

Cabinet Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 04 September 2019 at 18:00**

The Cabinet deals with the implementation of all Council services, putting into effect the policies agreed by Full Council and making recommendations to Full Council on policy issues and the budget.

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COLCHESTER BOROUGH COUNCIL
Cabinet
Wednesday, 04 September 2019 at 18:00

The Cabinet Members are:

Leader and Chairman	Councillor Mark Cory (Liberal Democrats) Councillor Adam Fox (Labour and Co-operative) Councillor Martin Goss (Liberal Democrats) Councillor Theresa Higgins (Liberal Democrats) Councillor David King (Liberal Democrats) Councillor Mike Lilley (Labour) Councillor Gerard Oxford (The Highwoods Group) Councillor Julie Young (Labour)
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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 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.

3 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.

4 Minutes of Previous Meeting

Cabinet will be invited to confirm that the minutes of the meeting on 10 July 2019 are a correct record.

10-07-19

7 - 16

5 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.

6 Decisions Reviewed by the Scrutiny Panel

The Councillors will consider the outcome of a review of a decision by the Scrutiny Panel under the call-in procedure. At the time of the publication of this agenda, there were none.

7 Business and Resources/Culture and Performance

7(i) North Essex Garden Communities Ltd - Approval of 2019/20 Interim Business Plan and Budget 17 - 82

Cabinet will consider a report that the Council, as one of the 4 shareholders, continues to support North Essex Garden Communities Ltd as the strategic delivery vehicle for the North Essex Garden Communities projects through approval of the 2019/20 Interim Business Plan and Budget.

8 Business and Resources

8(i) 2018/19 Year End Review of Risk Management 83 - 110

Cabinet will consider a report providing an overview of the Council's risk management activity undertaken during the financial year from 1 April 2018 to 31 March 2019.

8(ii) Environmental Project Support Officer - recommendation from Conservation and Environmental Sustainability Task and Finish Group 111 - 114

Cabinet will consider a report setting out a recommendation from the Conservation and Environmental Sustainability Task and Finish Group that resources be made available for an Environmental Project Support Officer.

9 Waste, Environment and Transportation

9(i)	Bus Review: Further Actions	115 - 150
	Cabinet will consider the recommendations contained in draft minute 221 of the Scrutiny Panel meeting of 16 July 2019.	
9(ii)	Use of the River Colne	151 - 158
	Cabinet will consider the recommendation contained in draft minute 29 of the Policy and Public Initiatives Panel meeting of 31 July 2019	
9(iii)	Public Initiatives	159 - 160
	Cabinet will consider the recommendation contained in draft minute 28 of the Policy and Public Initiatives Panel meeting of 31 July 2019.	
10	Customers	
10(i)	Local Government and Social Care Ombudsman - Annual Review Letter 2018/19	161 - 170
	Cabinet is invited to consider the contents of the Local Government and Social Care Ombudsman's Annual Review Letter relating to Colchester Borough Council for 2018/2019.	
11	General	
11(i)	Progress of Responses to the Public	171 - 174
	Cabinet will consider a report setting out the progress of responses to members of the public who have addressed meetings of Cabinet and Full Council under the Have Your Say! provisions.	
12	Exclusion of the Public (Cabinet)	
	In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example 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)

<p style="text-align: center;">CABINET 10 July 2019</p>

Present: - Councillor Cory (Chairman)
Councillors Fox, Higgins, Goss, King, Lilley, G. Oxford
and J. Young

Also in attendance: - Councillors Coleman, Crow,
Hazell, Pearson, Scott-Boutell, Warnes, Wood and T.
Young

367. Minutes

RESOLVED that the minutes of the meeting held on 22 May 2019 and 5 June 2019 be confirmed as a correct record.

368. Have Your Say!

Nick Chilvers addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to seek confirmation that the Council was distancing itself from Alumno, now that it had appealed against the Planning Committee decision to refuse planning permission for the development of student flats at St Botolphs. He urged the Council to ensure that full support was given to the Planning Committee to defend its decision. The appeal would be a complex legal process and it was important that appropriate legal and expert representation was secured. Concern was also expressed about the condition of the development site, which was an eyesore, despite previous reassurances that it would be improved.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, responded and explained that as the matter was sub judice, the Cabinet could not comment on the appeal. However, the Council would rigorously defend the Planning Committee decision.

Ian Vipond, Director of Policy and Place, explained that the appeal had been listed for 16 October 2019 and was scheduled to last for six days. A team of experts was being assembled to defend the decision.

Councillor J. Young, Portfolio Holder for Culture and Performance, explained that whilst it was acknowledged that there were issues with the appearance of the site, the Council had to be cautious given the current position regarding the future of the site. The site had been secured to ensure public safety.

Mick Spindler addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to present a petition from residents of Christopher Jolly Court who were concerned about the proposals for an Airspace development. This would create an additional floor on top of the building. Residents were concerned and distressed by the

prospect of flats for families being built above their homes and were concerned about the impact on the structural integrity of the building. Correspondence from the Council had not been received by all residents and contained conflicting messages. Whilst Council staff had attended with revised letters for residents, the majority remained opposed to the proposal.

Councillor Fox, Portfolio Holder for Housing, thanked Mr Spindler for raising these concerns. In view of the housing crisis, the Council had to balance the need to deliver additional housing with the concerns of existing residents. He would look into the issue of the conflicting information. It was important that the concerns were dealt with respectfully and considerately, and the situation was not inflamed. He would be happy to meet Mr Spindler and residents to address their concerns.

Alan Short addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). He thanked the Chief Executive for meeting him to discuss issues around the Council owned commercial companies. The Leader of the Council had previously given a commitment to publish the lease for the St Botolph's site together with a full cost benefits analysis. These needed to be made public, so the electorate could understand what was happening on the site. Whilst there were different forms of lease, there should be nothing to prevent the Council from publishing it and redacting any sensitive information.

Councillor King, Portfolio Holder for Business and Resources, explained that he wanted to share as much information as he could on the lease. To release a redacted version would only arouse further suspicion. He was taking further internal advice on the issue but supported the principle of releasing this information to help explain why the Council had entered into the agreement with Alumno.

Councillor Higgins (as a trustee of St Mary Magdalen's Almhouses) declared a non - pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

369. Updates on New Affordable Council Homes

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

Councillor Bourne attended and with the consent of the Chairman addressed the Cabinet and offered her congratulations to the Cabinet and Council for its drive to increase council housing across the borough. She was particularly pleased to note the development of the site at Military Road as entirely affordable housing, which demonstrated the benefit of the Council leading development. Going forward the Council needed to stress to the public and media that it was building council houses, rather than affordable housing, which in some cases was not truly affordable. Attention was drawn to the positive article by the District Council Network highlighting the innovative work the Council did in respect of council housing. This demonstrated the value of its work and the positive impact it had on the health and well-being of residents.

Councillor Pearson attended and with the consent of the Chairman addressed the Cabinet and reiterated the need to differentiate between social housing and affordable housing.

Whilst the report was welcomed the Council needed to increase the availability of both social and affordable housing, and this needed to be more than an ambition. The proposal for Airspace developments were noted. It was critical that the Council's consultations on social housing proposals were effective and meaningful. He invited the Leader of the Council to be personally involved in the consultation on the first three schemes to demonstrate their importance.

In response, Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, explained that he would listen to any concerns expressed and was working with Councillor Fox as Portfolio Holder on the issue.

Councillor Warnes attended and with the consent of the Chairman addressed the Cabinet to welcome the proposals which he considered were a pragmatic response to the housing crisis. The Airspace proposals were innovative, but the Council needed to take a responsible approach and to get the schemes absolutely right to reduce the prospect of opposition. The proposals in the report were a welcome move away from using the market and section 106 contributions to address issues of housing need.

Councillor Fox, Portfolio Holder for Housing, introduced the report and welcomed the support he had received from the Cabinet for the proposals. The full package of schemes would help address the concerns of residents that there was insufficient social and affordable housing in the borough. A number of meetings had been held with ward councillors to help allay concerns and ensure the Council approached the individual schemes in the right way. The Council's commercial approach and the creation of Colchester Amphora Housing Ltd, together with its relationship with Colchester Borough Homes, gave the Council access to considerable expertise and would help ensure the successful development of the schemes. The Council was taking a prudent approach to borrowing to help fund the proposals.

Councillor Higgins, Portfolio Holder for Commercial Services, Councillor Goss, Portfolio Holder for Waste, Environment and Transportation, Councillor King, Portfolio Holder for Business and Resources and Councillor G. Oxford, Portfolio Holder for Customers, indicated their support for the proposals. It was suggested that in future the Council needed to look at further provision for the elderly, possibly through almshouses, and the need to ensure that the Airspace proposals were handled sensitively was also stressed.

RESOLVED that:-

- (a) The Council should move Military Road into the "New Council Housebuilding Programme" to deliver this project as entirely affordable homes through the Housing Revenue Account (HRA).
- (b) Colchester Amphora Homes Ltd (CAHL) be appointed to manage the delivery of the development at Military Road on behalf of the Council.
- (c) The Housing Revenue Account (HRA) budget and Housing Investment Programme (HIP) for 2020/21, to be considered by Cabinet in January 2020, be prepared with the inclusion of financial provisions to actively progress Military Road in addition to the other previously approved projects.

(d) The updated progress on the individual projects within the “New Council Housebuilding Programme” that were agreed by the Council in January 2019 be noted.

REASONS

There is a national housing crisis and Colchester is no different to anywhere else in requiring more homes, especially with regard to affordable homes. The alternative development of Military Road, increasing the provision of affordable homes from 30% to 100% on this site, and using prudential borrowing rather than the commercial company delivery model, provides for a more viable development that suits the circumstances of this site.

Since the decision to develop Military Road as a mixed-tenure scheme was taken, a number of changes in circumstances have seen the financial return for the Council to reinvest diminish, whereas the benefits of affordable homes have remained. The balance is now considered to weigh in favour of moving away from cross-subsidy to prudential borrowing in order to maximise the benefit of the additional units being affordable units, without significant loss of “profit” that would be reinvested in Council services. This is specific to this scheme and site location; where the other mixed-tenure sites at Creffield Road, Mill Road and St Runwald Street only remain variable to develop through the company model, and would not be deliverable through prudential borrowing as now suggested for Military Road.

In addition, the Council continues to progress several other projects under the “New Council Housebuilding Programme” (NCHP). Whilst each of these is different, and bring their own considerations, all of them remain in progress and are being brought forwards as potential development opportunities. The NCHP still aims to deliver up to 350 homes over 5 years. The homes that the Council creates will be used to accommodate people from our housing needs register. This means that the new homes address local need. The demand for this new affordable housing is currently just over 3,000 people who are recorded on the housing needs register:

ALTERNATIVE OPTIONS

At Military Road, the Council could decide not to take on the development of the land itself, continuing with the development as a mixed-tenure scheme delivered by CAHL. However, this would mean that 8 affordable homes would not be delivered at this site and the Council would be not make the optimum use of the options the Council has created for itself, in delivering homes through a number of different mechanisms. Using the flexibility of the new borrowing capacity that the Council has been given would provide extra affordable housing for those most in need (which is a key priority of the Council as set out in the Strategic Plan), whereas the company would not generate a significant commercial return from the private market homes here as property values are low in relation to build costs.

The Council could decide to sell the site on the open market; however, the value of the land would not generate a significant receipt for the HRA to reinvest in affordable housing, and the Council would also then require another site to do so. If the Council sold the site to a private developer, it would also fall under the threshold for providing any affordable

homes through s106 planning gain (where only schemes over 10 dwellings are required to include affordable homes), so new affordable homes would be provided unless it is by the Council.

The Council could choose not to pursue some of the other individual projects updated in this report. However, at this time it is considered that all of the projects should be explored further and to reduce the programme for new council housebuilding at this time would be contrary to previous decisions and the core objectives of the Council.

The Council could pursue the "Airspace" rooftop development schemes (detailed in the main section of the Assistant Director's report) without using HRA borrowing; however, this would entail working with modular construction companies who would build the schemes for commercial returns that return only a smaller percentage of the units to the Council to use as affordable housing, whilst most of the properties would be retained by the partnering company (for them to sell or lease to recover their build costs). As this does not provide as many affordable homes for the Council, and brings other complexities around ownership, it is not recommended for the first few sites chosen. It would also be contrary to the legal advice the Council has received, which is also detailed in the Assistant Director's report.

370. Budget Strategy 2020/21

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

Councillor King, Portfolio Holder for Business and Resources, introduced the report, which set out the Council's prudent approach whilst demonstrating its ambition. He highlighted that the balances from the 2018/19 outturn were £530K above the agreed level which would give greater scope to fund schemes to meet the needs of residents. The report set out the strategic context for the budget and highlighted a number of priority themes. A common thread to these was the need to recognise and act on the current environmental crisis. The Medium Term Financial Forecast highlighted that there would be continued pressures in future financial years, but to a lesser extent than had been originally forecast. Savings and income opportunities would be delivered through specific opportunities, rather than through a further programme of service reviews. An ambitious capital programme was in place. Whilst the redevelopment of the Jacks site had proved challenging, that needed to be seen in the context of the wider programme.

Councillor Fox, Portfolio Holder for Housing, and Councillor G. oxford, Portfolio Holder for Customers, also indicated their support and welcomed the shorter and clearer format of the report.

RESOLVED that:-

- (a) The pre-audit outturn position for the financial year 2018/19 be noted.
- (b) The approach and timetable for the 2020/21 budge be agreed.
- (c) The updated Medium-Term Financial Forecast as set out in section 7 of the Assistant Director's report be noted.

(d) The amendments to the capital programme set out in section 10.5 of the Assistant Director's report be noted.

REASONS

The Council is required to approve a financial strategy and timetable in respect of the 2020/21 budget and MTFF.

ALTERNATIVE OPTIONS

No alternative options were submitted to Cabinet.

371. Year End 2018 - 2019 Performance Report including progress on Strategic Plan Action Plan

The Assistant Director Policy and Corporate submitted a report a copy of which had been circulated to each Member together with draft minute 210 of the Scrutiny Panel meeting of 11 June 2019.

Councillor King, Portfolio Holder for Business and Resources, introduced the report and thanked Council staff for their work in delivering a high level of performance and meeting targets. This was also demonstrated by the list of awards and accreditations received, as shown at Appendix C of the report. There was always room for improvement, and it was noted that the position on sickness rates was beginning to improve.

Councillor J. Young, Portfolio Holder for Culture and Performance, highlighted the ambition of the Council, as demonstrated by the acquisition of "Walton Bridges", an early work by JM Turner. This would help attract visitors and boost the local economy. Councillor G Oxford, Portfolio Holder for Customers, highlighted the excellent performance in the processing of benefits claims

RESOLVED that

(a) the high level of the Council's performance as set out in the Appendices to the Assistant Director's report be noted.

(b) the comments from the Scrutiny Panel meeting on 11 June 2019 be noted.

REASONS

To confirm the significance of the performance described in the attached reports for the organisation's ability to operate effectively and achieve its strategic goals.

ALTERNATIVE OPTIONS

No alternative options have been presented to Cabinet.

372. Responsible Dog Ownership

Cabinet considered draft minute 25 of the Policy and Public Initiatives Panel meeting of 19 June 2019, a copy of which had been circulated to each Member.

Councillor Scott-Boutell attended and with the consent of the Chairman addressed the Cabinet. She thanked Councillor Lilley for his help in resolving a community safety issue. The number of dog owners in the borough had grown as had the number of dogs within households. She highlighted the success of the “Bark in the Park” event, which showed the need for large educational events, which could be taken forward with commercial or voluntary groups. Whilst guidance specified that the number of dogs that should be walked by one individual was four, she regularly saw six to eight dogs being walked. There would be benefits in a system of licensing or registration for dog walking services. She considered that would be merit in enclosed areas in parks where dogs could be let off leads. These would provide a safe area in which dogs could train or be exercised. Equipment for agility training could be provided in these areas. These would prove a return on investment by improving the wellbeing of dogs and their owners. She supported recommendations (i)-(iv) and (vi) of the Public and Policy Initiatives Panel, but felt more information was needed in respect of recommendation (v), in particular clarification as to whether it covered enclosed play areas only or entire playing fields.

Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, explained that in place of Streetweeks, the Council would be taking forward smaller community events which would provide an opportunity to provide advice on training and microchipping to residents. The Public Space Protection Order (PSPO) covered all recreation grounds and enforcement action was taken where necessary. The Zones teams were responsive to requests from Parish Councils and ward councillors for enforcement action where there were particular issues. Councillor Goss, Portfolio for Waste, Environment and Transportation, stressed the PSPO had improved the situation at Mill Road considerably. He believed that the PSPO covered play areas only, rather entire playing fields.

Councillor G. Oxford, Portfolio Holder for Customers, Councillor Higgins, Portfolio Holder for Commercial Services and Councilor J. Young, Portfolio Holder for Culture and Performance, also addressed the issue and highlighted the need for dog owners to behave responsibly, the need to provide clarity on areas where dogs could be let off a lead and the need to provide a space in the town centre to cater for the needs of assistance dogs.

It was noted that the recommendation from the Policy and Public Initiatives Panel called for the PSPO to cover play areas and sports pitches, rather than entire playing fields. The Portfolio Holder for Communities, Wellbeing and Public Safety would continue to work on this issue to provide clarity on the PSPO and areas where dogs could be let off the lead.

