improve all properties with an EPC rated D to bring them up to C rating along with the preparation of a bid for funding to the Social Housing Decarbonisation Fund. The Panel discussed potential acceleration of this scheme and the Chairman of the Board promised that the company would work to assess whether this would be possible.

The Panel questioned a range of aspects of the work of CBH, asking about the company's relationships with further education colleges, provision of apprenticeships and prioritising of people with local links for housing. The Chief Executive confirmed that the company offered apprenticeships, albeit wanting to do more, as well as being involved with training initiatives expected through the Garden Community project. Regarding prioritisations for housing, the company adhered to the legislation guiding assessments of need and homelessness duty. The Council and CBH worked well together to deal with rough sleeping locally and was one of 20 local authorities

in the UK consistently recording that there were fewer than 10 rough sleepers in its area.

The Panel were told that the national policy pushing the sale of council housing was a problem and continued to hurt social housing. Added to this, the increase in mortgage costs would increase the problems caused by private landlords being less able to ease pressure on housing provision. Current national policies weren't working, and the Chairman of the Board argued that the situation was putting lives at risk. The Portfolio Holder explained that the social value of housing is quantified in the procurement hub and that the Panel would receive a report in November on local links and how these related to lettings.

The Panel asked for information as to how housing officers and other staff were coping with stress, how many properties each officer covered and whether any areas had experienced recruitment problems. The Chief Executive agreed that a number of colleagues had been through difficult times, and the caseloads of housing officers had become more and more complex, with increasing challenges faced by residents. Each officer covered around 700 properties. Recruitment was difficult, and especially so in certain areas such as IT, asset management and specialist roles relating to electrical and mechanical work. The labour market was currently challenging. A member of the Panel raised concern that housing officers had workloads that were too heavy, which had increased whilst officer numbers had decreased. It was queried whether more officers could be recruited.

The Panel examined the relationship between Council and CBH and how much of this involved autonomous working, and how much was directed by the Council. The Chairman of the Board explained that shared services are being considered and confirmed that the Council set the pay scales for CBH too. The company wanted to deliver on the Council's priorities and work collaboratively, but problems with recruitment and retention were experienced due to the restraints on pay. The Portfolio affirmed Cabinet's commitment to working with CBH, with ways to get leaner service provision through collaborative working.

The Panel thanked the representatives of CBH and the Portfolio Holder for their work.

368. Briefing from Councillor Julie Young, Portfolio Holder for Housing and Communities

Councillor Julie Young, Portfolio Holder for Housing and Communities, presented the highlights and areas of work within her remit. Housing remained the major part of her work.

The Portfolio Holder noted that Colchester had a reputation for being welcoming and having a commitment to help provide housing. Owing to the level of support provided by the Council, the Home Officer sent a number of refugees to the Borough, including around 70 housed at the Marks Tey Hotel, which was set to rise to 220. Private landlords were making properties available for Home Office use. The Portfolio Holder flagged up that there was evidence that some landlords had evicted sitting tenants in order to do this. The system for offering housing to refugees was outlined, with around 300 in the Borough set to rise to around 500. A £900k

Homeless Prevention Grant was received each year from central Government; the Portfolio Holder argued that more lobbying would be necessary, seeking an increase in this grant to cater for the planned increase in numbers. The Council continued to work with the County Council to facilitate the accommodation of Ukrainian refugees with local families. Supporting refugees was a huge task, especially for those with major support needs. The work of 'Refugee Action' was praised.

The finding of homes for those on the Housing Register remained a major challenge. The Capital Programme had delivered 170 new affordable homes, with 39 from section 106 agreements between April 2022 and September 2022. 71 had been added from the '100 Hundred Homes' project. Seven new builds had also been added to stock. New build properties built on former garage sites were detailed as high-quality accommodation with good EPC ratings.

The Council had received praise from its partner organisations, including in its work to improve community safety and to support policing. Colchester had an outstanding CCTV network of clear and effective cameras, linked to control room monitoring.

The cost of living crisis was a major priority with which the Council was assisting residents. Much work was ongoing, and the Council had increased its funding of the local food bank. The food bank was under pressures from decreasing supply and increasing demand. The Council worked with partners such as Community 360 and others to locate warm spaces and make them available for use by residents over the Winter. The Council was working with Tendring District Council in a unified scheme to provide stairlifts, benefiting from economies of scale to source units more easily. This was one part of the Council's work to assist in speeding up the ability for people to move home from hospital, in cases where home care was the option best suiting the individuals.

Elsewhere, the Council worked with the Winsley Alms Houses charity to convert ten current units into twenty new ones.

The Council continued to work to help provide options for improving fitness and physical health for residents in the more deprived areas of the Borough.

The Portfolio Holder was asked to detail the initiatives and changes which she had initiated in the months since she took up her position. The Portfolio Holder explained the drive for social justice being carried out within her remit, and her effort to influence and shape focus on this and priorities such as dealing with the cost of living crisis. The difficulties in recruitment were a problem, but the Council still retained excellent officers. Whilst efforts to reduce costs would continue, but demand for support would continue to rise and resources would be needed in order for the Council to provide help.

A Panel member praised Colchester's record in assisting refugees but noted that this had consequences to the Council's finances, stating that it might be thought that the Government grant was insufficient. The Portfolio Holder was asked how the work with refugees affected the Council's finances and its services to local residents. The Portfolio Holder explained that the Council didn't control where the Home Office placed refugees. This put pressure on local accommodation, including in the private

rental sector. Increases had been seen in rental rates and in the number of evictions. This, in turn, led to an increase in pressure on the Council's housing duties and this necessitated the lobbying of Government for an increase in grants paid.

A request was made for more information on the processing times for refugees and whether any success stories could be given. The Portfolio Holder informed the Panel that some refugees may be in placements for up to two years. Some successes had been seen, such as refugees housed in Colchester opening up a successful falafel business in Queen Street, and businesses being opened by refugees in Wivenhoe. Problems had been experienced by Afghans being billeted at the Rose and Crown Hotel, where some had reported feeling isolated and unsupported. Council officers were working to help support these individuals.

A Panel member enquired as to what support the Council might be receiving from local members of Parliament. The Portfolio Holder laid out the lobbying work being carried out to raise concerns at a national level, with the help of the Local Government Association. The importance of keeping local MPs informed of the situation was stressed, and the Panel member emphasised the benefits of local MPs being seen to be supportive of the Council's work.

The Panel discussed one Panel member's reports of complaints of antisocial behaviour and crime carried out in the vicinity of establishments used to house refugees, and questions as to how law breaking was addressed. The Portfolio Holder gave assurance that she was happy to look into any specific cases raised with her. A new supported living centre was being developed as supported living tailored to helping challenging individuals, and more police were being recruited. Brook Street and Saw Mill Road had been problem areas and the Police were focussing on these and other hotspots. A new Public Spaces Protection Order had been initiated and would last for three years. The first fine had already been issued. The Portfolio Holder advised that this subject could be discussed more fully at the Crime and Disorder Committee meeting scheduled for 7 November 2022.

A member of the Panel described the Hargood Close supported housing scheme for homeless people needing emergency accommodation. The Panel member had visited at the invitation of one of the scheme's residents in order to view how it operated. The build quality was stated as being excellent, but concerns were raised as to how it was run by Peabody. Complaints made by residents included a bare, locked play area with no toys allowed outside, and an indoor communal area which had been locked permanently since the onset of Covid-19. The Portfolio Holder was invited to visit and to talk and listen to the residents. An allegation was made that some residents had been threatened with a downgrading of their housing list banding if they were to refuse to comply with directions from Peabody staff. The Portfolio Holder gave assurance that she would be happy to visit and meet residents at the scheme.

The Portfolio Holder was asked if she was able to intervene where local providers of housing for those in need were found to not be meeting a high standard. The Portfolio Holder confirmed that action had been taken already, such as when Estuary Housing was found to have been giving a poor service. This had resulted in improvements in service quality and the Council had striven to build good

relationships with providers. The Portfolio Holder expressed her disappointment to hear of issues which had been raised concerning services provided by Peabody.

369. Work Programme 2022-23

The Chairman noted the difficulty in scheduling all of the items for scrutiny within the meetings programmed for the remaining part of 2022-23. Owen Howell, Democratic Services Officer, confirmed that the delayed reports on Budget Strategy 2022-23 and on the Town Deal projects were now scheduled for consideration by the Panel at its meeting on 8 November 2022.

It was confirmed that the 2022-23 meeting of the Crime and Disorder Committee was now scheduled for 7 November 2022, having had to be rescheduled from its original date which fell within the national period of mourning for the death of Her Late Majesty.

Portfolio Holders' availabilities were still being pursued for briefings to be given to the Panel. Councillor David King, Leader of the Council had offered to give his briefing at the meeting on 14 February 2022, however this would also be the meeting including presentations from Councillor Pam Cox, Portfolio Holder for Culture and Heritage, and from local arts organisations receiving Council funding. Concern was expressed that this would result in a very long meeting. The Panel discussed this and agreed to cancel the scrutiny of the arts organisations. Richard Block, Acting Chief Operating Officer, suggested that an all-member briefing on the arts organisations could be organised instead. The Democratic Services Officer confirmed that work on arranging this briefing was already underway. The Panel welcomed this and expressed a preference for inviting the arts organisations back to present to the Panel in the last year of their current four-year funding agreements, so that performance could be compared to the funding agreements signed with the Council.

The Chairman informed the Panel that the Chief Executive had suggested that the Scrutiny Panel might want to scrutinise the Council's plans for celebrating and building on city status, and the strategy for this, prior to Cabinet deciding on the projects that would fall under this strategy.

A further suggested addition to the Work Programme was a review of the findings of the recent Peer Challenge undertaken by the Council. A report from the Challenge was to be produced and the Panel might wish to scrutinise Cabinet's response to this.

Thirdly, the Chairman raised the possibility for the Panel to scrutinise enforcement and enforcement policies at the Council, across subjects such as Planning, Licensing and Environmental Protection. This had been raised by the Chief Executive, speaking with the Chairman, as a way to amalgamate some of the ways in which the Council operated.

The Panel discussed the potential that more meetings would be needed, in order to allot sufficient time for each item and avoid hurried considerations. A member expressed support for adding items to scrutinise the Peer Challenge and draft strategy on city status, but expressed some doubt that the Panel could add value in

considering a wide-ranging item covering all Council enforcement and associated policies. It was suggested that some potential dates for extra meetings could be sought, in the event that these were required.

The Chairman informed the Panel that a requested item to scrutinise Cabinet dealings with Alumno could not yet be added to the Work Programme, and that the Chief Executive had advised that it was unlikely to be possible for the Panel to receive an item on this subject during 2022-23, given the Panel's wish for the scrutiny of this item to be done in public session if possible. This owed to ongoing legal processes.

RESOLVED that the Work Programme item relating to the arts organisations receiving Council funding be cancelled for 2022-23 and the next review of their work to be scheduled to fall in the final year of their current four-year funding agreement with the Council.

Items requested by members of the Panel and other Members

Item requested by Councillor Willetts

I understand that the City Status programme will be structured in as an over-arching strategy, supported by a number of self-standing projects to deliver on the diverse opportunities to exploit the new status in the community, in tourism and in the economy of the City.

I propose that the Plans for City Status are scrutinised at the point where the strategy is relatively concrete, but the before the delivery plans are defined.

Item requested by Councillor Willetts

Following a recommendation from the CRIME AND DISORDER COMMITTEE 14 September 2021, the relationship between the One Colchester Partnership, and its relationship to, and governance arrangements linked with, the Safer Colchester Partnership was reviewed by the Scrutiny Panel on 15th March 2022.