RESOLVED that:-

- (a) The Council website be updated to include a responsible dog ownership page to provide dog owners with information on responsible dog ownership and compliance with the law;
- (b) The Animal Services Team continue to support the free Council Neighbourhood Team events, Colchester Borough Homes ‘Make A Difference Days’ and Police-led events;

- (c) The Council continue to provide a free dog microchipping service;
- (d) A publicity drive be carried out to increase public awareness of Council enforcement action regarding dog fouling;
- (e) The existing Public Spaces Protection Order (PSPO) covering the Colchester Rugby Club be expanded to cover all play areas and sports pitches in Colchester Borough and that this be publicised;
- (f) The Council pursue a multi-agency approach to tackle fouling issues, where practical, and direct Neighbourhood Teams to temporarily increase their presence in areas where dog fouling is known to be common, followed by publicity of enforcement action taken.

REASONS

Cabinet considered that the recommendations made by the Policy and Public Initiatives Panel were a proportionate and sensible way of encouraging responsible dog ownership.

ALTERNATIVE OPTIONS

No alternative options were proposed to Cabinet, but it was open to Cabinet not to agree the recommendations, or to agree them in part.

373. Policy and Public Initiatives Panel Work Programme 2019-20

Cabinet considered draft minute 26 of the meeting of the Policy and Public Initiatives Panel meeting of 19 June 2019, a copy of which had been circulated to each Member.

Councillor Coleman attended and with the consent of the Chairman, addressed the Panel as Chairman of the Policy and Public Initiatives Panel, to stress the benefits of Youth Zones. These were developed by the relevant authority in connection with a charity, Onside. The Council provided the land and £3 million of funding. Onside provided a further £3 million and ongoing revenue funding for three years. They provided a wide range of sport facilities, catering and homework facilities. The Youth Zone in Barking had gained 3300 members in three months. Membership rates and the cost of visits and meal were very cheap. In some areas there had been considerable reductions in the levels of anti-social behavior after the Youth Zone had opened. He urged Cabinet members to take the opportunity to visit a Youth Zone.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, indicated that he would be visiting a Youth Zone, together with Councillor King. Cabinet indicated that it would welcome the Panel undertaking further work into the concept, although it was suggested that the Panel have particular regard to the nature of the borough, with both urban and rural neighbourhoods. The other proposals from the Panel were also welcomed. The work on secure and covered cycle parking would tie in with work that was already underway, and this was an opportune time to review the options around council governance structures and administrative arrangements.

RESOLVED that approval be given for the following items to be included in the Policy and Public Initiative Panel's work programme for the future:-

- (a) A review of the Council's Cabinet and Leader model of administrative arrangements to determine whether the Council should continue with these arrangements or revert to a committee model;
- (b) To investigate the potential for providing a sports and social centre for young people, in the form of a Youth Zone;
- (c) To investigate the provision of secure and covered bicycle parking options for Colchester.

REASONS

The Cabinet considered that there was merit in each of the proposals put forward by the Policy and Public Initiatives.

ALTERNATIVE OPTIONS

No alternative options were proposed to Cabinet, but it was open to Cabinet not to agree the recommendations, or to agree them in part.

374. Progress of Responses to the Public

The Assistant Director, Policy and Corporate submitted a progress sheet a copy of which had been circulated to each Member.

RESOLVED that the contents of the Progress Sheet be noted.

REASONS

The progress sheet was a mechanism by which the Cabinet could ensure that public statements and questions were responded to appropriately and promptly.

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.

Cabinet

Item
7(i)

4 September 2019

Report of	Strategic Director of Policy & Place Interim Section 151 Officer Monitoring Officer	Author	Ian Vipond ☎ 282992 Paul Cook ☎ 505861 Andrew Weavers ☎ 282213
Title	North Essex Garden Communities Ltd – Approval of 2019/20 Interim Business Plan and Budget		
Wards affected	All		

1. Executive Summary

- 1.1 North Essex Garden Communities Ltd (NEGC Ltd) was established in January 2017 by Colchester Borough, Braintree, and Tendring District and Essex County Councils (the company shareholders) and is the current strategic delivery vehicle for the North Essex Garden Communities project. The basis for this is the Councils shared ambition to promote, plan and deliver sustainable strategic growth at scale and over the long-term; providing the housing, employment and necessary supporting infrastructure required to ensure the best outcomes for current and future communities of North Essex.
- 1.2 In the period to date NEGC Ltd has developed its strategic rationale and operational capacity with the support of both its' shareholder Councils, the Ministry of Housing, Communities & Local Government (MHCLG) and key national agencies such as Homes England. The North Essex Garden Communities project is part of the national Garden Towns Villages & Cities programme run by MHCLG, which provides direct access to other Garden Towns with associated learning and knowledge/information sharing opportunities, and resources. NEGC Ltd is the largest and most ambitious project in the programme.
- 1.3 The role of NEGC Ltd has been successfully developed to the point where it is a fully operational company recognised by the public, private sectors, and local communities, as the focal point for the North Essex Garden Communities project. This includes developing a strategic proposition for the North Essex Garden Communities which has gained significant traction with key government departments and the development industry. This report provides an update on overall progress to date and seeks approval of key documents and resources that are required to ensure the effective operation of the company moving forward.
- 1.4 This report overall seeks the Council, as one of the 4 shareholders, to continue to support North Essex Garden Communities Ltd as the strategic delivery vehicle for the North Essex Garden Communities projects through approval of the 2019/20 Interim Business Plan and Budget.
- 1.5 The Board of NEGC Ltd has agreed an Interim Business Plan for 2019-20 for approval by its shareholders setting out the vision, objectives, workstreams and funding requirements for the company in order to continue to support delivery of North Essex Garden Communities. The primary tasks during the year are to assist the North Essex

Authorities with the work required for the Local Plan Section 1 Examination in Public; undertake public engagement to increase awareness and understanding of a range of key topic areas relevant to the garden community principles; evolve the approach to economic development, masterplanning, innovation, programme funding, governance and delivery, including consideration of the transition towards a locally-led development corporation as one of a number of delivery vehicle options for the NEGC project. The potential for the establishment of a Locally-Led Development Corporation will form part of an options appraisal for future delivery of the NEGC programme.

- 1.6 The 2019-20 Interim Business Plan is a precursor to the future preparation at the appropriate time of a 5-year Business Plan, which will be progressed when further progress is made with the Local Plan Section 1. This is considered to be the best, and most prudent, approach to ensuring that NEGC Ltd continues to deliver positive outcomes on behalf of shareholders and grant funders as the overall North Essex Garden Communities project progresses.
- 1.7 At the end of March 2019 the council shareholders of NEGC Ltd agreed the following milestones:
- Local Plan (submission of evidence) – October 2019
 - NEGC Public Engagement – October & November 2019
 - Outline Business Case for Delivery Options – initial draft November 2019 and final draft in January for Council approval in February & March 2020
 - NEGC Business Plan 2020/21 & 2021/22 – initial draft November 2019 and final draft in January 2020 for Council approval in February & March 2020
- 1.8 The 2019-20 Interim Business Plan includes a draft budget for 2019/20, which requires agreement of shareholders (as part of agreeing the Interim Business Plan). The draft budget for 2019/20 includes expenditure of £2.131m. The assumed income includes an additional £350,000 phased contribution from each shareholder Council within 2019/20, which is subject to review. The budget currently assumes an additional £600,000 from Government in 2019/20. A final determination is still awaited on the exact amount of Government support; however, in the event that this support is less than is assumed, NEGC Ltd will scale back and/or cease certain activities contained within the 2019/20 Interim Business Plan so as to mitigate the budget shortfall. In these circumstances Councils will be provided with a further update. The balance of £131,000 will be funded from income received in 2018/19 and carried forward into 2019/20. This report therefore seeks agreement to commit £350,000 from the Council subject to a formal request from NEGC Ltd Board.
- 1.9 To date the funding and spending for NEGC Ltd has mostly taken place through Colchester Borough Council's accounts. The Interim Business Plan assumes that at some point in the future a significant part of the 2019/20 budget will pass to NEGC Ltd, with the remainder of costs retained within Colchester Borough Council's accounts. The allocation of costs will be based on assumptions of which costs should be appropriately met by NEGC Ltd. It is proposed that this allocation will be determined by the shareholder council's Section 151 officers.
- 1.10 Beyond 2019/20 and assuming that Section 1 of the Local Plans has been adopted by the North Essex Authorities, it would then be an appropriate time to move away from public revenue (grant) funding and obtain securitised external finance to fund the progression of detailed planning and set-up of the preferred delivery vehicle. It is envisaged that this set-up process will begin in 2020/21 and take around two years with a budget in the range of £16m to £20m across a two-year period. Depending on the type and nature of external finance obtained it is anticipated that there would be a need for on-going financial undertakings or support from shareholders. Thereafter, it is envisaged

that longer-term finance will be required to support 'on the ground' development activity from 2022/23 onwards, which would also be used to pay back the shorter-term finance required for 2020/21 and 2021/22.

- 1.11 This report also references the importance of the topic of Garden Community stewardship and how detailed consideration of this issue by the Councils will be required in the near future.
- 1.12 Note that this report does not, other than for information, address any Local Plan issues. Decisions relating to the Local Plan and any wider planning functions are dealt with separately. Any decisions made in relation to, or by, NEGC Ltd cannot predetermine or prejudge the outcome of the proper Local Plan process.

2. Recommended Decisions

- 2.1 To approve the 2019/20 Interim Business Plan and Budget (subject to confirmation of government funding) for NEGC Ltd as attached at Appendix A;
- 2.2 To authorise the Section 151 Officers to agree any future allocation of the project funds held by Colchester Borough Council between NEGC Ltd and the North Essex Authorities;
- 2.3 To recommend to Full Council that it approves committing £350,000 already reserved in the 2019/20 Budget and the associated delegations to enable phased drawdowns upon a formal request by way of a NEGC Board resolution in accordance with the agreed milestones;
- 2.4 To note that a report will be considered at a future Cabinet meeting in respect of funding requirements and financing options for 2020/21 and 2021/22.

3. Reasons for Recommended Decision

- 3.1 To seek Cabinet's ongoing support, working together with Braintree and Tendring District Councils, Colchester Borough Council and Essex County Council, to progress the concept of 'garden communities' and to approve the Interim Business Plan for 2019/20 for NEGC Ltd and specific governance arrangements for the project.

4. Alternative Options

- 4.1 No further options are being presented within the context of this report, as the alternative decision would be not to approve the 2019/20 Interim Business Plan and Budget.

5. Background Information

- 5.1 Colchester Borough Council, Braintree District Council, Tendring District Council and Essex County Council (the North Essex Authorities) as Shareholders for NEGC Ltd have for the last four years been working on an agreed strategic approach to the allocation and distribution of large scale, mixed-use developments, including employment opportunities and infrastructure provision, in the form of Garden Communities through the Local Plan process.
- 5.2 As part of this agreed approach, the Cabinets of each of the Authorities agreed in December 2016 to establish a dedicated delivery structure and special purpose vehicle for the Garden Communities. This included:

- The setting up of NEGC Ltd, being a corporate entity wholly owned by all the four Authorities; and
- To approve the NEGC Ltd Shareholder Agreement, with each Authority holding an equal shareholding.

- 5.3 Since this approval, NEGC Ltd was formally established in January 2017 with Directors being appointed by each of the North Essex Authorities. The Board of NEGC Ltd is currently chaired by Essex County Councillor, John Spence and has been meeting every two to three months.
- 5.4 In September 2017, the Cabinet of each Authority supported the approach of NEGC Ltd and its Directors to actively engage with Government to promote the positioning of the NEGC Ltd as a “Responsible Body” for the establishment of a single new locally controlled Development Corporation across all three of the proposed North Essex Garden Communities – subject to the consideration by Members of this approach alongside other delivery vehicle options in the form of an options appraisal.
- 5.5 In November 2018 the Cabinet of each Authority approved the 2018/19 Interim Business Plan and accompanying budget as well as Financial Procedure Rules for NEGC Ltd. Key tasks for 2018/19 were to evolve the approach to master-planning, innovation, economic development, programme funding, governance and delivery including consideration of transition towards a locally led development corporation style of approach to delivery of the NEGC project. The potential for the establishment of a Locally Led Development Corporation will form part of an options appraisal of a range of options for future delivery of the NEGC programme.
- 5.6 In order to enable NEGC Ltd to move forward it is required to adopt a further Interim Business Plan and approve its budget for the 2019/20 financial year. Under the terms of the Shareholders Agreement, NEGC Ltd is permitted to operate under an interim business plan and the board shall determine until such time as a long-term business plan is adopted.
- 5.7 The NEGC Ltd board has recently approved an Annual Review for 2018/19 which provides details of the outcomes in relation to the NEGC programme.

2019/20 Interim Business Plan

- 5.8 NEGC Ltd is required to have in place a Long-Term Business Plan, which is defined within the Shareholder Agreement as including a high level 5-year business plan in relation to NEGC Ltd and that such a business plan shall cover infrastructure requirements, finance, planning and such other matters as NEGC Ltd determines, and take into account the aims and requirements of the Master Plan for the garden communities.
- 5.9 The Shareholder Agreement requires the Long-Term Business Plan to be submitted to the Shareholders within three months of the full NEGC Ltd Board being appointed. The full Board was established in January 2017. However, the production of the Long-Term Business Plan has not been possible to date, due to ongoing discussions around the future delivery model.
- 5.10 However, the Board are able, in accordance with the Shareholder Agreement, to operate under an Interim Business Plan until such time as a Long-Term Business Plan is developed. Accordingly, the NEGC Ltd Board determined at its meeting on the 17 January 2019 that the Company may operate under an Interim Business Plan for 2019/20

- 5.11 The Shareholder Agreement does not require the Authorities to provide approval of the Interim Business Plan prior to its adoption by the Board. The proposed 2019/20 Interim Business Plan (Appendix A) for NEGC Ltd has been produced for the 2019/20 financial year largely to enable NEGC Ltd to provide support to the Local Planning Authorities in progressing Section 1 of their Local Plans and to develop proposals for the delivery strategy including a potential locally-led development corporation.
- 5.12 The 2019/20 Interim Business Plan provides an overview of the vision, objectives, necessary workstreams, governance, funding and actions required to deliver NEGC Ltd's scope of work and bringing forward a number of priorities during 2019/20 to move the Garden Communities towards the delivery phase. The key operational priorities include:
- Assisting the North Essex Authorities in their planning capacity by carrying out further work in relation to the Local Plan evidence base including: additional infrastructure, delivery and phasing work; employment floorspace forecasting; demonstrating the viability of the Garden Communities; input into the overall Transport work, including proposals for a Rapid Transit System, and supporting the Council's and presenting evidence on deliverability at the re-opened Examination in Public for Part 1 of the Local plan;
 - Continuing with high-level engagement with the existing and proposed new communities on a number of key topics to give them a strong sense of participation in and ownership of the emerging new Garden Communities;
 - Continuing to ensure that the North Essex Economic Strategy maximises benefits to Garden Communities and the area as a whole;
 - Evolving the best approach for delivery strategy including a locally-led Development Corporation(s) in North Essex with Government, including the preparation of a locally – led development corporation operating structure and funding requirements for testing with funders;
 - Working with the Councils to prepare a Mandate in support of a designation for a locally-led development corporation that is financed and supported by all NEGC Ltd's directors and shareholders;
 - Continuing to explore approaches to secure an interest in land either via negotiation or compulsory purchase;
 - Working with the Councils and key partners on Stewardship to identify a range of income earning and community assets together with potential management vehicles across the Garden Communities;
 - Developing Masterplans for each of the Garden Communities;
 - Designing local (e.g. transport) and social (e.g. education, health, community facilities etc.) infrastructure required to support each of the garden communities;
 - Engaging with Infrastructure and Utility providers to confirm anticipated infrastructure demand and how it may be provided (considering the benefit of public/private ownership options), over the proposed NEGC development period;
 - Exploring options available and delivering a commercial strategy to implement the supporting Infrastructure and utilities required to deliver the Garden Communities;

- Working closely with partner organisations to progress four priority areas identified for innovation (infrastructure, economy & business, living space, health & wellbeing) and develop a formal work plan to progress them;
- Prepare a costed Business Plan for 2020/21 and 2021/22 for approval by the NEGC Board in January 2020.

- 5.13 The primary tasks during the year are to assist the North Essex Authorities with the work required for the Local Plan Section 1 Examination in Public; undertake public engagement to increase awareness and understanding of a range of key topic areas relevant to the garden community principles; evolve the approach to economic development, masterplanning, innovation, programme funding, governance and delivery options, including consideration of the transition towards a locally-led development corporation as one of a number of delivery vehicle options for the NEGC project.
- 5.14 NEGC Ltd will present delivery strategy options to the North Essex Authorities during 2019/20 to consider and decide upon the future operating model(s) for the delivery of the garden communities.
- 5.15 The 2019/20 Interim Business Plan followed by the subsequent 2020/21 & 2021/22 Interim Business Plan will act as a precursor to the preparation of a 'Long-Term Business Plan', which NEGC Ltd will be in a position to begin preparing following the outcome of the Local Plan Section 1 Examination in Public.
- 5.16 The 2019/20 Interim Business plan sets out the Vision, Strategic Objectives and key operational priorities for NEGC Ltd during 2019/20.
- 5.17 Key activities for each of the workstreams and activities that will be undertaken by NEGC Ltd during 2019/20 are included within the document, together with details of its Programme Management. In common with all business plans this document will be kept under review.