It was noted that, in addition to subsuming the Safer Colchester Partnership, One Colchester Partnership now has significantly wide responsibilities as the local strategic partnership comprising a multi-agency network including public, voluntary and commercial sector representatives at the highest levels who come together to determine a local work plan with the ambition to make impactful decisions which will improve the quality of life of residents and be in a position to break down operational barriers.

I propose that the Scrutiny Panel includes a review of the One Colchester Partnership to ensure that it is operating at peak effectiveness

8 November 2022

Report of Assistant Director for Place and Client **Author** Matt Sterling

Title Town Deal Progress

Wards affected Not applicable

1. Executive summary

- 1.1 This report provides an update on our Town Deal programme.
- 1.2 The governance and monitoring of performance for the Town Deal is managed by the independent We Are Colchester Board. However, the Council is the accountable body for the funds provided by Government.
- 1.3 The Town Deal is one of several funds being pursued to deliver improved outcomes and tackle inequalities. Many of these funds are within the Government's Levelling Up initiative.

2. Action Required

- 2.1 The Panel is asked to consider the progress made to date.

3. Reason for Scrutiny

- 3.1. At its June meeting, Scrutiny Panel requested an update on progress with the programme once Government had confirmed our Business Cases had been approved and Year1 funding was forthcoming. Notification of this approval has now been received.

4. Background Information

- 4.1 In response to the Government's Town Deal Programme, Colchester was one of 101 English towns invited to submit a Town Investment Plan (TIP) and bid for up to £25m. In response, Colchester Borough Council (CBC) with Essex County Council and others established the 'We are Colchester' board. The TIP for Colchester was submitted to Government on 29 October 2020, and an £18.2m award was made to Colchester in March 2021. This was in addition to £1m for the accelerated Town Deal projects. The TIP covers just the wider urban area of Colchester.
- 4.2 The Town Deal Programme and thus our TIP was required to reflect six specific intervention themes prescribed by the then Ministry of Housing, Communities and Local Government, these being: 1) Local transport, 2) Digital connectivity, 3) Urban

regeneration, planning and land use, 4) Arts, culture, and heritage, 5) Skills infrastructure, 6) Enterprise infrastructure.

- 4.3 'We are Colchester' was established and formally launched in January 2020, comprising of a board chaired by an independent person and including key organisations and interests. The programme developed a vision which was designed to provide a platform for strategic intervention at a scale which will achieve transformation, whilst complimenting local economic and place-making activity which the partners deliver.
- 4.4 Decisions about the projects included in our Town Deal were made by the independent We Are Colchester Board. Colchester Borough Council acts as accountable body for the monies. The accountable body role includes a:
- Commitment to manage the secretariat function to the Town Deal board, including member and senior officer leadership and involvement in the board.
 - Commitment to managing external relationships including with the members of the partnership, local MPs, and other key stakeholders.
 - Commitment to help to develop the role of the Town Deal board into the next phase and provide wider leadership including for example developing our strategic relationships with BID, University, Health and Business – to drive investment in Colchester in a strong, coherent and visible 'whole place' manner.
 - Commitment of CBC officer time and capacity to progress to the next stage (business case development), noting there will be no further provision of capacity funding from government.
 - Committing to CBC holding responsibility for financial management, audit and delivery assurance of the £19.2m capital programme; in line with and using existing CBC models of governance for capital projects and programmes.
- 4.5 Following the announcement of Colchester's Town Deal award in March 2021, the Town Deal Board agreed plans to manage the lower £19.2m award (from the £25m original grant submission).
- 4.8 Colchester was required to, and completed the following steps:
- Instigate a specific Town Deal board (makeup prescribed by Government): set up in January 2020
 - Prepare and submit a full Town Investment Plan: submitted October 2020
 - Following submission, and confirmation of our conditional award and Heads of Terms in March 2021, the Council has been required to:
 - Confirm final list of projects to be taken forward to business case development - submit project confirmation documents to Government: June 2021
 - Submit updated financial profiles for each project: September 2021
 - Prepare Business Cases for the key workstreams or where required projects
 - Submitted summary documents (relating to each of the business cases) to Government by 24th March 2022.
- 4.9 Over time other related streams of work are likely to emerge such as those funded by the UK Shared Prosperity Fund or other Levelling Up funds. Scrutiny Panel may wish to scrutinise performance delivering these in the round.

- 4.10 During the Winter of 2021/2, officers and partners developed detailed Business Cases for each project. This work included convening project teams, engagement with stakeholders, detailed planning, architectural design work and cost estimation.
- 4.11 Each Business Case covers five themes which cover the strategic scope, alignment and case for the project, the economic benefits, the financial case, commercial opportunities and viability, and the approach to management. These are detailed plans which are Green Book compliant and have been subject to independent expert support and challenge.
- 4.12 These Businesses Cases were reviewed by the Council's Section 151 Officer who independently assessed the sustainability, viability and value for money of each business case to ensure they are sound.
- 4.13 The development of these Business Cases resulted in all projects being assured sound and viable to progress.
- 4.14 The necessary documents were submitted to Government in March 2022.
- 4.15 Since then, Service Level Agreements have been signed with Essex County Council covering the 6 projects they are leading on, and North Essex Heritage for the Jumbo project. An SLA with Community360 for Holy Trinity Church has still to be signed. The agreements help to manage the release of monies and assure agreed outcomes.
- 4.16 In August, Government confirmed it had approved all our Business Cases and would therefore be releasing our full first year tranche of funding which was paid to us on 12 August.
- 4.17 In total this first year's payment included a Revenue Grant of £515,351 and a Capital Grant of £5,272,905. The remainder of the initial 5% advance (£910,000) previously received is also available to the projects.