6. 2019/20 Budget

- 6.1 The Shareholder Agreement provides that the draft Budget must be approved by the Authorities prior to its adoption by NEGC Ltd. It further provides that the Board shall submit any draft Budget to the Authorities no later than two months before the start of each financial period of NEGC Ltd.
- 6.2 The following table sets out a summary of the budget for 2019/20 by workstream which was agreed on a working basis by the North Essex Authorities at the end of March 2019. The budget includes provision for the additional work required to progress the locally-led development corporation proposition in conjunction with Government.

£000's	Q1	Q2	Q3	Q4	Total
Local Plan / DPD					
Staff	£103.8k	£119.6k	£126.5k	£120.8k	£470.7k
Overheads	£27.3k	£33.5k	£36.5k	£30.4k	£127.7k
Supporting studies	£45.5k	£65.1k	£79.5k	£10.5k	£200.6k
Planning	£79.5k	£84.5k	£71.75k	£69.75k	£305.5k
Engagement	£6.0k	£18.0k	£13.3k	£5.5k	£42.8k
Risk/Contingency	£14.0k	£14.0k	£13.8k	£29.6k	£71.4k
Total					£1,218.7k
Delivery Strategy					
Staff	£68.7k	£70.2k	£71.7k	£72.7k	£283.3k
Overheads	£20.8k	£22.3k	£21.3k	£20.8k	£85.2k
Governance	£9.0k	£4.0k	£7.5k	£54.2k	£74.75k
Delivery & Stewardship	£15.3k	£29.4k	£37.6k	£38.5k	£120.8k
Masterplan/Transport	£1.0k	£1.0k	£11.0k	£20.1k	£33.1k
Infrastructure & Utilities	£5.0k	£15.0k	£25.0k	£30.0k	£75.0k
Strategic Business Planning	£31.0k	£61.0k	£81.1k	£44.0k	£217.1k
Risk/Contingency	£6.2k	£5.0k	£5.0k	£6.3k	£22.5k
Total					£911.7k
Overall Total					£2,131k

6.3 There are a number of key assumptions to note in the budget forecast:

Expenditure

- The project resource and delivery team includes the managing director of NEGC Ltd and staff resources seconded to the project. This budget also includes an allowance for support services provided to NEGC Ltd such as HR, finance, ICT and accommodation.
- Provision for specialist advice and support across legal, finance and land and property matters is also included.

Income

- The budget includes a contribution of £350,000 from each of the North Essex Authorities and an additional £600,000 from Government in 2019/20. A final determination is still awaited on the exact amount of Government support and in the event that this support is less than is assumed, the Councils will be provided with a further report on the implications and any proposed mitigation. The balance of funding in 2019/20 will be from income received in 2018/19 and carried forward into 2019/20.

Local Authority Contributions

6.4 The 2019/20 Interim Business Plan and associated budget includes the assumption that the North Essex Authorities will commit additional funding of £350,000 each in 2019/20. The request from NEGC Ltd is that this funding is set aside by each authority for future drawdown from NEGC Ltd as it is required.

Transfer of the Project Budget

6.5 In February 2016 the shareholder councils agreed to commit £250,000 to support the joint work on the garden communities project. In September 2017 an additional £250,000 from each Authority was approved, followed by a further £100,000 each in November / December 2018 to fund further work undertaken by NEGC Ltd in the development of the project. In addition to the contributions from the Councils, grants from the Government of £3.213m has been received to date to support the project.

- 6.6 To date project funding and spending has mostly taken place through Colchester Borough Council's accounts.
- 6.7 The 2019/20 Interim Business Plan assumes that in future part of the 2019/20 budget will pass to NEGC Ltd, with some costs retained in the Council's accounts. The allocation of costs will be based on assumptions of which costs should be appropriately met by NEGC Ltd. It is proposed that this allocation will be determined by the North Essex Authorities Section 151 officers.

7. Stewardship

- 7.1 Long-term stewardship and management of the Garden Communities is a crucial part of the successful legacy of new communities. Recognising that such arrangements need to be in place from the outset to support the delivery model chosen by the Councils, the North Essex Authorities have previously committed to undertake long-term stewardship for the Garden Communities, as detailed in the "Active Local Stewardship" principle in the NEGC Charter that was approved in 2016:

"The Garden Communities will be developed and managed in perpetuity with the direct involvement of their residents and businesses; residents will be directly engaged in the long-term management and stewardship, fostering a shared sense of ownership and identity".

- 7.2 Likewise, within the final draft Section 1 Local Plan, Policies SP8, SP9 and SP10 set out the detailed requirements for each of the proposed Garden Communities and include the following wording:

"Establishment at an early stage in the development of the garden community, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the development and include community representation to ensure residents have a stake in the long-term development, stewardship and management of their community".

- 7.3 Such large-scale new communities have significant income generating and community asset (such as green space, community buildings and public realm) opportunities and options to participate in such arrangements will be presented to the Councils for initial consideration in the coming months. For example, the Letchworth Garden Village Heritage Foundation has existed for over 100 years and provides ongoing maintenance of public open space and management of the town centres and industrial buildings, as well as supporting, funding and promoting activities for the benefit of the Garden City and its communities. As at 31 December 2018, Letchworth had an asset portfolio value of £163m with an annual income of £12.2m, a property income of £9.5m and a charitable spend of £7.6m.
- 7.4 Early next year (Q4 19/20) the Councils are scheduled to formally make a decision on the preferred delivery model for the Garden Communities, which will also provide an opportunity for Members to review and comment on the supporting investigative work that will inform the consideration of the stewardship options available to the Councils and enable a clear and collective course of action to be agreed.

8. Financial implications

- 8.1 This report set out the proposed budget for NEGC Ltd for 2019/20 and associated funding. The proposals include the allocation of a further £350,000 in 2019/20.
- 8.2 There is provision in the 2019/20 budget to make the £350,000 contribution.
- 8.3 Future reports will consider any funding requirements for 2020/21 onwards.

9. Legal implications

- 9.1 The General Power of Competence provided for by the Localism Act 2011 was relied upon as the authority for the District/Borough/County Council to establish and subscribe to North Essex Garden Communities Limited. Consequently, a Shareholders Agreement was entered into and the relevant provisions and requirements of the agreement are referred to within the context of this report.
- 9.2 In exercising the General Power of Competence Local Authorities must do so in a way which does not contravene any pre-existing statutory limitations. The actions identified in this report do not contravene any such restrictions.
- 9.3 The New Towns Act 1981 (Local Authority Oversight) Regulations 2018 came into force in July 2018, making provision for the local oversight of new town development corporations. Guidance has been issued that outlines the way in which Locally Led New Town Development Corporations (LLNTDC) will work.
- 9.4 The 2018 Regulations apply where the Secretary of State, pursuant to section 1A(2) of the New Towns Act 1981 ("the Act") makes an order under section 1 of the Act appointing one or more local authorities to oversee ("an oversight authority") the development of an area as a new town ("locally led new town").
- 9.5 Further decisions will be required from both Cabinet and Council following consideration of an options appraisal before any request can be made to the Secretary of State for the North Essex Authorities to be appointed as oversight authorities and for LLNTDC's to be designated.

10. Risk Management Implications

Local Plan - Section 1

- 10.1 Before a Local Plan can be formally adopted by a Council, it must be examined by a government-appointed Inspector whose job it is to check that; 1) the plan has been prepared in line with various legal requirements and 2) that the policies and proposals in the plan comply with the 'tests of soundness' contained within the National Planning Policy Framework (NPPF). Examination hearings for the Section 1 Plan took place between January and May 2018; and in June 2018 the Inspector wrote to the North Essex Authorities setting out his initial findings. Whilst he confirmed the legal compliance and soundness of some elements of the plan and praised the North Essex Authorities' innovation and ambition, the Inspector found some of the evidence and justification in support of Garden Communities to be lacking and was therefore unable to pass the Section 1 Plan as sound. The Inspector's specific concerns were reported to Members in October 2018.

- 10.2 In his letter, the Inspector offered the North Essex Authorities advice and options for how best to proceed. Having considered his advice, the North Essex Authorities in October 2018 confirmed that they remained committed to using Garden Communities principles to secure the future housing requirements in North Essex and would produce additional evidence to address each of the Inspector's concerns. On the 10th December 2018, the Inspector confirmed that he was satisfied that the proposals for further work on the evidence base satisfactorily responded to the points he had raised as identified issues and paused the examination until the North Essex Authorities further work on the evidence base and an Additional Sustainability Appraisal was completed. Monthly updates have been submitted to the Inspector on the programme timetable as requested.
- 10.3 The additional evidence has now been completed and the findings are detailed within the reports which have been presented to the Local Plan Committee and Council.
- 10.4 The findings of the Additional Sustainability Appraisal indicate that many of the site proposals and alternative spatial strategy options are closely matched when assessed against the sustainability objectives. However, none of the alternative spatial strategies stand out as performing notably stronger than the current strategy in the submitted Section 1 Local Plan. There is consequently nothing arising from this new evidence that would suggest that the current spatial strategy is not justified or needs to change to make way for an alternative approach. The North Essex Authorities have decided to continue promoting the current spatial strategy involving the creation of three new Garden Communities in the locations currently proposed.
- 10.5 The additional evidence requested by the Inspector, supports the current proposals within the Section 1 Local Plan are sound and, when presented to the Planning Inspector, will address his previous concerns.
- 10.6 As well as producing the above evidence in response to the Planning Inspector's concerns about Garden Communities, the North Essex Authorities have also compiled a table of proposed amendments to the Section 1 Plan. These amendments are aimed at addressing certain issues identified by the Inspector, partner organisations and objectors to the Plan and ensuring the plan meets the tests of soundness. Many of the proposed amendments arose from suggestions and discussions at the examination hearings in 2018 and the Inspector's interim findings whereas others arise from the findings of the additional evidence base.
- 10.7 It will be the Inspector's choice whether or not to accept the proposed amendments to the Local Plan through the resumed examination process, in determining whether it satisfies the necessary statutory requirements and is sound.
- 10.8 The additional new evidence base documents and the table of proposed amendments are published for six weeks public consultation between 19th August and 30th September 2019 before they are submitted, along with any representations received, to the Planning Inspector to enable him to resume the examination. It is expected that the further examination hearings will take place in late 2019 or early 2020.

Delivery Mechanisms Options Appraisal:

- 10.9 The Section 1 Local Plan explains that the North Essex Authorities are committed to ensuring that the new garden communities are as sustainable and high quality as possible and that the infrastructure needed to support them is delivered at the right time. This will require the Councils to work very closely with the relevant landowners using a robust delivery mechanism that ensures a fair and equitable distribution of the costs and land requirements needed to secure the ambitions for the Garden Communities and create a long term legacy appropriate to the scale of the ambition. Given the scale of

complexity of the proposed Garden Communities, it is envisaged that 'Local Delivery Vehicles' (LDVs), with both private and public sector representation, will be used to oversee these developments.

- 10.10 Whilst, in his letter, the Inspector acknowledged that this approach was generally compatible with national planning policy and deploying new models of delivery was a legitimate aspiration, he questioned if other delivery mechanisms could be adopted – suggesting that there was no substantial evidence to show that only new models of delivery were capable of delivering Garden Communities in the way envisaged.
- 10.11 In response to this, the Councils' legal advisors Dentons have produced a specific paper entitled 'Delivery of the Garden Communities' which explains that since the submission of the Local Plan in 2017, the government has placed greater emphasis on local authorities taking a more pro-active role in the delivery of new homes and the delivery of Garden Communities. It also explains that new statutory provisions have been put in place promoting 'Locally Led New Town Development Corporations' (LLNTDCs) as a mechanism by which new development can be delivered. It is proposed that modifications to the Local Plan are made to reflect the potential for Garden Communities to be delivered via LLNTDCs but that it will ultimately be for the Councils to decide whether this is the most appropriate means by which to proceed.
- 10.12 The paper also explains that if LLNTDCs are not used as a vehicle to deliver the Garden Communities and landowners and developers are left to bring the development forward on their own, they will be expected to meet all costs associated with their delivery in accordance with both the policies in the Local Plan and any more detailed requirements set to be included in the new Development Plan Documents (DPDs) for each of the schemes. It also explains that if landowners were unwilling to release their land at a reasonable price which allows for these costs to be met, the NEAs would be willing to use 'Compulsory Purchase Order' (CPO) powers to acquire the land – something that is supported by national planning policy, where necessary.
- 10.13 Dentons' paper will help to explain to the Inspector that whilst a Local Delivery Vehicle or a LLNTDC is the preferred means by which to deliver the Garden Communities, other delivery mechanisms are available and could be employed to ensure that the developments come forward in the way envisaged. When the detailed delivery mechanisms for the Garden Communities are discussed and decided, State Aid issues will be addressed.
- 10.14 A full options appraisal of the Garden Communities delivery options will be prepared to enable members to take future decisions on potential local-led development corporation proposals, with linked oversight arrangements between the North Essex Authorities. The options appraisal will consider the key priorities for the North Essex Authorities, the delivery routes available, risks and the potential scale of any financial commitments and liabilities.

11. Equality and Diversity Implications

- 11.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.

- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

11.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

11.3 The proposals are for the approval of a range of key documents which will enable NEGC Ltd and its Shareholders to create an inclusive community which meets the needs of all residents regardless of whether or not they have a protected characteristic. The differing needs of people, including those with different protected characteristics, will need to be considered during the design and planning stage of the development and kept under review as the project progresses.

12. Strategic Plan References

12.1 The Strategic Plan sets out the Council's ambitious goals to help make Colchester an even better place to live, work and visit by working with multiple partners to get the best for residents. The Council has identified four key overarching themes, and these are Growth, Responsibility, Opportunity and Wellbeing. Additionally, each of these themes have five priorities, and a number of these relate directly and indirectly to the Garden Communities programme.

- **Growth:**
 - Ensure residents benefit from Colchester's economic growth with skills, jobs and improving infrastructure.
 - Promote inward investment to the borough.
 - Develop jobs, homes, infrastructure and communities to meet the borough's future needs by creating new Garden Communities.
- **Responsibility:**
 - Promote responsible citizenship by encouraging residents to get involved in their communities and to identify solutions to local issues.
 - Encourage re-use and recycling to reduce waste to landfill.
 - Create new routes for walking or cycling and work with partners to make the borough more pedestrian-friendly.
- **Opportunity:**
 - Promote green technologies through initiatives such as SMART Cities.
 - Help business to flourish by supporting infrastructure for start-up businesses and facilitating a Business Improvement District.
 - Ensure a good supply of land available for new homes through our Local Plan
 - Promote initiatives to help residents live healthier lives.
- **Wellbeing:**
 - Encourage belonging, involvement and responsibility in all the borough's communities.
 - Create new social housing by building Council homes and supporting Registered Providers.
 - Help residents adopt healthier lifestyles by enabling the provision of excellent leisure facilities and beautiful green spaces, countryside and beaches.

13. Consultation and Publicity Implications, Health, Wellbeing and Community Safety and Implications and Health and Safety Implications

13.1 No direct implications.

List of Appendices

Appendix A – NEGC Ltd 2019/20 Interim Business Plan

List of Background papers

Cabinet Report – Establishment of the North Essex Garden Communities Local Delivery Vehicles and funding requirements– 30 November 2016

Cabinet Report – North Essex Garden Communities- Progress to date and key developments – 6 September 2017

Cabinet report November 2018 – North Essex Garden Communities Ltd – Shareholder Approvals and update

NEGC Ltd Board minutes insofar as published <https://www.ne-gc.co.uk/about/>

North Essex Garden Communities Ltd

Interim Business Plan

2019/20, 2020/21 & 2021/22

(agreed by NEGC Board in June 2019;
to be approved at Local Authority Cabinets & Full Councils by October 2019)

COMMERCIAL IN CONFIDENCE

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1. Executive Summary

Strategic Context

North Essex is a key location in the UK, well related to London, with international sea and air connections, as well as links to wider growth corridors across the South East.

Braintree District Council, Colchester Borough Council, Tendring District Council and Essex County Council have developed a shared vision for the future across North Essex, as set in their emerging Local Plans, The North Essex Garden Communities Charter and Prospectus.

The Councils have a shared desire to promote, plan and deliver sustainable strategic growth at scale and over the long-term; providing the housing, employment and necessary supporting infrastructure required to ensure the best outcomes for current and future communities of North Essex.

The centrepiece of the Programme is the creation of three new Garden Communities. These new settlements will act as the catalyst for economic growth and address the aspirations of the wider UK's population, making North Essex an attractive place to live, work and spend time for future generations to come.

These proposed Garden Communities will be key to creating a more prosperous North Essex through inclusive economic growth, with new businesses able to compete successfully in national and international markets. The intention is for North Essex to have a diverse and thriving economy, a great choice of job opportunities across many sectors, growing prosperity and improving life chances for all its citizens, today and into the future.

The Councils have come together to create 'North Essex Garden Communities Ltd' (NEGC) as a private company wholly owned by The Councils with an overall mission to "lead, create, inspire and develop exemplar self-sustaining Garden Communities across North Essex through working proactively and effectively in partnership with local communities and key stakeholders."

This Plan

This is the second Business Plan that has been produced for NEGC Ltd and is a key step on the journey to delivering the Garden Communities. As such, it builds on the work that was delivered through the revised 2018/19 Interim Business Plan, which included work on revising evidence for the Local Plan together with preparatory work on a potential North Essex Locally-Led Development Corporation to deliver the three Garden Communities. This document sets out a three-year Business Plan for NEGC from 2019/20 to 2021/22.

The first year 2019/20 contains a detailed work programme that focuses on building upon the foundations laid in 2018/19 to deliver the major outcomes for the year and for the programme as a whole, which are obtaining adoption of Section 1 of the Local Plans as well as enabling the shareholder Councils to reach a decision regarding governance and oversight authority arrangements, which could lead to the submission to Government of an application for a mandate for a North Essex Locally-Led Development Corporation as per the proposed direction of travel that was formally supported by the NEGC Board in November 2018. 2019/20 is therefore a crucial year for the programme as without the achievement of those major outcomes it will increase the risk of the Garden Communities not being delivered in the years that follow. Indeed, the delivery of those major

outcomes by the end of 2019/20 would mean that the programme could move to being externally financed and the Councils would then not need to provide further revenue grant contributions.

It also sets out a high-level programme and milestones for 2020/21 and 2021/22 as there are a number of key aspects that will need to be considered during 2019/20 that are anticipated to influence or be dependencies on the approach over the latter two years. As well as delivering the major outcomes, the work programme for 2019/20 will also provide the building blocks for the programme to move into the delivery phase and begin to mobilise during 2020/21 and 2021/22. In particular, the Engagement & Economy as well as the Masterplanning & Transport work elements in 2019/20 will enable the programme to undertake the more detailed design work during the following two years in a manner that ensures the residents and communities can provide input and participate. The Delivery & Finance, Legacy & Stewardship and the Infrastructure & Utilities work elements in 2019/20 will provide the structure for the programme to mobilise and implement the public/private financed development vehicles and structures to deliver the programme during the following two years. In addition, the cross-cutting Innovation work element during 2019/20 and beyond will enable the delivery of the programme to be undertaken in a manner that has a focus on quality and being future-proofed.

Taken together, the elements of this Business Plan will enable the programme to deliver the first homes in the first half of 2023. As such, this Business Plan acts as a precursor to the preparation of a 'Long-Term Business Plan' as defined within the NEGC Shareholders Agreement, which will underpin the operation of the preferred delivery model approach from April 2022 onwards.

2. Introduction

2.1 Introduction to North Essex

North Essex is a key location in the UK; it is well connected to London, includes close proximity to the country's largest deep sea freight port at Felixstowe together with its sister port at Harwich and the third-largest air bound freight gateway at London Stansted Airport, as well as being related and linked to the growth areas of Cambridge and the economic growth corridors of Cambridge – Stansted – M11 and Cambridge – Milton Keynes – Oxford.

As a result, the area around the key existing towns and settlements is already a vibrant hub for innovation and creativity and has seen significant growth in housing, a burgeoning multi-sector economy and highly-skilled employment over recent years and is well-placed for providing further desirable opportunities to live and work in the future.

However, statistically North Essex is a part of the UK economy that is currently underperforming in the context of the South East of England. Initial research has identified that the current GVA for North Essex is 0.8% pa compared to the UK national level of 1.3%. Furthermore, the North Essex area lags behind comparable GVA per capita in the South East with North Essex currently at £18k compared to at least £25k for comparator areas in the Greater South East which includes £44k for Milton Keynes.

The North Essex Councils (Essex County Council, Braintree District Council, Colchester Borough Council and Tendring District Council – thereafter referred to in the remainder of this document as 'The Councils') are determined to work together to not only reverse this trend but to put North Essex on the international map using the collective 'North Essex Opportunity' identity launched at MIPIM UK in October 2018. The Councils have developed plans to provide a roadmap for its economic ambition by creating what is currently the largest scale housing, employment and infrastructure programme in the UK.

2.2 The North Essex Garden Communities Programme

The North Essex Garden Communities (NEGC) programme comprises a coalition of The Councils, established because of their shared desire to promote, plan and deliver sustainable strategic growth at scale and over the long term; providing the housing, employment and necessary supporting infrastructure required to ensure the best outcomes for current and future communities of North Essex.

The centrepiece of the NEGC Programme is the creation of three new Garden Communities. Subject to examination through the Local Plan process, these new settlements will act as the catalyst for economic growth and address the aspirations of the wider UK's population, making North Essex an attractive place to live, work and spend time for future generations to come. This growth will require an appropriate response from The Councils to ensure that a broad range of new homes, employment opportunities, and supporting social and other infrastructure are provided in an effective and timely manner.

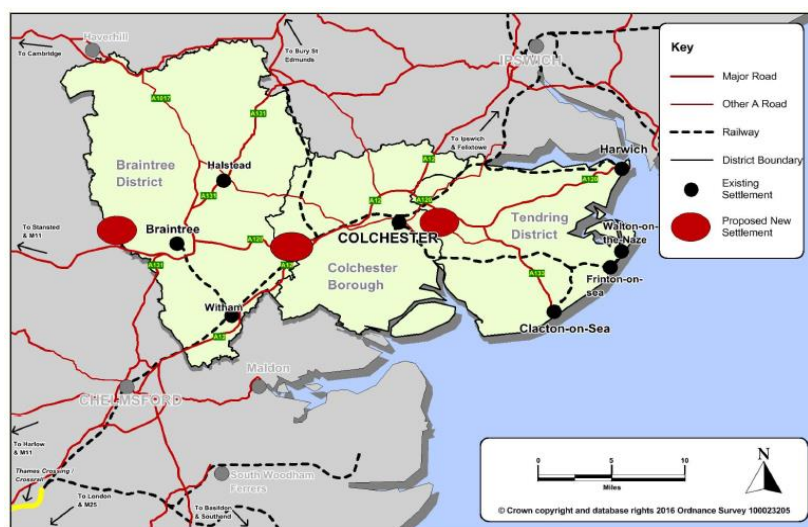
The Garden Communities concept is ideally suited to deliver on this local ambition because it can:

- Respond positively to the context of North Essex – providing the best of town and country;
- Be planned comprehensively with timely delivery of infrastructure;
- Provide a key role in promoting local economic development, both within the Garden Communities and across the wider North Essex corridor, creating and attracting new jobs and businesses into the area;
- Place the concept and function of community at the heart of place making with active local engagement and long-term stewardship of community assets;
- Enable the provision of integrated and sustainable transport options, reducing reliance on the private car;
- Enable public sector leadership and a long-term approach to investment and community development; and
- Create a great place to live, work and spend leisure time overall.

Figure 1 shows the location of the three new Garden Communities that are proposed in the North Essex Authorities' Local Plan (2013 – 2033) Section 1, which has been submitted to the Planning Inspectorate and is undergoing the due process, with an Examination anticipated to take place in December 2019. These will accommodate a substantial amount of the housing and employment growth planned for North Essex within the Local Plan period and well into the future (the ranges are taken from the North Essex Authorities' Local Plan (2013 – 2033) Section 1):

- Tendring Colchester Borders, a new garden community will deliver between 7,000-9,000 homes (with at least 2,500 homes within the Local Plan period to 2033).
- Colchester Braintree Borders, a new garden community will deliver between 15,000-24,000 homes (around 1,400 homes within the Local Plan period to 2033).
- West of Braintree in Braintree DC, a new garden community will deliver between 7,000-10,000 homes (with at least 2,500 homes within the Local Plan period to 2033).

Figure 1: North Essex and locations of proposed Garden Communities



Each of the Garden Communities will be holistically planned new settlements that respond directly to their regional, local, and individual site context and opportunities, to create developments

NEGC Ltd Interim Business Plan

June 2019

COMMERCIAL IN CONFIDENCE

underpinned by a series of interrelated principles which are based on the Town and Country Planning Association (TCPA) Garden City Principles, adapted for the specific North Essex context through the NEGC Charter and NEGC Prospectus.

The Garden Communities will be designed and delivered to attract residents and businesses who value innovation, community cohesion and high-quality environment, and who will be keen to take an active role in managing the garden community to ensure its continuing success. Residents will live in high quality innovatively designed, contemporary homes, accommodating a variety of needs and aspirations. These will be set within a network of leafy streets and green spaces, incorporating and enhancing existing landscape features, and providing areas for leisure and recreation. The level of ambition is set out comprehensively in the ‘North Essex Garden Communities Charter’, produced in 2016 as part of initial work to inform and support the preparation of Local Plans. A North Essex ‘Strategic Narrative’ has also been produced by The Councils to set out the strategic approach and rationale.

2.3 North Essex Garden Communities Ltd

In order to progress the delivery of the programme’s key objectives and ensure the delivery of the three Garden Communities, a new dedicated delivery structure has been put in place to take the proposals forward.

This delivery structure was approved by The Councils’ respective Cabinets and Council Committees in November and December 2016 with North Essex Garden Communities Ltd (NEGC) formally established on 30 January 2017 (Company No: 10319743).

In addition, site specific ‘Local Delivery Vehicles’ (LDVs) were also created on 30 January 2017 to potentially act as separate operating companies tasked with the delivery of each individual Garden Community.

NEGC was established as a wholly owned public entity between The Councils to act as the body to guide the proposed Garden Communities through the design process and into implementation, providing ultimate oversight and scrutiny of the delivery.

The Shareholders of NEGC are Essex County Council (Essex), Braintree District Council (Braintree), Colchester Borough Council (Colchester) and Tendring District Council (Tendring) (together referred to as “The Councils”) with each holding a 25% shareholding.

As approved by each of The Councils (as shareholders of the Company), the Directors of NEGC are currently nominated as:

- Cllr David King (representing Colchester Borough Council);
- Cllr Neil Stock OBE (representing Tendring District Council);
- Cllr John Spence CBE (representing Essex County Council); and
- Cllr Graham Butland (representing Braintree District Council).

In addition to the Directors, there are nominated Alternate Directors in place for each of the shareholders as follows:

- Cllr Carlo Guglielmi (representing Tending District Council in the absence of Cllr Neil Stock OBE);
- Cllr Julie Young (representing Colchester Borough Council in the absence of Cllr David King);
- Cllr David Finch (representing Essex County Council in the absence of Cllr John Spence CBE); and
- Cllr Gabrielle Spray (representing Braintree District Council in the absence of Cllr Graham Butland).

Cllr John Spence OBE currently acts as the Chairman of the NEGC Board, a position that the Board has agreed should continue until the end of the 2019/20 financial year, or until such point as a Development Corporation is established in North Essex. There will therefore be a need for the NEGC Board to formally elect a Chairman for the 2020/21 financial year.

The Purpose of NEGC is set out in Schedule 1 of the NEGC Shareholders Agreement as follows:

The purpose of the Company is to coordinate the funding of the LDVs and to oversee and hold to account the LDVs in order to develop each of the Properties as Garden Communities, being self-sustaining communities which secures the future stewardship of public assets for community benefit, the design, development and delivery of which is underpinned by local public sector leadership, a strong vision and long term planning and effective engagement.

In addition to the above, and in August and September 2017, all four councils approved the ability for NEGC to explore with Government the potential for creating a locally-led development corporation for North Essex as one potential delivery mechanism. This is currently the primary focus of the work that NEGC will undertake ahead of progressing the Local Delivery Vehicles.

Alongside the Purpose, Schedule 1 of the NEGC Shareholders Agreement also sets out key objectives that a Garden Community should achieve, which are detailed in Section 4.4 of this Business Plan.

NEGC will operate to deliver its services in a commercial way, while maintaining high standards of integrity and social purpose. As a private limited company, it is controlled by Board Members who have a duty to promote the success of the company for the benefit of its shareholders as a whole.

The Board has an overall responsibility for overseeing the successful delivery of the Garden Communities across the area in accordance with its Business Plans and masterplanning frameworks, which will acknowledge and complement the North Essex Authorities' Local Plans.

The Board meets at least quarterly to carry out this work and receives regular reports on progress against operational matters and programme budgets.

2.4 Progress so far

The Councils have been successfully collaborating over the last few years to effectively plan for long-term growth across the area. NEGC has developed its strategic rationale and operational capacity with the support of its shareholder Councils, the Ministry of Housing, Communities & Local Government (MHCLG) and key national agencies such as Homes England. The role of NEGC has also been developed to the point where it is a fully operational company recognised by the public, private

sectors, and local communities, as the focal point for the North Essex Garden Communities programme. This includes developing a strategic proposition for the North Essex Garden Communities, which has gained significant traction with key government departments and the development industry. Details of the considerable progress NEGC Ltd has made since it was formally established on 30 January 2017 to deliver the garden communities include:

Government Support

- Becoming part of the Garden Towns Villages & Cities programme run by the Ministry of Housing, Communities & Local Government (MHCLG). North Essex Garden Communities is the largest and most ambitious proposition in the programme. Being part of this programme provides direct access to other Garden Towns with associated learning and knowledge/information sharing opportunities.
- Securing over £3m of Government capacity funding up to and including 2018/9 to support in bringing forward the project management, design, planning, delivery and technical work necessary to evolve and bring forward the proposals. This is in addition to £2.4m of capacity funding that the partner Councils have also contributed to the programme.
- North Essex Garden Communities has to date received more funding than any other Garden City proposal in the UK, and there has been clear recognition by Government of the ground-breaking work that NEGC is undertaking on bringing forward large new communities, and an appreciation for the economic opportunity offered by the North Essex corridor.
- This has also been seen in the officer support with a senior MHCLG officer attending NEGC Steering Group and working group meeting, regular government civil servant site visits and ongoing support from Homes England.

Local Plan

- Coordinating the Council's approach to Local Plans, including the confirmation, publication and Examination in Public of a joint 'Section 1' of the Local Plans, which sets out a shared strategy for growth in North Essex and preferred locations for new Garden Communities.
- Work to support the Councils to provide further evidence for the ongoing Examination in Public process, including liaison with Homes England, Highways England and other key Government bodies.
- Council preparation and publication of Issues and Options for each Garden Community and support of the consultation events.

Delivery Approach

- Successful influencing of and high-level engagement with Government to enable the 1981 New Towns legislation to be amended and Guidance to be produced in 2018 to enable locally-led development corporations to be implemented.
- Developing the approach and structure for a locally-led development corporation in North Essex, including strategic masterplanning work to identify a phasing and costings plan, financial modelling, discussions with Institutional Investors and Government over long-term funding.

- Building relationships with land owners and promoters in order to develop necessary structures and commercial agreements to enable delivery to be progressed potentially through a locally-led development corporation.
- Undertaking initial property cost estimate work to identify the overall land and disruption cost for acquisition through CPOs under ‘no scheme’ by a locally-led development corporation.
- Identifying stewardship arrangements for the long-term maintenance of public amenities and potential participation in income earning asset portfolios.

Infrastructure & Utilities

- Working with ECC to support the initial feasibility and design work for the expansion and realignment of the A12 and A120 schemes in/around Colchester to provide the necessary highways infrastructure to support the garden communities.
- Identifying and enhancing plans in conjunction with ECC for a Rapid Transit Scheme to be implemented across the North Essex corridor to support future economic growth including the garden communities.
- Supporting two Forward Funding Housing Infrastructure Funding bids that were submitted by ECC for approximately £165m in total have made it through to Round 2 which is a period of co-development of a potential business case.
- Undertaking strategic masterplanning work that has identified the key local transport and social (e.g. education, health, community etc.) infrastructure required to support each garden community and developed a high-level phasing plan to ensure that infrastructure is delivered either ahead or alongside the delivery of homes and commercial assets.
- Identifying the scope and nature of the work required to upgrade utilities provision to support the delivery of the garden communities which now enables an option appraisal analysis to be undertaken to establish commercial relationships with the various utility companies.

Economic Growth

- Developing the key components of a long-term economic strategy for North Essex that is capable of leveraging the future benefits of the garden communities in a manner that would enable North Essex to begin to match the performance of its comparator areas in the Greater South East.
- Identification of the principal workstream elements to put in place the key ‘enablers’ (e.g. future workforce skills development and Research & Development) as well as the inward investment proposition.
- Attendance at MIPIM UK 2018 under the ‘North Essex Opportunities’ banner to promote the future economic growth opportunities in the area and begin to put North Essex on the map, both nationally and internationally with employers and investors. This brought together both public sector bodies and the private sector, supported by the University of Essex and Bosch.

Innovation

- Holding an Innovation event in May 2018 involving key partners and stakeholders, which has enabled the development of a framework and identification of initial priority workstreams to be progressed to ensure that the garden communities have a focus on quality and are future-proofed from a technological perspective.

- Establishment of a Strategic Health & Wellbeing group led by the local Clinical Commissioners to ensure that best practice can be applied from the national Healthy New Towns programme and from NHS-sponsored research establishments.
- Successfully organised an Innovation in Health & Wellbeing event, hosted by the Hothouse facility at BT and involving public, private and voluntary sector stakeholders, to identify the key local challenges and holistic interventions on which the emerging strategy will be based.

NEGC Ltd Structure

- Established NEGC Ltd as a separate body to The Councils, resourcing the company with the appropriate expertise to deliver the programme, and undertake the developer work required to bring large-scale developments to fruition.
- Developed operational and employment policies to enable NEGC to function as a company and ensure that it complies with applicable legislation.
- Held the first NEGC Ltd AGM in July 2018, which was open to the public to attend.

Kerslake Review

A peer review of the programme was undertaken by a team of experts led by Lord Kerslake in 2017. The report's recommendations can be found [here](http://www.essex.gov.uk/News/Documents/Garden_Communities.pdf) [http://www.essex.gov.uk/News/Documents/Garden_Communities.pdf].

Since the review was conducted, NEGC and The Councils have responded as follows:

- Preparing individual 'concept frameworks' for each community and a 'Prospectus' that sets out the vision and strategic narrative for the programme as a whole.
- Appointed a full-time Group Managing Director for NEGC and a dedicated programme team has been appropriately resourced.
- Strengthened engagement with Government leading to a number of high-profile visits from Government officials to North Essex, including the MHCLG Permanent Secretary, Melanie Dawes, and adding Homes England representation to the NEGC Board.
- Further evidence work for the Local Plan Examination in Public has been undertaken and will be presented to the Inspectorate in Autumn 2019.
- Undertaken informal dialogue with key local stakeholders and developed a three-stage public engagement programme to commence prior to the next Local Plan Examination in Public.