5. Recent progress

- 5.1 The independent We Are Colchester board, and the CBC-led Town Deal Operational Board are meeting regularly and monitoring progress, engagement, spend, and risks. They are also making decisions where required about individual projects. To assist with this, the Operational Board receives updates from the Programme Manager, project sponsors or owners along with some project managers, and the Council's Section 151 Officer.
- 5.2 Of the programmer's two accelerated projects, one is fully delivered (the first phase of improvements to the Balcerne Gate public realm), and the second is underway with construction work due to commence in January 2023 (St Nicholas's Square).
- 5.2 For the other projects an update on the current position is shown below:

Heart of Greenstead

- 5.3 **Tamarisk Way.** There are 5 strands to the project – estate regeneration, community capacity building, integration of services, Essex Pedal Power and Liveable Neighbourhood. Early effort has been focussed on community and partner engagement, and land assembly. Negotiations are underway with several landowners in the centre of Greenstead. Alternative design options are being considered in the event that not all land acquisition is possible.
- 5.4 A successful funding bid to the Government's Estate Regeneration Fund has been made to support this acquisition.
- 5.5 Engagement activity led by Community360 is progressing well with ambassador recruitment, drawing on insight from an established scheme in Bromley-by-Bow.
- 5.6 **Essex Pedal Power.** A successful information event was held in the community on 1 October. The purchase of bikes is to be completed by Spring 2023 with 200 bikes being borrowed from the Jaywick scheme in the meantime. A web application process for residents is expected within 2 months.

Town Centre

- 5.7 **St Nicholas Square.** Design, planning and licencing activities for this public realm scheme are well underway with construction due to start in January 2023. We are working with Essex County Council to agree the approach to technical issues such as highways surfacing, tree pits and lighting. These issues are almost resolved. Negotiations continue with neighbouring businesses. Costs have increased from the initial business case due to inflation and the need for adaptations to the original design. These have been met from savings on other schemes We Are Colchester has approved and from a contribution of £300,000 from the Council's Capital programme.
- 5.8 **Kerbless Street, Balmerne Gate Phase 2, Holy Trinity Square.** These public realm projects are being managed by Amphora on behalf of the Council. Further design and costings work is starting, with scenario planning being done across all projects regarding cost inflation.
- 5.9 **Jumbo.** This project is being managed by the North Essex Heritage. The design consultants have been appointed and the Trust have passed the first stage towards a full bid to the Heritage Lottery fund in Spring 2023.
- 5.10 **Essex County Hospital.** Initial demolition and archaeology work for this scheme is underway. The full Town Deal contribution, which is for the public realm, has been released with the enhanced public space part of the wider housing scheme being prioritised for completion. Cost issues are being managed with scheme changes to control costs under review, and a re-tender for the construction contract is expected by 30 September.
- 5.11 **Holy Trinity Church.** Our lead partner for this project, Community360, have paused their involvement while urgent repairs to the building are carried out. These are due to be completed by the end of 2022. In the meantime, we are in discussion

with Community360 about whether they will be in a position to resume involvement once they are complete. If they are, we would expect work on a bid to the Heritage Lottery Fund to resume quickly. If they are not, we are considering alternative approaches to this project.

- 5.12 The timing of bids to the Heritage Lottery fund are being co-ordinated between Museums, Jumbo, Holy Trinity Church to ensure no clashes.

Physical Connectivity

- 5.13 **Town Centre to Greenstead and University Walking and Cycling Link.** Essex County Council are managing this project and have recently held a mobilisation project board meeting. Initial engagement work with stakeholders has taken place (including with the Business Improvement District) and the next phase of engagement has started. Early design work and decisions is underway with initial decisions including on the arrangements for the East Hill – East Bay section. This has included decisions about the arrangement of bus stops and boarders, and the mitigations for any loss of on-street parking via alternative arrangements and an extension of resident parking permits. Decision are also being taken regarding the Brook Street layout. Land rights over the Moors section are being clarified.

Digital Connectivity

- 5.14 **Digital Skills Hub.** Planning consents have been secured, with refurbishment works due to start imminently. Discussions taking place with Highways to improve visibility and access.
- 5.15 **Digital Working Hub.** A managing agent for the centre once opened has been appointed. Work on site is underway, with archaeology progressing well. We are awaiting the results of bore hole tests. and timeline will then be updated. We expect to tender for construction work by November.
- 5.16 **5G.** This project is currently on track with budget and timeline. An Options Appraisal for virtual reality tourism use is underway working with the Museums service, and the project is considering synergies with other Town Deal projects. Delivery plans are being refined with potential Highways issues being managed.

Transformed Youth Facilities

- 5.17 **Townhouse, Stanway and Highwoods Youth Centres.** This theme is being managed by Essex County Council. Initial architect plans for the Townhouse have been produced, with detailed design involving engagement with young people to follow. Construction work is expected to start in January 2023. The structural survey for the Stanway Youth building is completed with no serious issues identified. Works here are to commence Easter 2023 with no impact on service users. Subsidence and access issues for the Highwoods car park have been largely resolved, with resurfacing to be completed Easter 2023. Cost inflation for this project is being closely monitored, and Local Delivery Pilot funding being explored, alongside a review of a potential bid to the Youth Investment Fund bid.

Levelling Up Fund

- 5.18 A bid to second round of the Government's Fund for £19.66m has been made with a decision expected in November. As well as bringing forward much needed support for the St Botolph's area of the Town Centre, this fund would also increase the monies available to complete several Town Deal projects such as Kerbless Streets and the Digital Working Hub.

Expenditure to date

- 5.19 Spend on individual projects is being closely monitored to ensure it is in line with agreed budgets. So far the amount of spend equates to c£900,000, which excludes accelerated projects (St Nicholas Square and Balcerne Gate Phase 1). This is in line with expectations.

6. Key risks

- 6.1 Risks for the whole programme and individual projects are being managed first by project managers, then project steering groups, the Operational Board and then ultimately by We Are Colchester.
- 6.2 The main programme-level risks at the moment are:
- The effect of cost inflation on the viability of projects – detailed costings are being generated for projects and forecasts being kept up to date, with alternative sources of funding being sourced for shortfalls
 - The risk of failing to engage effectively with stakeholders for each project – detailed engagement plans for the programme and for projects are in place and under review to refine and improve
 - Failure to achieve necessary land acquisition in Greenstead - negotiations are being closely managed
 - Loss of key partners - priority repairs to Holy Trinity Church are due to complete by end 2022, and negotiations are underway to enable C360 to resume their project management of this project.
 - Human resource capacity across programme under constant review.

7. Standard References

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

8. Strategic Plan References

- 8.1 The Town Deal is intended to boost the local economy, support the creation of jobs, improve areas of public realm, facilitate increased cycling and walking, improve housing and health outcomes as well as leveraging private sector investment.
- 8.2 It will contribute to the delivery of the Strategic Plan 2020-2023 priorities and direction for the Borough as set out under the strategic themes of:

- Tackling the climate challenge and leading sustainability
- Creating safe, healthy and active communities
- Delivering homes for people who need them
- Growing a fair economy so everyone benefits
- Celebrating our heritage and culture

Appendices: None.

Report of	Assistant Director of Place and Client	Author	Karen Paton
Title	Family/local affiliation in letting and/or sale of local affordable housing and Gateway to Homechoice Allocations Policy		
Wards affected	All wards		

1. Executive Summary

- 1.1 The report provides information on the options available to the Council to change the way general needs properties are let to households on the Housing Register to prioritise people with established ties to certain communities.
- 1.2 The report also looks at the way in which affordable housing to buy through initiatives like shared ownership can also be restricted to local people.
- 1.3 The two options available are:
 - Local Lettings plans
 - Section 106 agreements and associated allocation and nomination agreements
- 1.4 To illustrate how this would work in practice the report looks at a pilot that has been proposed on a site in the parish of Layer de la Haye and whether placing restrictions on the way general needs properties (that are not on rural exception sites) are let to households in housing need with a local connection, may have unintended consequences.

2. Action Required

- 2.1 For Scrutiny Panel to consider our approaches to allocating affordable housing, and to considering local connection in letting and/or sale of local affordable housing and Gateway to Homechoice Allocations Policy

3. Reason for Scrutiny

- 3.1 Report requested by the Panel at the meeting on 7 June 2022.

4. Background Information

4.1 A Housing Allocations Policy is a legal requirement for local authorities allocating affordable and social housing. The policy sets out which properties applicants for housing are eligible for; the priority applicants are awarded to reflect their need for housing and how the policy works. The policy is also required to follow a number of rules set out in law.

4.2 Colchester Borough Council is a partner in the Gateway to Homechoice (G2H) Partnership along with seven other Essex and Suffolk local housing authorities. The Partnership has one Allocations Policy.

Please find a link below to the Gateway to Homechoice Allocations Policy
[Allocations Policy - July 2022 - HomeChoice \(gatewaytohomechoice.org.uk\)](https://gatewaytohomechoice.org.uk/Allocations%20Policy%20-%20July%202022%20-%20HomeChoice)

4.3 Whenever the Council imposes criteria for certain properties on the Housing Register other than housing need it tends to relegate the importance of housing need as the determiner of who is housed.

4.4 However, the Council has two options available if it wishes to restrict the way that general needs properties (that are not on rural exception sites) are let to households on its housing register.

- Local Lettings plans
- Section 106 agreements and associated allocation and nomination agreements

Local lettings Policies

4.5 Local lettings plans can be used for new developments that are not rural exception sites and existing homes. A local lettings plan applies to a specified group of properties and sets out why and who will be given preference for offers of homes.

4.6 The decision to apply a local lettings plan is made jointly by the landlord of the property and Colchester Borough Council (CBC). Senior managers have delegated authority to agree a local lettings plan. However, they are always shared with the Portfolio Holder before implementation.

4.7 A local lettings plan would usually be made under the following circumstances:

- To help create balanced communities and achieve wider community objectives (for example to produce a broader social mix).
- To help improve difficult to let areas and/or to tackle anti-social behaviour
- To make best use of the housing stock and give priority for releasing a property in need.

4.8 Properties subject to a local lettings plan are clearly labelled as such in the property advert on the Gateway to Homechoice website when the property is advertised. The local lettings plan is usually for a specific period of time.

4.9 CBC and other landlords of social and affordable housing can use local lettings plans as this is set out in our Allocations Policy. The Housing Act 1996 (and subsequent revisions made by the Localism Act 2011) enables housing authorities to allocate particular accommodation to people of a particular description, whether

or not they fall within the reasonable preference categories, provided that overall, the authority is able to demonstrate compliance with the requirements of the Housing Act 1996.

4.10 The Housing Act 1996 requires housing authorities to allocate accommodation in accordance with the housing authority's Allocation Policy which must ensure that certain categories of applicants are given reasonable preference. The Housing Act 1996 sets out the five groups of applicants for whom reasonable preference must be given.

In summary, these groups are:

- Applicants who are classed as homeless under the law
- Applicants who are owed a homelessness duty by any local housing authority or who are in temporary accommodation secured by the local housing authority
- Applicants occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Applicants who need to move on medical or welfare grounds (including grounds relating to disability).
- Applicants who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

Under Colchester's Allocations policy, priority bands A, B and C, reflect the reasonable preference categories.

Section 106 agreements and associated allocation and nomination agreements

4.11 Section 106 Agreements are formal Deeds made under Section 106 of the Town and Country Planning Act 1990 to secure planning obligations which are required in order to make a proposed development acceptable in planning terms.

4.12 On sites where affordable housing is provided under a section 106 agreement the agreement will set out the requirements such as the type and size of affordable homes, the tenure and any nomination and allocation arrangements for the affordable homes. These will be agreed through negotiation with developers.