Progress has been made in respect of the delivery strategy including identifying the key phases for each of the three sites and an exploration of key delivery and finance partners.

2.5 The Local Plan Process

The Local Plan process is clearly relevant to the work that NEGC will be undertaking in 2019/20. For the sake of clarity, it is therefore worth setting out the different roles that the North Essex Authorities (NEAs) have in their function as planning authorities and their roles with respect to the operation and ownership of NEGC.

The three NEAs (Colchester, Tendring and Braintree) are responsible for taking forward their respective Local Plans and are currently promoting the allocation of the Garden Community sites

through their Draft Local Plans. The soundness of the Local Plans will ultimately be determined by an independent Inspector appointed by the Secretary of State.

However, it is clear that the work undertaken by NEGC to help to deliver the Vision is consistent with, and will not pre-judge, the outcome of the Local Plan processes. Indeed, the work of NEGC does not propose to adjust or alter the approach to the Local Plan provisions regarding these communities.

Following the conclusion of the Section 1 Local Plans Examination in Public (EiP) hearing sessions, the NEAs received the Inspector's interim findings in June 2018. The Inspector raised a number of issues with the soundness of the Local Plans and the accompanying Sustainability Appraisal. The Inspector also set out options for proceeding with the Examination, including: removing the Garden Communities from the Local Plan; proceeding with the Garden Communities in the Local Plan but with a revised evidence base and Sustainability Appraisal; or withdraw the Local Plan from Examination (and effectively start the process again).

Each of the NEAs considered the three options and agreed to proceed with the Garden Communities in the Local Plan (albeit with additional caveats relating to infrastructure delivery, viability and local engagement), and they are committed to rectifying the evidence base and carrying out an additional Sustainability Appraisal. The timetable for carrying out this work is currently anticipated to result in submission of the evidence base and Sustainability Appraisal in Autumn 2019 following on from public consultation on the documents. This would allow for EiP hearing sessions to recommence by the end of 2019 and Local Plan adoption in Summer 2020.

The planning, transport/infrastructure and viability/delivery work that NEGC will need to do to support the NEAs with progressing the evidence base as well as providing support at the EiP of the Section 1 Local Plans therefore forms a significant part of the 2019/20 Business Plan for NEGC.

On 24 July 2018, the New Towns Act 1981 (Local Authority Oversight) Regulations 2018 came into force. In June 2018, MHCLG issued Guidance for the implementation of locally-led development corporations. Taken together, these Regulations and Guidance enable Local Authorities to present a proposal to Government for the creation of a locally-led development corporation in their area(s). As part of the delivery mechanism options NEGC is undertaking work to evaluate and develop a proposal for a locally-led development corporation to deliver the three garden communities in North Essex. This delivery work therefore forms a significant part of the 2019/20 Business Plan for NEGC. The aim is to prepare options for consideration by the Board and the Shareholder Councils during 2019.

2.6 Role & Purpose of this document

This document has been produced to set a Business Plan for NEGC for the 2019/20 financial year to enable it to undertake technical work that will be relevant to the statutory work that the North Essex Authorities are doing in relation to the Local Plan process, appearing at the Examination in Public as a potential delivery body for the Garden Communities, and to develop proposals for a locally-led development corporation in accordance with the NEGC Board's support of the proposed direction of travel for the company. It has been prepared in accordance with the NEGC Shareholders Agreement.

This Business Plan provides an overview of the vision, objectives, necessary workstreams, governance, funding and actions required to deliver NEGC scope of work and bring forward a number of priorities for the next three years to move the Garden Communities towards delivery phase. The

focus for 2019/20 is to work with The Councils to enable Section 1 of the Local Plans to be adopted as well as progressing proposals for delivery of Garden Communities including a potential locally led development corporation. The programme of work identified for the second and third years will enable NEGC to begin to identify and secure external (i.e. non-Council) funding for April 2020 onwards. Given the early stage of the full three-year programme, including a continual evolution of the delivery approach, it is recommended that this document is kept under regular review.

This Business Plan will act as the first precursor to the preparation of a 'Long-Term Business Plan' as defined at Section 5.2 of the NEGC Shareholders Agreement. It is envisaged that this Long-Term Business Plan, including proposals to secure external finance for NEGC, will be submitted to the Board for approval in January 2020 (noting that this may need to be reviewed should a decision be made on whether to proceed with a locally-led development corporation).

3. Strategic Outline Case

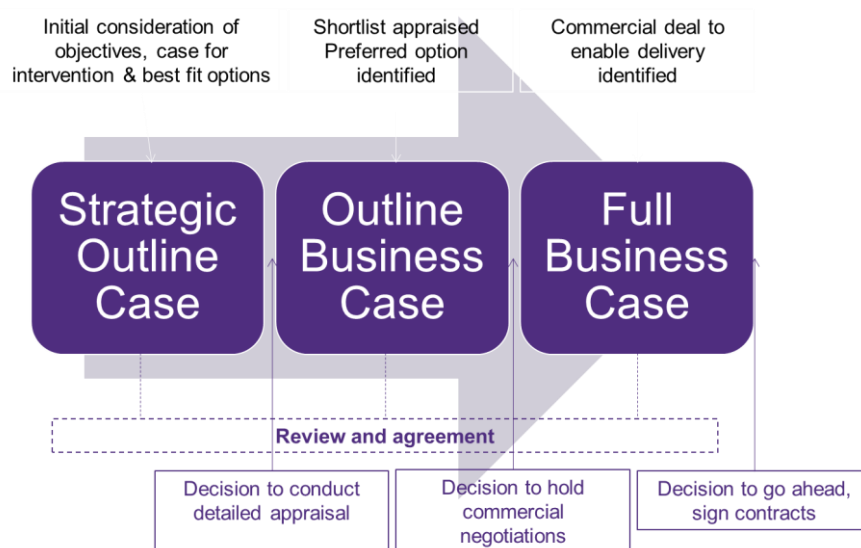
3.1 Introduction

The Councils have been evolving the approach to the NEGC programme for some time, including detailed consideration of the spatial approach to development across the local area (through the preparation of Local Plans), and associated consideration of delivery and implementation mechanisms.

Given the scope and scale of the anticipated public sector role in delivery, potential financing and the wider achievement of garden community ambitions, the approach that is adopted will need to accord with the process of preparing an appropriate ‘Business Case/s’ in line with the HM Treasury Green Book. This will be separate to but closely associated and aligned with wider business planning activity related to the operations of NEGC as set out in this document, and as required by the Company’s Articles of Association.

The overall process map relating to the preparation of such HM Treasury Green Book Business Case/s is set out at Figure 2, providing an overview of how the programme progresses from outline to full detail stages.

Figure 2: Business Case Development Process Map



Activity undertaken by The Councils to date has advanced work pertaining to several key components of the Strategic Outline Case stage of the process, most notably in defining the strategic need and partner objectives, and beginning to consider the associated management, commercial, financial and economic considerations. In essence the programme has effectively completed this stage of the process.

The approach going forward through 2019/20 will further evolve and refine the way forward and lead to the preparation of a subsequent Outline Business Case/s in line with the Green Book methodology. This will enable The Councils and other partners (as appropriate) to make decisions on the scope and scale of public sector direct involvement in the delivery process. This will focus on the planning (pre-

procurement) phase to better define the preferred option, value for money assessment, affordability and achievability. It will set out further information across:

- the Strategic Case – further evolving the business strategy aims and objectives;
- the Economic Case – a full review of business options, their economic appraisal (including consideration of benefits, risks and sensitivities);
- the Commercial Case – outlining the envisaged structure/s, key contractual terms/operational and implementation considerations;
- the Financial Case – a detailed analysis of funding needs, affordability and net impacts on income/expenditure and balance sheets; and
- the Management Case – setting out how the scheme will be delivered with an outline of the proposed programme management plan and procurement.

It is anticipated that the final elements of the work on the Outline Business Case/s would be complete sometime during Year 2 (2020/21) of this Business Plan period.

The final stage will be to draw together the approach into a Full Business Case/s, which will define and select the preferred service solution, fully define the implementation arrangements and funding requirements. This can follow relatively quickly from the Outline Business Case stage with the main Full Business Case/s (i.e. Locally-Led Development Corporation and initial Delivery Vehicles) anticipated to be complete during Year 3 (2021/22) of this Business Plan period.

Appendix B provides an overview of the key rationale for intervention and decision making to date, including the strategic context to the proposal, the case for change and an indication of the proposed way forward. It sets out information pertaining to several key components of the ‘Strategic Outline Case’ as per the HM Treasury Green Book and forms the basis of subsequent work in 2019/20, which will feed into the development of the ‘Outline Business Case/s’.

4. NEGC Vision & Strategic Objectives

4.1 Introduction

A mission statement, a vision and a set of objectives provides the strategic framework within which the company will operate and which emerging proposals can be evaluated over time. The strategic context will continue to evolve over time and new influences will undoubtedly emerge.

4.2 Mission Statement for North Essex Garden Communities Limited

The overall Mission Statement for NEGC sets out in high level terms what the company will do:

To lead, create, inspire and develop exemplar self-sustaining Garden Communities across North Essex through working proactively and effectively in partnership with local communities and key stakeholders.

4.3 Vision for North Essex Garden Communities Ltd

The overall Vision Statement for NEGC sets out in high level terms why and how the company is pursuing its mission statement.

There have been a number of vision statements prepared for the three individual North Essex Garden Communities projects, including those set out in the Local Plan and NEGC Prospectus. The overall Vision Statement for NEGC detailed on the next page is consistent with both documents as well as the NEGC Charter.

Our vision is to establish an area for growth across North Essex that is of strategic national importance. At the heart of our vision is the creation of new Garden Communities where people want to live, work and play.

Our vision has three interconnecting strands: sustainable communities, jobs and a supportive infrastructure:

- ***Communities:*** sustainable development principles will be at the core of the Garden Communities, balancing social, economic and environmental issues. The garden communities will attract residents and businesses who value innovation, community cohesion and a high quality environment, and who will be provided with opportunities to take an active role in managing the garden community to ensure its continuing success;
- ***Jobs:*** to achieve our vision, we will strive to make North Essex an area of inclusive economic growth and prosperity, of strategic importance to the economy of the UK, with businesses capable of competing on a national and international stage. To make this happen we will help North Essex create a diverse and thriving economy, with a great choice of job opportunities across many sectors, and growing prosperity and improving life-chances for all its citizens, today and into the future; and
- ***Infrastructure:*** within the new garden communities, there will be a focus on providing the right level of infrastructure (roads, utilities, education, health, green areas, community and leisure centres etc.) at the right time to in a manner that supports the development of substantial new growth whilst ensuring that the countryside and heritage assets are protected and enhanced. Surrounding the garden communities, there will be a focus on ensuring that improvements to the supporting strategic infrastructure will be planned and implemented alongside the development of the new garden communities.

4.4 Strategic Objectives for North Essex Garden Communities Ltd

The following strategic objectives have been derived from the objectives as set out in Schedule 1 of the NEGC Shareholders Agreement. They have been designed to deliver the mission statement and vision for NEGC. They have not been set in any order of priority on the basis that the delivery of Garden Communities requires an holistic approach that ensures the key strands are delivered in an inter-connected manner.

The NEGC Ltd overarching mission is to make North Essex a place where people want to live, work and play by delivering new Garden Communities. We will achieve that goal by delivering the following objectives:

- Undertaking consistent and meaningful engagement with existing and proposed communities to ensure they are at the heart of the Garden Communities' evolution.
- Fostering economic development within the Garden Communities in order to create a resilient and self-sustaining economy, and also offering access to a strong, local jobs offer in North Essex in order to help achieve a better balance between the location of jobs and housing.
- Providing connectivity to and within the new Garden Communities to be achieved through the timely provision of physical and social infrastructure in an integrated manner to ensure ease of access and movement across the North Essex area.
- Focusing on innovation within the Garden Communities to future-proof them by securing the delivery of a smart and sustainable approach to the design and management of services, infrastructure and utilities through the application of the highest standards of technology.
- Ensuring that the quality and design of place in the Garden Communities are seen to be exemplar and can create great places to live, work and play with access to great green spaces; in a manner that attracts both existing and future residents in North Essex as well as those from further afield, including the provision of different types of tenure (e.g. a range of affordable and rented housing for all ages and income levels to exist alongside outright market sale housing).
- Establish and implement suitable models for the long-term stewardship of community and place-making assets that are structured and funded in a manner that provides long-term management and governance of those assets.
- Achieve sustainability in its widest sense, not only because the new Garden Communities are places that excel in their environmental quality and performance including healthy living, but also because the places are commercially sustainable in a manner that supports delivery and is capable of providing ongoing revenue receipts for reinvestment by the respective shareholders.

4.5 The North Essex Garden Communities Prospectus

A prospectus has been produced to set out and illustrate the strategic potential, with an ambition to establish North Essex as a key corridor of growth of national significance. The prospectus focuses on two key strands:

- creating a corridor of economic growth and prosperity, with North Essex having a diverse and thriving economy; and
- securing investment in supportive infrastructure, ranging from transport through to green infrastructure, innovation, skills, social and community development.

The prospectus also sets out 10 strategies that will ensure that the objectives are delivered, and these are listed below:

Strategy 1: “Community Engagement”

Strategy 2: “Employment Opportunity” – growing the productive economy of North Essex

Strategy 3: “Green Infrastructure” – blue and green spaces all

Strategy 4: “Integrated and Sustainable Transport” - mobility for all

Strategy 5: “Smart and Sustainable Living” – community infrastructure

Strategy 6: “Living Environment” – new homes to support growth

Strategy 7: “Good Design” – the very best in Garden Community planning and design

Strategy 8: “Active Local Stewardship”

Strategy 9: “Strong Corporate and Political Public Leadership”

Strategy 10: “Innovative Delivery Structure”

These strategies are consistent with NEGC mission statement, vision and objectives outlined in sections 4.1 – 4.4 above.

5. NEGC Strategy

5.1 Overarching Strategy

The delivery of this ambitious vision of the Garden Communities will require a positive and active approach by both the public and private sectors.

Notably, and different from standard development approaches, The Councils are taking a proactive approach to delivery of the Garden Communities through their masterplanning, promotion and development.

The approach reflects an anticipated need for strong public-sector leadership, but with flexibility to integrate appropriate partnership approaches and sharing of project risk and reward where these can deliver on the programme's objectives.

The active involvement of the public sector in supporting the delivery of the Garden Communities will be rewarded not just by the creation of great places for the residents of North Essex to live, work and play in, but also through unlocking a share of the value created through this endeavour.

For the delivery structure to succeed, deliver on the vision and realise the potential, there will need to be close working between The Councils, Government, landowners, developers, funding and delivery partners as well as local communities.

From the outset NEGC has been established to oversee and coordinate this activity.

It is also recognised that the delivery structure will need to adapt to local circumstances and adopt the most appropriate structure to deliver on the vision and objectives.

The Councils have agreed that NEGC should explore the establishment of a locally-led Development Corporation (as enabled by the Neighbourhood Planning Act 2017 and the establishment of the formal Regulations in 2018) as one of the delivery mechanism options available. A locally-led Development Corporation has great potential to provide a strong and focused body responsible for delivery with wide ranging powers in terms of land acquisition, funding and planning.

- Secure appropriate control and/or take ownership of the land through whatever means necessary (via negotiation or compulsory purchase);
- Bring forward proposals in line with an approved masterplan and secure necessary approvals);
- Undertake pre-development and facilitating works;
- Deliver infrastructure works to meet requirements of the masterplan, planning application/s and conditions;
- Create serviced development plots that are designed to deliver the planned communities;
- Either market the development sites and seek the best price achievable in the open market or work in partnership with developers/contractors to build out the plots, both options would be consistent with the achievement of desired design and quality standards, including a range of different tenures of housing (i.e. mix of affordable and market rent and for sale);

- Arrange development agreements including licences with the successful developers/contractors;
- Supervise the construction to ensure the desired design and quality standards are achieved;
- Distribute the receipts in accordance with the terms of and associated land, funding or delivery partner agreements; and
- Ensure that public facilities and assets are adopted and/or transferred to appropriate bodies to secure their long-term stewardship.

Funding arrangements would be agreed for each operational delivery body in liaison with NEGC. The operational delivery bodies would be responsible for identifying and securing appropriate funding to enable the provision of services and infrastructure at the time when it is needed by the community.

5.2 Approach to Masterplanning & Infrastructure

The proposed Garden Communities will need to be planned carefully, be appropriately located, and accessible by a wide range of sustainable forms of transport. Provision will need to be made to provide the full range of supporting services and facilities. Job creation would need to go hand in hand with population growth to provide new and enhanced economic opportunities for existing and new residents.

Future growth at scale will undoubtedly create demand for additional road and rail use with the associated need for new and upgraded infrastructure, both within and outside the Garden Communities. The education needs of a growing population must also be addressed, requiring careful planning to assess future pupil numbers and address further education needs. Opportunities must be provided for local affordable housing (with a range of rental and partial sale options), helping all on to the property ladder. The ageing profile of residents also requires a proactive response to provide the right type and mix of homes, including independent living and supporting services; as well as sufficient healthcare facilities to support both older residents and the population as a whole. It will also be important to ensure a housing mix that encourages older people to live in the Garden Communities from day one.