4.13 The Council can use the section 106 agreement to restrict the way general needs properties (that are not on rural exception sites) are let to households on its housing register. The length of time a restriction remains in place is determined in the legal agreement.

4.14 Section 106 agreements have to be agreed by both parties (the Council and the Developer) and are binding legal documents which can only be varied by a deed of variation agreed by both parties.

4.15 A section 106 agreement would need to be put in place for first lets on properties to buy under shared ownership (see Appendix A).

Implications

4.16 Placing restrictions on the way general needs properties (that are not on rural exception sites) are let to households in housing need with a local connection may have unintended consequences. These include:

- Households with a higher need for housing in Colchester that don't have a local connection may have a longer wait for accommodation
- If there is not enough interest in the properties from households who have a local connection, then this will impact on void times and rent loss.
- Households in bed and breakfast and temporary accommodation may have longer to wait for permanent housing, and this will have an associated financial cost to Colchester Borough Council.

5. Pilot scheme at Layer de la Haye

5.1 In order to test the potential benefits and whether there are any unintended consequences of such a restriction, a pilot has been proposed on a site in the Parish of Layer de la Haye. The site is made up of 55 homes of which 13 will be affordable rented housing and 3 will be shared ownership. The remaining 39 homes will be for open market sale.

5.3 Prior to the proposal for the pilot scheme, a Housing needs survey was undertaken to establish whether there were households with a local connection to Layer de la Haye that were in housing need (see Appendix B).

Local connection restrictions

5.4 The Section 106 agreement will contain a schedule setting out the eligibility criteria, priority and local connection criteria requirement for nominees/applicants who bid for the property on the Gateway to Homechoice, choice-based lettings system at first let only.

5.5 Eligibility - Prospective tenants will only be considered if they are registered on the Council's Housing Register and their application is in Bands A to C. For the shared ownership homes the applicant should not have an annual household income of more than £80,000 and must not be a current homeowner.

5.6 Priority for the rented homes will be given to applicants in Housing Register Bands A to C who have a Local Connection (as defined below). This priority will be applicable to first let of the dwellings.

Local connection Criteria

5.7 An applicant will have a local connection if:

- The applicant or a member of the applicant's household have resided in the Parish of Layer-de -la Haye for not less than 3 years during the previous 5 year period.
- They have a son, daughter, brother, sister, mother or father, who is aged 18 or over and lives in the Parish of Layer-de -la Haye, and has done so for at least five years before the date of application.
- The applicant or a member of the applicant's household currently reside in the Parish of Layer-de -la Haye and have done so for at least 6 of the last 12 months and the applicant or a member of their household are

currently permanently employed in the Parish and have worked in the Parish for at least 6 of the last 12 months.

- The applicant or a member of their household has an offer of permanent employment within the Parish of Layer de la Haye for which personal attendance within the Parish of Layer de la Haye is a main or the primary requirement of their employment. The work must not be short-term (less than 12 months) or marginal in nature, be ancillary to work in another parish or district; or voluntary work. Work will normally be regarded as marginal in nature if it is less than 16 hours a week.
- If, there are no applicants who have bid for and been successful in securing a property who fulfil the requirements of local connection criteria above, then a person who fulfils any of those criteria in respect of the neighbouring Parishes of Abberton and Langenhoe, Layer Breton, Birch, Great and Little Wigborough and Peldon can be considered when the property is re-advertised (the cascade parishes).
- If there are still no applicants who have bid for and been successful in securing a property, who fulfil the local connection requirements then the property can be let to an applicant who has a local connection to Colchester, as set out in Colchester Borough Council's Housing Allocations Policy.

5.8 At second let the affordable rented properties should be let in accordance with Colchester Borough Council's Housing Allocations Policy.

Local Connection – shared ownership homes

5.9 The same local connection criteria for Layer-de-la-Haye will apply. However, if after 6 weeks of becoming available for sale, a shared ownership unit has not secured an offer from a household meeting the local connection criteria an applicant with a local connection to Colchester may be considered.

5.10 The pilot will operate until all the rented homes have been let for the first time and the shared ownership homes have been sold for the first time.

5.11 The pilot will be monitored using the Gateway to Homechoice choice-based lettings scheme and through engagement with the registered provider/housing association who will purchase and manage the affordable homes.

Monitoring information will include:

- Who the properties are let to and how many homes have been let to households with a local connection to Layer-de-la Haye;
- how many homes have been let to households with a local connection to the cascade parishes and how many have been let to households with a local connection to Colchester by their priority band.
- The number of bids on each property each time it is advertised.
- The impact on void times and rent loss.
- The impact on households in bed and breakfast and temporary accommodation and any associated financial cost to Colchester Borough Council.

- How many of the shared ownership properties were sold to households with a local connection to Layer-de la-haye and how many to Colchester applicants.
- Whether there were any financial costs or benefits to the registered provider/housing association which arose because of the local connection requirements for the properties.

5.12 The results of the monitoring and any implications and impacts identified will provide evidence to inform decisions about applying restrictions to the letting of affordable properties on other rural development sites (which are not rural exception sites).

6. Equality, Diversity and Human Rights implications

An Equality Impact Assessment on the Gateway to Homechoice Allocations Policy has been completed and a link to the document can be found below.

[Gateway to Homechoice Allocations Policy - Colchester Borough Council](#)

There are no Human Rights implications

7. Standard Reference

There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety, risk management or Environmental and Sustainability implications.

Appendices

Appendix A - Shared Ownership

Shared ownership is a scheme that allows you to buy a share of a property and pay rent on the rest. It's designed to help people with small deposits and lower incomes get on the property ladder. You buy a stake of between 20% and 75% of the property from a housing association. You typically need to put down a minimum 5% deposit, but that's only on your share rather than the total property price.

Shared ownership is only available to first-time buyers, those who've previously owned a home but can't afford to buy one now, and existing shared ownership homeowners who want to move house. Your household income must be less than £80,000 if you live outside London or £90,000 if you're living in London.