To facilitate this, NEGC will need to lead a programme of masterplanning work to enable progression once Section 1 of the Local Plan has been agreed. This masterplanning will enable the local Planning Authorities to progress further iterations of the Development Plan Documents for the three sites, a process that could evolve into the preparation of Local Development Order(s) should a Development Corporation designation be forthcoming.

In relation to Infrastructure, the timely delivery of this will be a central element of the work that NEGC will need to undertake in order to ensure effective delivery of well-planned Garden Communities. Infrastructure includes onsite (e.g. roads, utilities, energy, green spaces, education, health, community centres etc.) and off-site (e.g. roads, public transport etc.). The benefit of this 'infrastructure-led' approach is that there can be more confidence by existing communities that the appropriate level of supporting infrastructure is planned, delivered and financed at the right times during the phasing of the future development of the Garden Communities.

5.3 Approach to Delivery & Finance

NEGC Ltd will continue to investigate a Development Corporation-based delivery strategy across the three Garden Communities alongside an Options Appraisal of other delivery structures.

The options appraisal will include consideration of a public/private sector-led delivery structure, with responsibility for bringing the Garden Community projects forward through further design and planning stages, and into implementation through the direct delivery of infrastructure alongside the generation of income from serviced-land sales. Such a structure could facilitate the delivery of infrastructure and disposal of serviced plots to house builders/commercial developers potentially in combination with the public/private sector-led delivery structure who could be responsible for physical building construction costs and property sales, within approved design and quality standards. Such an approach would not preclude the opportunity for public sector stakeholders to directly deliver development should they wish; however, it would enable The Councils and the delivery project vehicles to manage their risks.

In accordance with approved Cabinet decisions across The Councils, ‘in principle’ commitment has been given to consider funding options. Subsequent business cases will determine a detailed set of funding requirements; including the scale of funding required and the timescales which will be relevant to each block of funding. This further work will be presented back to The Councils and will include consideration of an appropriate future funding mix, including opportunities for leveraging in private sector and other sources of funding.

5.4 Approach to Engagement & Communications

As NEGC moves more to the delivery phase, it will also need to focus on its PR and Communications activity. In particular, the masterplanning work (including infrastructure aspects as a key theme) will require a more in depth and sophisticated public engagement programme than has taken place to date – moving it away from being a statutory and Local Plan issue. In addition, the North Essex economic strategy will need to be communicated and ‘marketed’ both across the region and internationally.

5.5 Approach to Economy

The development of three substantial Garden Communities of up to 43,000 homes requires an ambitious economic strategy for North Essex to ensure that the new settlements don’t just become dormitory towns but more importantly have a catalytic effect in the wider economy. At the heart of the economic offer for the Garden Communities will be the creation of an ambitious economic strategy for North Essex involving The Councils, the University of Essex, economic partnerships and NEGC. As this work progresses, key business representatives will also play an important role, ultimately becoming advocates for the strategy.

5.6 Approach to Innovation

Given the long-term nature and overall scale of the ambition, it will be important to ensure that the Garden Communities embed a forward-thinking approach, including full and active consideration across new and innovative aspects of community life and place management. It will also be important to ensure that opportunities for innovation across the Garden Communities should support Garden City Principles and improve the quality of life for both new and existing residents.

Following an NEGC Innovation event in May 2018, a number of priority areas were identified to be explored and developed across the North Essex Garden Communities to ensure they can accommodate and make full advantage of new and modern approaches that can add value. The priority areas or opportunities include: infrastructure, utilities & connectivity; integrated & sustainable transport; place making & economy; promoting healthy lifestyles; stewardship, participation & governance; research & development. Essentially these opportunities range from new forms of transport, including accommodating future anticipated trends in movement, through to implementing the 'Smart City' agenda such as via technology and sensors to ensure the new places and associated utility infrastructure are run effectively and efficiently to achieve sustainability gains.

The approach will continue to draw from the very best innovators from local, national and international realms. It will consider key opportunities and involve horizon scanning to ensure that NEGC is at the forefront of both thinking and implementation.

A key part of the approach will be the need to define the inter-relationships and pre-conditions needed to encourage and facilitate innovation across a variety of topics and themes and ensure these are embedded in all aspects of the delivery of the Garden Communities.

5.7 Approach to Legacy & Stewardship

Some elements of the Garden Communities will be developed and managed in perpetuity with the direct involvement of their residents and businesses. The initial work undertaken on Legacy & Stewardship has identified two categories or types of assets in the Garden Communities that will require future management – incoming earning and community.

The principal purpose of the income earning assets portfolio will be to provide on-going revenue streams to support the community assets to deliver high levels of quality of place. A range of potential income earning assets will need to be explored and could include: commercial; private rental; affordable housing; older age living; energy & utilities. These income earning assets might be part of management vehicles that include private as well as public investors.

The principal purpose of the community assets portfolio will be to ensure that they support high levels of quality of place in the Garden Communities. A range of potential community assets will need to be explored and could include: parks; allotments; community & local centres; other forms of communal space; schools; health facilities; opportunities for formal and passive recreation. It is likely that residents will be directly engaged in the long-term management and stewardship of the community assets, fostering a shared sense of ownership and identity.

Organisations such as a community trust, Parish/Town Council or similar, could be set up and funded to maintain and develop community assets over the long term.

6. NEGC - Priorities & Deliverables for 2019/20

6.1 Operational Priorities for 2019/20

The major outcomes for 2019/20 and for the project as a whole are obtaining adoption of Section 1 of the Local Plans and enabling the shareholder Councils to submit to Government an application for a Mandate for a North Essex Locally-Led Development Corporation. Delivery of those major outcomes by the end of 2019/20 would mean that the programme could move to being externally financed and the Councils would then not need to provide further revenue contributions.

In order to achieve those major outcomes in 2019/20, the key operational priorities for NEGC will be:

1. Local Plan
 - Continuing to assist the North Essex Authorities (NEAs) with the work required to progress their Local Plans, including: additional infrastructure, delivery and phasing work; employment floorspace forecasting; demonstrating the viability of the Garden Communities; and input into the overall Transport work, including the Rapid Transit System project.
 - Supporting the NEAs and presenting evidence on the deliverability of the Garden Communities at the reopened Examination in Public for the Section 1 Local Plans.
 - Appear at Uttlesford District Council (UDC) Examination in Public on delivery and viability of the West of Braintree Garden Community site.
2. Engagement
 - Continuing with a high-profile level of engagement with the existing and proposed new communities to give them a strong sense of ownership of the emerging Garden Communities.
3. Economy
 - Active liaison with the North Essex Economic Board to ensure that the North Essex Economic Strategy maximises the benefits to the Garden Communities and the area as a whole, with a particular focus on developing strategic approaches to local upskilling and inward investment.
4. Delivery & Stewardship
 - Evolving the best approach for delivery of Garden Communities in North Essex with Government, including the preparation of operating structures and financing requirements for testing with funders. This will be achieved by undertaking an Options Appraisal and producing an Outline Business Case.
 - Subject to the decisions by The Councils to prepare a Mandate in support of a designation for a locally-led Development Corporation in North Essex that is supported by all NEGC directors and shareholders.
 - Continuing to explore approaches to secure an interest in land, either via negotiation or compulsory purchase.

- Work with The Councils and key partners on Stewardship to identify a range of income earning and community assets together with potential management vehicles for each of these across the Garden Communities.
5. Masterplanning & Transport
 - Developing the masterplans for each of the Garden Communities.
 - Designing the local (e.g. transport) and social (e.g. education, health, community facilities etc.) infrastructure required to support each of the Garden Communities.
 6. Infrastructure & Utilities
 - Engaging with Infrastructure and Utility providers to confirm anticipated infrastructure demand and how it may be provided (considering the benefit of public/private ownership options), over the proposed NEGC development period.
 - Exploring the options available and developing a commercial strategy to implement the supporting Infrastructure and Utilities required to deliver the Garden Communities.
 7. Innovation
 - Work closely with partner organisations to progress the four priority areas that have been identified for Innovation (Infrastructure, Living Space, Health & Wellbeing, Economy & Business) and develop a formal work plan to progress these.
 8. NEGC Strategic Business Planning
 - Preparing a costed Business Plan for 2020/21 and 2021/22 for approval by the Board by January 2020 (noting that this may need to be reviewed should a decision be made on whether to proceed with a Locally-Led Development Corporation).

These operational priorities, along with the key Council dates, are set out in the table below. It should be noted that these dates are contingent on the Local Planning Authorities continuing to prepare evidence to support the proposed Garden Communities and that the Garden Communities continue to be included within the respective Local Plans. The milestones are also reliant on the Local Plan process and associated timings as set out below. Should the Local Plan process be delayed then these dates would need to be reviewed.

Similarly, the milestones have also assumed that NEGC continues to consider and investigate delivery models, including a Development Corporation-based delivery strategy across the three Garden Communities. This approach doesn't prejudice the shareholders from needing to formally consider and approve any decision to apply for Development Corporation status but assumes that NEGC continue to lead the necessary preparatory work with Government and the partner Councils on a Development Corporation delivery strategy if that option is decided upon.

	Q1 (Apr-Jun 19)	Q2 (Jul-Sep 19)	Q3 (Oct-Dec 19)	Q4 (Jan-Mar 20)
1. Local Plan / DPD			October – main milestone	
NEA support	Apr: NEA other evidence May: NEA SA evidence ¹ Jun: NEA committees briefs	Jul: NEA committees Jul/Aug: NEA consultation Sep: NEA revised evidence	Oct/Nov: reopened EIP Dec: review Inspectors report	Jan-Mar: modifications
NEGC evidence	Apr-Jun: NEGC evidence	Jul: NEGC UDC EIP Jul/Aug: NEGC submissions	Oct/Nov: reopened EIP Nov/Dec: DPD prep + HIF	Jan-Mar: begin DPD masterplan work for Sequence 2 Q1 2020
Council Decision Making		Jul: Evidence considered by LPCs/Councils & approval to consult		Jan: Approval of consultation for modifications
2. Engagement			October – main milestone	
Sequence 1	Apr-Jun: preparing material	Jul: detailed Board approval Sep: commence programme	Oct: complete programme	
Sequence 2				Jan-Mar: preparing material
3. Delivery Models			December – main milestone	March – main milestone
(i) Options appraisal	Apr/May: Councils debate			
(ii) Outline Business Case	Jun: begin drafting	Jul/Aug: initial draft for review Sep: initial NEGC Board paper	Oct/Nov: further Board paper Oct/Nov: Councils briefing	

¹ Included for completeness as NEGC is not supporting the NEA Sustainability Appraisal workstream
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	Q1 (Apr-Jun 19)	Q2 (Jul-Sep 19)	Q3 (Oct-Dec 19)	Q4 (Jan-Mar 20)
(iii) Mandate submission	Jun: begin drafting	Jul/Aug: initial draft for review Sep: initial NEGC Board paper	Oct/Nov: Councils briefing Nov: next NEGC Board paper	
Council Decision Making		Jul/Aug: Delivery Vehicle options and Stewardship key questions		Jan: Councils approval Mar: Councils submission
4. Business Plan				Jan/Mar – main milestones
Medium Term Funding	Apr-Jun: funding options	Jul-Sep: funding proposals	Oct-Dec: detailed proposals	Jan: NEGC Board approval
Interim Business Plan 20/21 & 21/22		Jul-Sep: initial draft of IBP Sep: initial NEGC Board paper	Oct: revised draft of IBP Nov: next NEGC Board paper	Jan: Board to recommend IBP for Council approval
Council Decision Making	Jun: Approval of Interim Business Plan 2019/20	Jul: Approval of Interim Business Plan 2019/20	Oct: Initial budget conversations	Feb: Councils budget approval Feb/Mar: Councils approve Business Plan

Further detail on the sequencing of these milestones and the NEGC priorities is set out in **Appendix A** of this Business Plan.

Clearly, the creation of the Garden Communities is a long-term programme. During the first few years of operation NEGC will be engaging and working with partners and local communities to further evolve the vision for the area, develop the forward strategy and agree longer term delivery plans.

6.2 Key Workstreams & Activities for 2019/20

The workstream elements and deliverables for each of the NEGC operational priorities are set out below:

1. Local Plan

NEGC has an important role to play in supporting the NEAs to secure the approval of Section 1 of their Local Plans during 2019/20. In particular NEGC can assist in the preparation of specific

evidence that relates to the viability, delivery, employment and infrastructure aspects of the Garden Communities as well as appearing and presenting complementary evidence at the reopened Examination in Public in a developer capacity.

During 2019/20 NEGC will:

- Continue to assist the NEAs with the work required to progress their Local Plans, including: additional infrastructure, delivery and phasing work; employment floorspace; demonstrating the viability of the Garden Communities; and input into the Transport work, including the Rapid Transit System project.
- Presenting evidence on the deliverability and viability of the Garden Communities at the reopened Examination in Public for the Section 1 Local Plans.

2. Engagement

Once the revised Sustainability Appraisal has been approved by the NEAs, NEGC can move from the informal engagement strategy that it began in 2018/19 to implement its formal three-sequence engagement plan, which is designed to ensure that residents, businesses and other key partners have the opportunity to play a central role in the development of the masterplanning proposals for the Garden Communities. This will be distinct and separate to The Councils engagement and consultation processes associated with the statutory Local Plan process.

During 2019/20 NEGC will:

- Deliver the first sequence of the formal public engagement programme with the existing and proposed communities to enable stakeholders and other interested parties to provide input and information on the issues and opportunities that the Garden Communities present.
- Continue to lobby the main areas of Government, including MHCLG, Homes England, Department for Transport, Highways England and HM Treasury.
- Create a communications plan to launch the proposed Delivery Model for the North Essex Garden Communities.

3. Economy

NEGC, The Councils and key economic Partners (e.g. University of Essex and Haven Gateway) will need to progress the work that was begun in 2018/19 to implement the North Essex Economic Strategy, in particular the key ‘enabling’ workstreams of education & skills development and inward investment. This will enable the North Essex economy to leverage the potential that the Garden Communities provide and attract major businesses and organisations to locate to the area such that North Essex can begin to match the performance of comparator regions across the Greater South East. During 2019/20 NEGC will:

- Work with The Councils and key economic partners to deliver the high-level work plan, including education & skills, to deliver the North Essex Economic Strategy, ensuring that it can leverage the benefits of Garden Communities.

- Work closely with partner marketing and communications teams to ensure that the North Essex Economic Strategy is communicated and marketed using the recently created North Essex Opportunity branding across the region, nationally and internationally as part of the NEGC's approach to inward investment.

4. Delivery and Stewardship

The Councils agreed (through Cabinet resolutions in late 2017) that NEGC should explore the potential for creating a Locally-Led Development Corporation(s) in North Essex. Since that time, NEGC has identified a potential operating/delivery structure and financing arrangements for a Locally-Led Development Corporation in North Essex. This now enables NEGC to begin to work with The Councils to prepare a Mandate submission to Government, which will include a request for those powers to be devolved as part of any designation. Included in that Mandate would be a long-term approach for Stewardship across the Garden Communities. The submission of this Mandate would be subject to Section 1 of the NEAs Local Plans being found sound.

The delivery workstream will also need to consider whether commercial deals that meet the Development Corporation's objectives can be agreed with the existing landowners across the Garden Community sites or, alternatively, whether there is sufficient evidence to progress Compulsory Purchase Orders to gain control of the land once the Development Corporation is in place.

During 2019/20 NEGC will:

- Undertake an options appraisal and produce an Outline Business Case.
- Draft a Mandate submission for a potential Development Corporation(s) on behalf of The Councils that sets out the operating/delivery structure and high-level financing arrangements.
- Continue to engage closely with Government to consider the scope and scale of potential Government support for a Locally-Led Development Corporation in North Essex.
- Continue to liaise with the existing landowners and potential developers to establish whether commercial deals can be agreed that accord with the Development Corporation's objectives.
- Identify a range of income earning and community assets together with potential management vehicles and develop a long-term approach to Stewardship across the Garden Communities.

5. Masterplanning & Transport

The creation of NEGC-led masterplans for each Garden Community will enable the Local Planning Authorities to progress further iterations of the Development Plan Documents for the three Garden Community sites. This masterplanning work will also provide the basis for Local Development Order(s), should the Locally-Lead Development Corporation designation be forthcoming.

Equally extensive work has already been undertaken and will continue to be progressed by Essex County Council, working with Highways England, on the strategic transport infrastructure (e.g. the A12 and A120 enhancements) and also by all four councils on the North Essex Rapid Transit proposals. It is envisaged that this work will be connected to the Masterplanning workstream.

During 2019/20 NEGC will:

- Begin the preparation of masterplans and LDO(s) for each of the new Garden Communities so that work on detailed layout options can commence once the outcome of the Section 1 Examination in Public has been released.
- Prepare key additional evidence base and technical studies necessary to support the masterplans and the progression of the site-specific Development Plan Documents.
- Continue to work with Essex County Council, Highways England, the Department for Transport, Government, and other relevant stakeholders to advocate for, and assist in, the delivery of the A12 and A120.
- Engage with Network Rail and other relevant stakeholders to consider and evolve wider transport opportunities including those presented in relation to the Greater Anglia network.
- Progress the feasibility work for the implementation of the North Essex Rapid Transit System proposals in partnership with The Councils.

6. Infrastructure & Utilities

Some initial scoping work has already been undertaken by NEGC to establish the onsite infrastructure and utilities requirements to support the delivery of the Garden Communities. This has provided a baseline of information that will now enable commercial discussions to begin with infrastructure and utility providers and provide significant input to the Masterplanning. Consequently, it is envisaged that this work will be connected to the Masterplanning and Transport workstream outlined above.

During 2019/20 NEGC will:

- Engage with infrastructure and utility providers to ensure their best co-operation and wherever possible the inclusion within their capital programmes of the relevant infrastructure demand from the proposed NEGC development.
- Produce a commercial approach to the delivery of the on-site infrastructure and utilities based on the outcome of an options appraisal.

7. Innovation

Work is currently underway and will continue throughout 2019/20 to develop an approach to Innovation for the Garden Communities in North Essex. This work will be led by NEGC and involve The Councils as well as other key partners, including education and health research organisations as well as businesses. The approach will aim to ensure that the design and delivery of the Garden Communities embrace leading edge innovative techniques and that the Garden Communities deliver high levels of quality of place.

During 2019/20 NEGC will:

- Develop business plans to progress the four priority areas that have already been identified for Innovation, namely Infrastructure, Living Space, Health & Wellbeing and Economy & Business.
- Facilitate innovation networking events to develop a further understanding of the opportunities for the Garden Communities.

8. NEGC Strategic Business Planning

This Business Plan acts as a precursor to the preparation of a financed Long-Term Business Plan as defined at Section 5.2 of the NEGC Shareholders Agreement that will be developed during years 2 and 3 (i.e. 2020/21 and 2021/22) to support the ‘on the ground’ delivery of the Garden Communities.

During 2019/20 NEGC will:

- Prepare a costed Business Plan for the period 2020/21 and 2021/22 that will be submitted to the Board for approval in January 2020 and thereafter to The Councils for their approval.
- Secure external finance to fund the Business Plan for the period 2020/21 and 2021/22.

It is envisaged that the NEGC operating structure will continue to be reviewed through 2019/20 and informed by a number of workstreams, to ensure that an appropriate approach is in place to deliver on the programme’s vision and objectives, and level of local ambition.

For NEGC to achieve the objectives, deliverables and targets set out in this document, there will need to be sufficient resources in place to take proposals forward and these are outlined in Section 9.

6.3 Programme Timeline & Key Milestones

This 2019/20 period reflects the current position of the NEGC as a relatively new organisation and the detailed programme set out above includes the workstreams that are required to be developed with engagement with key partners and stakeholders in order to develop longer-term detailed plans. Future business plans will then be able to provide more detailed information on those workstreams, activities, outputs, performance measures and outcomes.

7. Strategic Milestones for 2020/21 & 2021/22

7.1 Strategic Milestones for 2020/21 & 2021/22

Section 6 of this document sets a Business Plan for NEGC for the 2019/20 financial year, which also includes key milestones for the 2020/21 and 2021/22 financial years. The reason for this approach of including 2020/21 and 2021/22 in the key milestones is to set out the future route map should The Councils decide to pursue a Development Corporation to deliver the Garden Communities, given that the approval of NEGC's role in any potential Development Corporation to deliver the Garden Communities would not be known until later in 2019. In addition, there is considerable reliance on the adoption of the Section 1 Local Plan in relation to NEGC activities from the end of 2019 onwards.

Whilst it is standard practice for a private company to prepare a fully detailed three-year Business Plan, it seems prudent given the uncertainty around various key elements of the NEGC programme and its associated dependencies, to set out a detailed plan for 2019/20 and then the key milestones only for the 2020/21 and 2021/22 financial years.

The priorities for 2020/21 and 2021/22, along with the key Council dates, are set out in the table below. As with the priorities for 2019/20, it should be noted that these dates are contingent on the Local Planning Authorities continuing to prepare evidence to support the proposed Garden Communities and that the Garden Communities continue to be included within the respective Local Plans. The milestones are also reliant on the Local Plan process and associated timings as set out in Paragraph 6.1 being met. Should the Local Plan process be delayed then these dates would need to be reviewed.

Similarly, the milestones have also assumed that NEGC continues to consider and investigate a Development Corporation based delivery strategy across the three Garden Communities. This approach doesn't prejudice the shareholders from needing to formally consider and approve any decision to apply for Development Corporation status but assumes that NEGC continue to lead the necessary preparatory work with Government and The Councils in moving forward with a Development Corporation delivery strategy.

Finally, and as with the priorities for 2019/20, these dates also assume that NEGC would have a long-term role in the setting up, implementing and subsequent structure of any such Development Corporation(s). Again, should this not be the case, then the Business Plan would need to be reviewed accordingly.

Date	Organisation	Planning Activity	Delivery Model Activity
20/21 Q1	NEGC	<ul style="list-style-type: none"> Preparation of masterplan layouts for each Garden Community NEGC Sequence 2 Public Engagement 	<ul style="list-style-type: none"> Preparatory phase for establishment of preferred delivery model
	NEAs	<ul style="list-style-type: none"> Inspector's final report on Section 1 Local Plans LDO preparation 	<ul style="list-style-type: none"> Should the Development Corporation model be preferred, Local authorities to submit the request for the appointment of the

Date	Organisation	Planning Activity	Delivery Model Activity
			Oversight Authority and designation of Development Corporation for each development corporation, as appropriate
20/21 Q2	NEGC	<ul style="list-style-type: none"> • Delivery of draft masterplan layouts for each Garden Community 	
	NEAs	<ul style="list-style-type: none"> • Adoption of Section 1 Local Plans • LDO preparation 	
20/21 Q3	NEGC	<ul style="list-style-type: none"> • NEGC Sequence 3 Public Engagement 	<ul style="list-style-type: none"> • Designation of Development Corporation, if the preferred delivery vehicle • Appointment by Oversight Authorities of agent • CPO made
	NEAs	<ul style="list-style-type: none"> • Preferred Options DPD consultation • LDO preparation 	<ul style="list-style-type: none"> • Designation of Development Corporation, if the preferred delivery vehicle • Formal appointment of Dev Corp Board by Oversight Authority and initial financial and governance controls, if the preferred delivery vehicle
20/21 Q4	NEGC		
	NEAs	<ul style="list-style-type: none"> • LDO preparation 	
21/22 Q1	NEGC		<ul style="list-style-type: none"> • CPO Inquiry
	NEAs	<ul style="list-style-type: none"> • Draft DPD consultation 	
21/22 Q2	NEGC		
	NEAs	<ul style="list-style-type: none"> • DPD Examination in Public hearing sessions 	
21/22 Q3	NEGC		<ul style="list-style-type: none"> • CPO confirmed
	NEAs	<ul style="list-style-type: none"> • Inspector's interim findings on DPD • DPD modifications consultation 	
21/22 Q4	NEGC		
	NEAs	<ul style="list-style-type: none"> • Inspector's final report on DPD 	

8. Programme Management

8.1 Operating Model

For NEGC to achieve the objectives, deliverables and targets set out in this document, there will need to be sufficient structures and staff resources in place to take proposals forward.

The NEGC operating model is based on a small core team which has responsibilities for:

- Programme and project leadership and vision.
- Business strategy and structure.
- Programme and project management, including the coordination of workstreams and commissioned work.
- Concept development through the evolution of site-specific masterplans.
- Planning for infrastructure, identifying and lobbying for funding.
- Evolving the economic strategy and exploring opportunities for innovation.
- Community outreach and engagement to make resources available to local Parish Councils and interest groups to help engagement in the process.
- Communications, engagement and marketing to ensure proposals evolve with local community involvement and are understood by wider audiences.

The operating structure will become more self-sufficient as time goes on but will continue, where appropriate, to draw on the support of a range of specialists across the partners, including on planning, legal and financial officers within each of The Councils. A service level agreement has been put in place with Colchester Borough Council to provide support services for NEGC such as accommodation, ICT, human resources and payroll. Other specialist services like Planning, Engineering, Architects, Strategic Finance, Tax, Commercial Delivery, and Property Agents will be provided by external consultants.

8.2 Staffing Structure

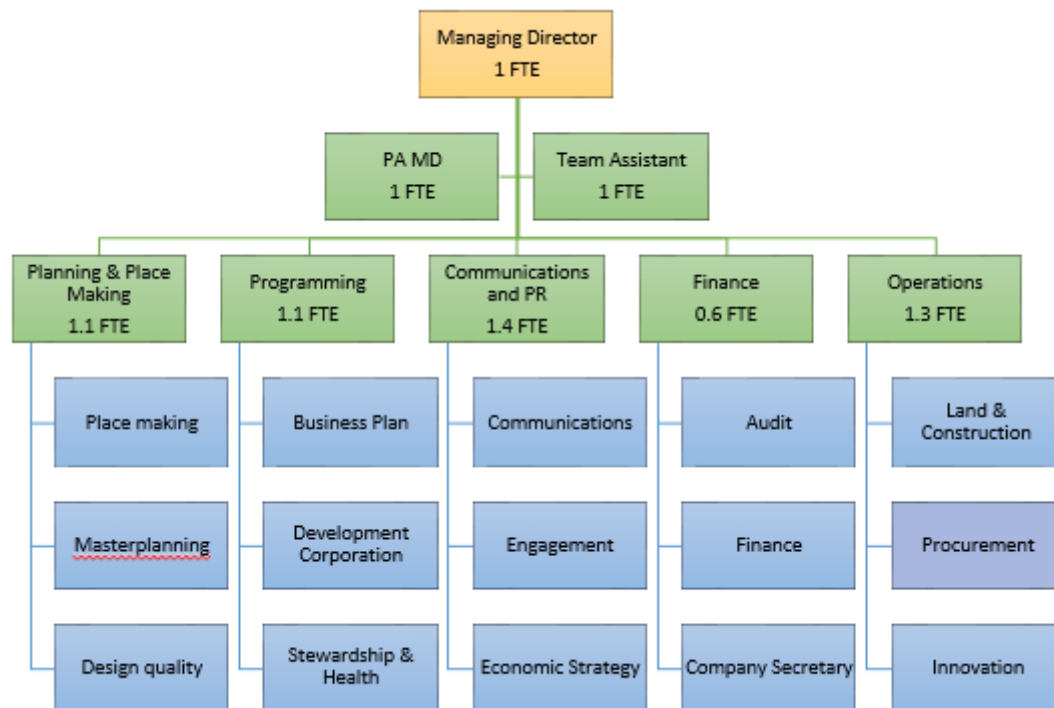
The team scope and remit will evolve and expand as necessary over the next few years as the preferred delivery model structure and individual project vehicles require more detailed support in terms of design and planning, including the need for multi-disciplinary technical inputs.

During the course of 2019/20, the current staff at NEGC (see organisation chart in Figure 3) are likely to remain in place and be supplemented (if required) by specific expert contractors:

- Employees: Group Managing Director (currently directly employed by NEGC); Programme Manager (seconded from Colchester Borough Council); and Communications Manager (seconded from Essex County Council).
- Expert contractors: Operations, Commercial; Procurement; MMC/Construction; Finance; Engagement & Marketing; Place Making & Masterplanning; Administration.
- Consultants: Economic Strategy; Delivery & Financial; Tax; Planning & Property; Legal; Land & Valuation; Masterplanning & Transport; PR & Communications; Company Secretary.

Figure 3: NEGC Programme Team– Total 8.5 FTE)

Note: The orange/green boxes denote the number of positions required and the blue boxes are topic areas



8.3 Governance & Workstreams

The NEGC Board oversees and provides strategic direction to the overall programme.

The day-to-day working of NEGC is overseen by the company's Group Managing Director and supported by a dedicated Programme Delivery Team (employees and expert contractors) who coordinate all work and programme-related activity, including overall programming and budget management.

The work of the core NEGC team will also involve some close joint working with a range of internal and external stakeholders, including officers from The Councils and key partners across a number of specialist areas.

The Programme workstreams will focus on the following specific areas:

- **Engagement & Economy:** to evolve the economic strategy and manage programme-wide external engagement, communications and public relations activity.
- **Masterplanning & Transport:** to assist the NEAs with their Local Plan Section 1 and to advance masterplanning and transport requirements and dependencies, including the Rapid Transit proposals.
- **Infrastructure & Utilities:** to engage with infrastructure and utility providers to ensure effective partnership working and commercially-focused delivery.

- **Commercial & Delivery:** to evolve the commercial delivery and land model, financial analysis, legal and corporate financing and tax considerations, including input to the evolution of associated Business Cases.
- **Stewardship & Innovation:** to evolve an appropriate approach to innovation and a local approach to long term stewardship, including the management and governance of local community assets.

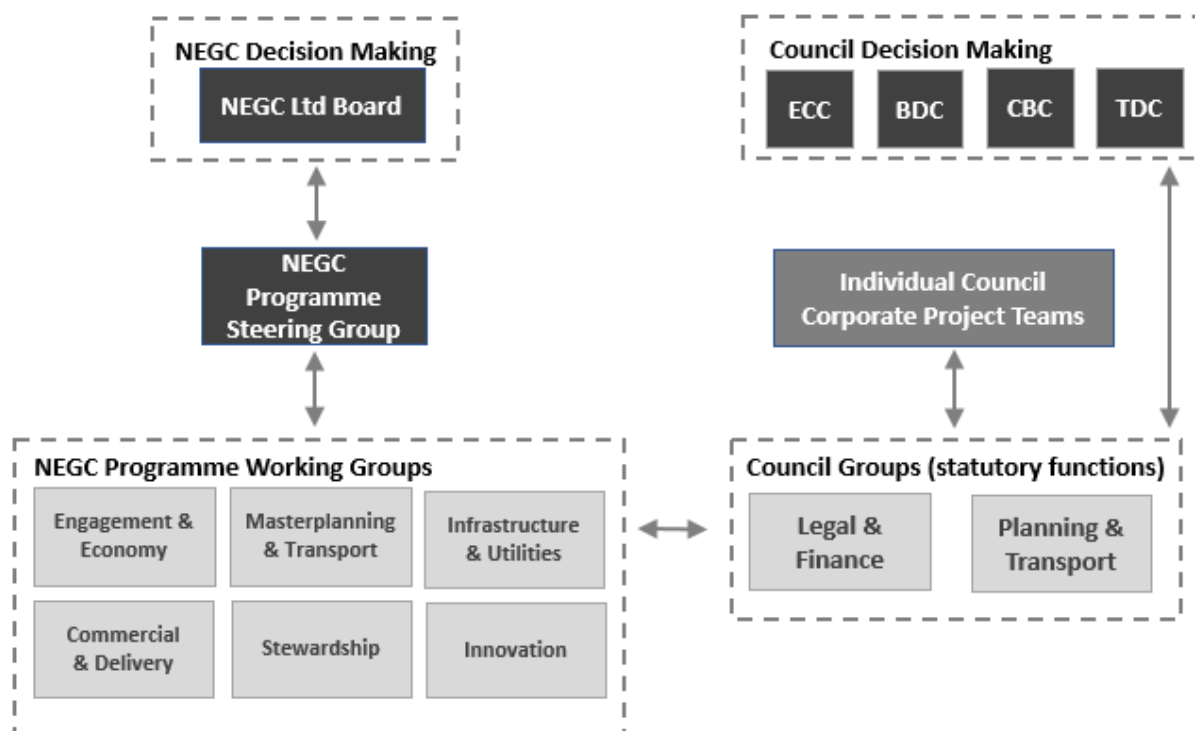
It is anticipated that Task & Finish project groups will be set up, as appropriate, and will report into the workstreams to take forward specific pieces of work. An overarching Steering Group oversees and monitors the outcomes from across the workstreams, including the NEGC business planning and the budget, enabling input into the Board. This is led by the Group Managing Director of NEGC and comprise of Senior Officers from The Councils, together with key staff in NEGC and external stakeholders, including representatives from Homes England and the University of Essex.

Additionally, a number of specialist groups are in place formed by the Council leads on key statutory functions to ensure there is close working between the NEGC programme and the wider statutory functions of The Councils. This approach ensures that there is distinction between the operational activities of NEGC, such as in relation to the evolution of land use proposals and its business model, and the statutory functions/duties and wider roles of The Councils. The statutory function groups will enable close communication, regular structured liaison and effective joint working between NEGC and The Councils across the following themes:

- **Finance:** to establish regular liaison between the programme and Council finance representatives (Section 151 Officers).
- **Legal:** to establish regular liaison between the programme and Council legal representatives (Monitoring Officers).
- **Planning:** to consider the approach alongside statutory planning functions of The Councils with respect to plan making and development management.
- **Transport:** to consider the approach alongside statutory transport functions and initiatives.

Each Council will also draw together specific inputs to the programme via internal project groups to ensure coordination across separate Council officers who are working with NEGC.

Figure 4: Workstreams & Governance



8.4 Outcome Resourcing

The following table sets out how each of the NEGC key priorities will be delivered by the programme workstreams, the anticipated outcomes of these projects and the resourcing they will require.