You can buy more shares in your home after you become the owner. This is known as 'staircasing'. When you buy more shares, you'll pay less rent. The cost of your new share will depend on how much your home is worth when you want to buy the share, the Housing Association will arrange the valuation.

Applicants interested in shared ownership properties can join a register.

Appendix B - Housing need in Layer-de-la-Haye

The Housing Needs Survey undertaken in 2020 found that there was a need in Layer-de-la Haye for the affordable rented homes of 13 households in total, 5 households with a 1 bed need, 6 with a 2 bed need and 2 with a 3 bed need.

The survey also found a need for five 2-bedroom shared ownership properties, with two to be adapted/ground floor for households with mobility needs.

A supplementary survey was carried out following the Housing Needs Survey in June 2020. The aim of the second shorter survey was to provide additional information (including financial information) regarding the proposed affordable housing scheme in the parish and to help determine the existing and future levels of needs for local people. The June 2020 survey found a need for 6 affordable rented homes and 1 shared-ownership.

Housing register data indicates that there are 11 households who state that they have a local connection to Layer-de-la-Haye. Four of these applicants currently live in the village.

It should also be noted that a Rural Exception Site (RES) is being developed at The Folley in Layer-de-la-Haye separately to the site in this pilot. The RES consists of 15 properties of which 7 are market sale, 8 affordable comprising of 6 rented and 2 shared ownership. The affordable rented homes will only be let to housing register applicants with a local connection although they will not be restricted to bands A-C only and the local connection criteria will apply to all affordable rented and shared ownership on the first and every subsequent letting and sale.

If a purchaser with a local connection for the shared ownership properties is not found within 6 weeks of being available for sale, then the criteria will cascade to the Colchester Borough.

8 November 2022

Report of	Assistant Director – Corporate and Improvement Services	Author	Owen Howell ☎ 282518
Title	Work Programme 2022-23		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report sets out the current Work Programme 2022-2023 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

2. Action Required

- 2.1 The Panel is asked to consider and approve the contents of the Work Programme for 2022-2023, or request amendments, additions and/or deletions.

3. Background Information

- 3.1 The Panel's work programme evolves 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. The draft work programme for 2022-23 is appended to this report. This contains the items which are reviewed each year by the Panel.
- 3.2 The Forward Plan of Key Decisions is included as part of the work programme for the Scrutiny Panel, and this is included an **Appendix A**.
- 3.3 It should be noted that the Local Council Tax Support Scheme for 2023-34 has been deferred until 13 December 2022, to allow for a public consultation to conclude and the results to be analysed.

4. Standard References

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

5. Strategic Plan References

- 4.1 Scrutiny and challenge is integral to the delivery of the Strategic Plan 2020-2023 priorities and direction for the Borough as set out under the strategic themes of:
- [Tackling the climate challenge and leading sustainability](#)
 - [Creating safe, healthy and active communities](#)
 - [Delivering homes for people who need them](#)

- [Growing a fair economy so everyone benefits](#)
- [Celebrating our heritage and culture](#)

4.2 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.

Appendices

Appendix A – Scrutiny Panel Work Programme, 2022-23

Appendix B – Forward Plan of Key Decisions: 1 November 2022 – 28 February 2023

Work Programme for 2022/23

Scrutiny Panel meeting – 7 June 2022
Scrutiny Panel Chairman's briefing – 1 June 2022
<ol style="list-style-type: none"> 1. Town Deal Reporting 2. Work Programme 2022-23
Scrutiny Panel meeting – 5 July 2022
Scrutiny Panel Chairman's briefing – 30 June 2022
<ol style="list-style-type: none"> 1. Council's disbursement of rebate payments on Council Tax 2. Year End 2021/22 Performance Report and Strategic Plan Action Plan 3. Housing Strategy 4. Annual Scrutiny Report 5. Briefing note on Hythe Flooding 6. Recap report on previous Scrutiny Panel reviews of local bus services 7. Work Programme 2022-23
Scrutiny Panel meeting – 16 August 2022 Meeting cancelled for lack of business
Scrutiny Panel Chairman's briefing – 11 August 2022
<ol style="list-style-type: none"> 1. Economic Strategy 2. Town Deal projects update 3. Portfolio Holder Briefing Cancelled at request of the Panel 4. Work Programme 2022-23
Scrutiny Panel (Crime and Disorder Committee) - 13 September 2022
Scrutiny Panel Chairman's briefing – 8 September 2022
<ol style="list-style-type: none"> 1. Safer Colchester Partnership (Crime and Disorder Committee)
Scrutiny Panel – 11 October 2022
Scrutiny Panel Chairman's Briefing – 6 October 2022
<ol style="list-style-type: none"> 1. Briefing from Cllr Julie Young, Portfolio Holder for Housing and Communities 2. Economic Growth Strategy Deferred 3. Review of Colchester Borough Homes: 2021-22 Performance, and discussion of Key Performance Indicator Targets for 2023-24 4. Local Council Tax Support – Year 2023/24 Deferred to 13 December 2022 5. Budget Strategy for 2023-24 Deferred to 8 November 2022 6. Work Programme 2022-23

Scrutiny Panel meeting - 8 November 2022
Scrutiny Panel Chairman's briefing – 3 November 2022
<ol style="list-style-type: none"> 1. Budget Strategy for 2023-24 2. Update on Town Deal projects' progress 3. Family/local affiliation in letting and/or sale of local affordable housing and Gateway to Homechoice Allocations Policy 4. Work Programme 2022-23
Scrutiny Panel meeting - 13 December 2022
Scrutiny Panel Chairman's briefing – 8 December 2022
<ol style="list-style-type: none"> 1. Portfolio Holder Briefing - Panel to specify issue and Portfolio 2. Half Year 2022-23 Performance Report & Strategic Plan Action Plan progress 3. Local Council Tax Support – Year 2023/24 4. Work Programme 2022-23
Scrutiny Panel meeting - 24 January 2023
Scrutiny Panel Chairman's briefing – 19 January 2023
<ol style="list-style-type: none"> 1. Briefing by Portfolio Holder for Resources [focus on Budget 2023-24] 2. 2023-24 Revenue Budget, Capital Programme, Medium Term Financial Forecast and Treasury Management Investment Strategy 3. Housing Revenue Accounts Estimate and Housing Investment Programme 4. Town Deal projects progress report 5. Work Programme 2022-23
Scrutiny Panel - 14 February 2023
Scrutiny Panel Chairman's briefing – 9 February 2023
<ol style="list-style-type: none"> 1. Briefing by Portfolio Holder for Culture and Heritage 2. Briefing by the Leader of the Council 3. Reports from Arts Organisations (Mercury, The Arts Centre, FirstSite) Cancelled at request of the Panel 4. Corporate Key Performance Indicator Targets for 2022-23 5. Work Programme 2022-23
Scrutiny Panel meeting– 14 March 2023
Scrutiny Panel Chairman's briefing – 9 March 2023
<ol style="list-style-type: none"> 1. Portfolio Holder Briefing/s - Panel to specify issue and Portfolio 2. Collection of Section 106 developer contributions 3. Scrutiny Panel Annual Report

Items still to schedule, when possible:

- Council negotiations with Alumno [Monitoring Officer advice is that this will only be able to be scrutinised in open session once the current ongoing legal situation is resolved regarding the Queen Street site]

- Planning trial of local prioritisation for property purchasing [relating to a recent planning application] [Officer advice is that this is at an early stage and is likely to need to wait until 2023-24 to be ready for meaningful scrutiny of scheme and outcomes]
- Town Deal projects update; was due to come before Scrutiny Panel on 16 August 2022 but delayed due to awaiting central government confirmation of funding awards necessary for projects to proceed.
- Draft Economic Strategy. Was due to come before Scrutiny Panel on 16 August 2022 and then 11 October 2022 but delayed.

COLCHESTER BOROUGH COUNCIL

FORWARD PLAN OF KEY DECISIONS 1 November 2022 – 28 February 2023

During the period from 1 November 2022 – 28 February 2023* 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 either:

- result in the Council spending or saving money in excess of £500,000; or
- 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 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. Details of the decision makers are correct at the time of publication.

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 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.

*The Forward Plan also shows decisions which fall before the period covered by the Plan but which have not been taken at the time of the publication of the Plan.

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) – details of decision makers correct at time of publication	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)
Approval to complete the purchase of land/property at 'The Centre' Greenstead from Notting Hill Genesis, using funding received via the Estates Regeneration Fund	No	October 2022	Portfolio Holder for Resources, Councillor Mark Cory Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Daniel Barton Greenstead and Youth (Town Deal) Projects Manager 01206 282912: Daniel.Barton@colchester.gov.uk
Award of Contract for Unadopted Roads within Council Housing Estates – HIP Programme	Yes	October 2022	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Geoff Beales Client Services Manager 01206 506514 geoff.beales@colchester.gov.uk

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Award of Contract for Voids works contract	Yes	October 2022	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Geoff Beales Client Services Manager 01206 506514 geoff.beales@colchester.gov.uk
New Senior Management Team Arrangements and Structure The report will provide details of proposed new Senior Management Team arrangements including a proposed structure.	No	16 November 2022	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Pam Donnelly Chief Executive Pamela.donnelly@colchester.gov.uk 01026 282211

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Sale of Land at Northern Gateway, Colchester	Yes	16 November 2022	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Mandy Jones Assistant Director, Place and Client Services mandy.jones@colchester.gov.uk 01206 282501
2023-24 Budget Update, Transformation Proposals and Fees and Charges	No	16 November 2022	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report Schedule of draft fees and charges	Paul Cook Head of Finance paul.cookx@colchester.gov.uk

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Officer Pay Policy Statement 2023-24	No	16 November 2022	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report Draft Officer Pay Policy Statement 2023-24	Jess Douglas Strategic People and Performance Manager Jessica.douglas@colchester.gov.uk 01206 282239
Local Council Tax Support Scheme	No	16 November 2022 or 25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report, draft Scheme	Sam Preston Group Manager, Customer Samantha.preston@colchester.gov.uk 07966237492

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Delegation for the awards of contracts related to the development of affordable homes under the New Council Housebuilding Programmes “Phase 3 Garage Sites”	No	16 November 2022	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Andrew Tyrrell Client and Business Manager andrew.tyrrell@colchester.gov.uk 01206 2822390
Commercial Reform of the Northern Gateway Heat Network	Yes	16 November 2022	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Andrew Tyrrell Client and Business Manager andrew.tyrrell@colchester.gov.uk 01206 2822390

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Award of a contract for the construction of affordable homes at Cross Cottages, Boxted	Yes	December 2022	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Andrew Tyrrell Client and Business Manager andrew.tyrrell@colchester.gov.uk 01206 2822390
Housing Revenue Account Fees and Charges 2023 – 2024 To agree the Housing Revenue Account fees and charges for 2023-2024	No	December 2022	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report, including schedule of charges	Geoff Beales Client Services Manager geoff.beales@colchester.gov.uk 01206 506514

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Award of the Contract for the Construction of the Renewable Heat Network Energy Centre and at the Northern Gateway	Yes	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Andrew Tyrrell Client and Business Manager andrew.tyrrell@colchester.gov.uk 01206 2822390
2023-24 Budget, Council Tax and Medium Term Financial Forecast	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Paul Cook Head of Finance paul.cookx@colhester.gov.uk

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Housing Revenue Estimates 2023-24	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Darren Brown Finance Manager darren.brown@colchester.gov.uk 01206 282891
Housing Investment Programme 2023-24	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Darren Brown Finance Manager darren.brown@colchester.gov.uk 01206 282891

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