Priorities	Workstreams	NEGC Outcomes	Resourcing	
			NEGC Team	Consultancy
1. Local Plan	Statutory Planning & Transport	<ul style="list-style-type: none"> Adopted Section 1 	Place Making, Planning, Programming	Planning, Transport, Delivery & Viability
2. Engagement	Engagement, Stewardship Health	<ul style="list-style-type: none"> Improved 2-way communication with communities Informed stakeholders 	Comms & PR	Masterplanning, Comms & Engagement
3. Delivery & Stewardship	Commercial & Delivery Stewardship Statutory Legal & Finance	<ul style="list-style-type: none"> Mandate for appropriate delivery mechanism Funding options Stewardship strategy Construction strategy (including consideration of a Modern Methods of Construction proposition) 	Operations, Programming, Asset Management	Delivery, Legal, Finance, Cost, Design & Construction

Priorities	Workstreams	NEGC Outcomes	Resourcing	
			NEGC Team	Consultancy
		in partnership with Homes England) <ul style="list-style-type: none"> Asset Management Strategy 		
4. Economy	Economic North Essex Economic Board	<ul style="list-style-type: none"> Skills and Education strategy Inward investment strategy using “North Essex Opportunity” Input into wider North Essex Economic Corridor Strategy 	Comms & PR	Economic & Employment
5. Masterplanning & Transport	Masterplanning & Transport Statutory Planning & Transport	<ul style="list-style-type: none"> Rapid Transit Business Case HIFs implementation Opportunities & Issues for the Masterplans of Garden Communities Forecast Demand Report (including types of demographics & affordability) 	Place Making & Planning, Programming	Strategic Place Making & Masterplanning, Housing Demand, Transport
6. Infrastructure & Utilities	Infrastructure & Utilities	<ul style="list-style-type: none"> Utilities Capacity Report Commercial discussions with Utility providers 	Operations	Cost, Infrastructure & Utilities
7. Innovation	Innovation	<ul style="list-style-type: none"> Infrastructure report – “digital backbone” and future proofing assets for stewardship Living Space report – optimising design for a Construction strategy and delivering high quality & smart homes Health & Wellbeing report – innovations to deliver Healthy Garden Communities Economy & Business report – attract new organisations to locate to North Essex and encourage existing organisations in North Essex to grow 	Operations, Programming	Industry/Business partners
8. Strategic Business Planning	NEGC Board Steering Group	<ul style="list-style-type: none"> Long-Term Business Plan Medium and Long-Term Funding 	Managing Director, Programming, Finance, Operations	N/A

9. Finance

9.1 Overview

The programme to date has been supported through a combination of MHCLG capacity funding (grant) and additional equal revenue (grant) contributions from each of the four shareholder Councils.

As set out in this document, taking the programme forward during 2019/20 is resource intensive as the workload steps up to fund all necessary technical and design work to progress the Local Plan (Section 1) process, including beginning a three-sequence programme of public engagement whilst also developing a Delivery approach, including a potential Locally-Led Development Corporation proposition, so that the schemes to delivery-ready status. As such, the work during 2019/20 will ensure that the programme is able to get on site as soon as is practically possible after the adoption of the Local Plan progress. Essentially the work in 2019/20 will be a precursor and so enable the more detailed masterplanning work including further public engagement and site-specific infrastructure/utilities planning that will need to be progressed in 2020/21 onwards. In addition, the further supporting work on transport infrastructure and economic growth work plan across the North Essex area during 2019/20 will provide the surface access and employment foundations for the programme to be progressed in 2020/21 onwards. It should be noted that whilst this Business Plan reflects the work that needs to be done by NEGC during 2019/20, The Councils will continue to resource work associated with the Local Plan process and documentation.

9.2 2019/20 Budget

In the light of the need to progress the Local Plans (Section 1), it is deemed appropriate that this budget is funded by a mix of council and government funding (subject to a successful bid for grant funding). The level of funding required to deliver the programme workstreams contained in 2019/20 is £2.1m. It is proposed that the £2m is comprised of £1.4m Councils contribution (£350k for each of the four Council shareholders) and the remaining funding from a combination of Government funds (£0.6m) and funds carry forward from 2018/19 (£0.1m). North Essex Garden Communities is the largest programme in the MHCLG Garden Towns and Villages scheme. As at the end of 2018/19, the NEGC programme had received £3.2m Government funding from the MHCLG scheme and £2.4m funding from the Council shareholders. Once the proposed funding splits for 2019/20 are added to those historic amounts it would mean that there would be an equal split of Government MHCLG and the Councils funding for the NEGC programme by the end of 2019/20.

The programme for 2019/20 has been structured to ensure that the Local Plan and Engagement elements are prioritised especially during the first part of the year. During the second part of the year, the Delivery and Business Plan elements are prioritised in order to enable the project to progress the delivery of new homes and employment in the Garden Communities as quickly as possible after the conclusion of the Local Plan EIP. The table below provides an analysis of the main expenditure budget categories for 2019/20 and **Appendix C** sets out further detail on the budget for 2019/20 under each of the main budget categories:

2019/20 - £k	end Jul	end Oct	end Jan	end Mar
Expenditure				
Local Plan	400	723	1,050	1,220
Delivery	200	460	730	911
Total	600	1,183	1,780	2,131

The progress of the activity to deliver the 2019/20 element of this Business Plan, together with a reconciliation of spend against budget, will be monitored monthly via a programme report and presented as a standing item at future NEGC Board meetings. In addition, there will be three formal review milestone dates (end of July, end of October, end of January) where the NEGC Board will receive a report from the Group MD setting out the remaining budget requirements and corresponding expenditure together with a recommendation of how much of the total £1.4m Councils contribution should be drawn down to enable NEGC to progress to the next review milestone date. Consequently, the 2019/20 Interim Business Plan is not predicated on a need to receive the full £1.4m Councils contribution upfront in the year and allows a profile of Councils contributions that can be phased in accordance with the needs of the project.

9.3 2020/21 and 2021/22 Budget

Once Section 1 of the Local Plans has been adopted by The Councils, it is considered an appropriate time to move away from public revenue (grant) funding and obtain securitised external finance to fund the progression of detailed planning and the set-up of the delivery vehicle (potentially a locally-led development corporation) for the Garden Communities. In financial terms, the opportunity to prepare planning applications once the Local Plan is adopted means that there is a reduced level of development risk which in turn would lead to a more acceptable external financing risk for The Councils. These risks are reduced further when land is acquired and/or planning permission obtained.

It is envisaged that the set-up process will begin in 2020/21 and take around two years with a budget in the range of £16m to £20m (£4m-£5m each Council) across that two-year period, which is benchmarked on similar large-scale development projects and a range of funding options will be explored during 2019/20. Thereafter, it is envisaged that longer-term finance will be required to support the Long-Term Business Plan to begin the ‘on the ground’ development activity from 2022/23 onwards. This longer-term finance would be used to pay back the shorter-term finance required for 2020/21 and 2021/22.

Consequently, on the basis that the major outcomes are delivered by the end of 2019/20, it would mean that the programme could move to being externally financed and The Councils would then not need to provide further revenue (grant) contributions. Depending on the type and nature of external finance obtained for the two years 2020/21 and 2021/22, it is anticipated that there would be a need for on-going financial undertakings or support from The Councils.

Should Section 1 of the Local Plans not be adopted in the timescales envisaged in this Business Plan, the NEGC Board will undertake a review of the business plan and supporting budget for 2020/21 onwards.

10. Risk

10.1 Overview

To support the successful delivery of the NEGC Programme, the Programme Team maintains a high-level Strategic Risk Register for the NEGC Board.

The Strategic Risk Register focuses on the key risks the Board have identified as the most significant areas that need to be monitored and reported to them on a regular basis. These risks are set out in accordance with the Treasury Green Book approach to risk appraisal and are categorised as follows:

- Strategic;
- Economic;
- Commercial;
- Financial Case; and
- Management.

The Register uses a RAG (red, amber, green) rating system to highlight the total score of the recommended probability and impact of these strategic risks and also details the mitigation that has been put in place to manage these concerns. The programme's workstreams have contributed to the validity of these ratings to ensure they reflect the current position.

These key risks will continue to be monitored and updated as the programme progresses and will reflect the impact of the key workstreams and activities of NEGC. Any changes to the status of each of the risks will be reported to the Board in a timely fashion, as appropriate.

APPENDIX A: NEGC PRIORITIES AND MILESTONES 2019/20

NEGC PROGRAMME (19/20)														
	PRIORITY	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	
1	Local Plan	Assist the NEAs and UDC with the work required to progress their Local Plans							Appear and present evidence at the EIP for the Section 1 Local Plans					
2	Engagement	Engage closely with and lobby Government to consider the scope/scale of their involvement/support for a LLDC in North Essex												
							Sequence 1 engagement with communities		Create comms plan to launch the North Essex Development Corporation proposal					
3	Economy				Work with The Councils and key economic partners to deliver the high level work plan to deliver the North Essex Economic Strategy									
					Work with partner marketing and communications teams to ensure North Essex Economic Strategy is communicated and ‘marketed’ using the North Essex Opportunity branding									
4	Delivery & Stewardship				Consideration of preferred operating structure and funding requirements for the future delivery of Garden Communities under a Locally-led Development Corporation (Outline Business Case)									
		Initial legal & delivery analysis work		Prepare a draft Mandate for approval of proposed Oversight Authority/Local Authorities					Draft Mandate and outline Business Plan to Board		Final Mandate and Business Plan to Board for approval		Recommendation of Mandate & Business Plan to Councils for approval	
					Evolve corporate delivery and financing structure to best achieve the aims/objectives of The Councils									
		Liaise with the existing landowners and potential developers to establish whether commercial deals can be agreed that accord with the Development Corporation’s objectives										Initial work on CPO (subject to progress with negotiations)		
		Task and Finish working to progress identification of income earning and community assets, and potential management vehicles, developing a long-term stewardship approach												
							Stewardship Vision & update to Board		Completion of Stewardship content for Mandate					
5	Masterplanning & Transport				Prepare for Sequence 1 engagement to support masterplans and DPDs						Prepare key evidence base / technical studies to support the masterplans and DPDs			
					Masterplanning engagement with Stewardship group		Commence the preliminary work for the preparation of masterplans and LDO(s) for each of the new Garden Communities							
		Work with local government & Highways England partners and other relevant stakeholders to advocate for, and assist in, the delivery of the A12 and A120												
		Feasibility work for the implementation of the North Essex Rapid Transit System proposals in partnership with The Councils												
		Engage with Network Rail and other relevant stakeholders to consider and evolve wider transport opportunities including those presented in relation to the Greater Anglia network												
6	Infrastructure & Utilities	Evolve demand and capacity studies for strategic onsite infrastructure works, engaging with Utility providers as required							Produce a commercial approach to the delivery of the on-site infrastructure and utilities based on the outcome of an options appraisal					
7	Innovation	Task and Finish working to progress priority areas and develop topic work plans												
							Infrastructure Workshop		Economy & Business Workshop		Health & Wellbeing Report			
8	NEGC Strategic Business Planning	Work with Councils to consider their ‘hard’ and ‘soft’ ambitions and wider objectives for GCs												
					Prepare a costed Business & Finance Plan for the period 2020/21 and 2021/22							Board to approve 2020/21 & 2021/22 Business Plan		
		Undertake Options Appraisal / Commence Outline Business Case			Evolve Outline Business Cases for funding needs and financing proposals and secure external finance to fund the Business Plan for the period 2020/21 and 2021/22									
NEGC Board Meetings			▲		▲		▲		▲		▲		▲	

APPENDIX B: RATIONALE AND STRATEGIC BUSINESS CASE CONTEXT

This Appendix sets out information pertaining to several key components of the ‘Strategic Outline Case’ as per the HM Treasury Green Book and forms the basis of subsequent work in 2019/20 which will feed into the development of the ‘Outline Business Case/s’.

The Rationale: Key Issues – Opportunities and Challenges

North Essex will be an area of significant growth over the period to 2033 and beyond, embracing positively the need to build well-designed new homes, create jobs and improve and develop infrastructure for the benefit of existing and new communities.

Future growth at scale across North Essex will need to address a number of key issues. It will be challenging and require a robust response to ensure proposals come forward that can meet the overall scale of ambition, vision and a clear set of defined local objectives. Sustainable development principles will be at the core of the strategic area’s response to its growth needs, balancing social, economic and environmental issues.

The future response will need to address the following key components.

Meeting the need for new housing

The North Essex authorities are committed to plan positively for new homes and to significantly boost the supply of housing to meet the needs of the area. To meet the requirements of national policy to establish the number and type of new homes, the authorities commissioned an Objectively Assessed Housing Need Study.

The study has identified the objectively assessed need across the Housing Market Area (which includes Braintree, Colchester, Tendring and Chelmsford) and sets a challenging context to The Councils in needing to plan positively for future growth in a sensible and sustainable manner.

The Councils are also taking a long-term approach to ensure that new development can be planned in a thorough and holistic way to set the basis for future growth and infrastructure planning across North Essex for many years into the future. This in turn helps to consider and define appropriate strategic infrastructure needs in response to the overall scale of growth.

Providing for Employment

A key objective for the area is to strengthen and diversify local economies to provide the capacity and opportunity to enhance and diversify local employment; and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.

Braintree District’s employment is relatively focused on industrial-type sectors, including construction and manufacturing. London Stansted airport plays a significant role in not only employing residents of the District, but through the indirect economic benefits associated with proximity with such a large employment hub. Retail is the second largest sector by employment and plays an important role in sustaining the District’s three key town centres. The financial and insurance sector, where Braintree District traditionally has a relatively small proportion of employment, has seen some strong employment growth in recent years.

Colchester is the dominant town within the Essex Haven Gateway and will accommodate much of the future growth in the sub-region. It is one of the UK's fastest growing towns and has developed a strong economy, linked to the town's historic character, cultural activities, and its university.

Tendring District has a diverse economy with local employment across a range of activities. Health, retail and education are the largest sectors in terms of the number of jobs and together represent 45% of the District's total employment.

The employment offer will need to provide new opportunities, taking care to ensure that it supplements and complements existing employment areas, settlement hierarchies, and the role and function of existing centres of activity.

Infrastructure and Connectivity

A growing economy requires good accessibility and has impacts on travel demand. The challenge is to provide a sustainable transport system, while providing good access to jobs and services, to support economic growth.

The new Garden Communities will need to be supported by appropriate transport infrastructure. Braintree, Colchester and Tendring will continue to work closely with Essex County Council, Highways England, and other partners to improve roads and public transport and to promote cycling and walking, and to better integrate all forms of transport.

The A12 is set to have major improvements as part of the Government's Roads Investment Strategy (2015-2020) (RIS), with the aim of improving capacity and relieving congestion. The plans were announced in December 2014 and will represent the largest investment in road infrastructure received by Essex.

The A120 is a key east-west corridor across Essex providing access to London Stansted Airport in the west to Harwich Port in the east and serving the economies of Colchester, Tendring and Braintree, with links to Chelmsford via the A130. The road is dualled between the M11 and Braintree, but the section from Braintree to the junction of the A120/A12 is of a low standard with heavy congestion, high accident risk and poor journey reliability. Highways England and Essex County Council are working together to study options for dualling the A120 between Braintree and A12 junction, with the County Council taking the lead.

The aim is to ensure that the work on both the A12 and A120 are directly linked and informed by the planned growth across North Essex through partnership working between all parties. In addition, such projects are essential in enabling planned growth to come forward supported by the necessary strategic infrastructure. The scale of new development envisaged will also need to deliver public transport improvements, including improved rail infrastructure and potential for rapid transit services.

The rail network is heavily used by passenger trains and through freight from the Haven Ports. The Great Eastern Main Line provides services to London Liverpool Street. The Anglia Route Study shows that while capacity varies along the line, capacity to accommodate growth is limited and is particularly constrained in peak times from Chelmsford to London. Improvements are required along the line to accommodate growth and provide a faster more competitive service across the region. A package of improvements will be necessary to respond to the need for increased capacity, which are seen as priorities to enable growth, improve services and journey reliability.

Promoting sustainable transport opportunities

Alternative forms of transport to the private car (walking, cycling and public transport, including rapid transit) to travel will be key to managing congestion and to accommodating sustainable growth. By promoting travel by sustainable modes there are wider benefits to local people such as personal health, less pollution and using less resources (including land), and they are cost effective.

The levels of growth will require proactive travel planning and management. Travel planning and smarter choices initiatives will be promoted to ensure that all residents have good access to local jobs, services and facilities, preferably by either walking or cycling. For longer trips and in rural areas where there are fewer local services and employment opportunities, public transport will be promoted.

Education and Healthcare

New development must provide for the educational needs of new communities. A range of educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training and apprenticeships.

NEGC will need to work with the NHS and key local health providers to ensure the provision of healthcare facilities to support new and growing communities. This will be particularly important given the ageing profile of existing and future residents. There is already a need for more and better quality health care facilities across the region.

Broadband

High quality communications infrastructure is crucial for sustainable growth. The availability of high speed and reliable broadband is a key factor in unlocking new development opportunities and ensuring that people can access services online and work from home. Fast broadband connections and telecommunications are an increasingly important requirement to serve all development. The priority is to secure the earliest availability for universal broadband coverage and fastest connection speeds for all existing and new developments.

Creating Quality Places

New development must reflect high standards of urban and architectural design. It must also be functional and viable. The new Garden Communities will be planned carefully with the use of masterplans and design codes, and potentially independent design panels, to further evolve the approach set out in Local Plans and emerging Concept Frameworks.

This requirement for high design standards will apply to public and private buildings across all scales of development as well as to infrastructure projects. Enhancements to the public realm, landscaping measures and attention to architectural detail will be important features that the authorities will wish to see included in new developments.

At new Garden Communities, there will be a particularly strong emphasis on strategic scale and local green infrastructure, creating a strong natural environment for living, working and leisure whilst also making a vital contribution to quality of place, biodiversity and health outcomes.

The Councils Response: Spatial Planning for North Essex

Local authorities are required to set out the strategic priorities for the area and be ultimately responsible for ensuring such plans come to fruition. The Councils through Local Plans, a North Essex Garden Communities Charter, and Prospectus have come together to establish a strategic context which establishes the case for change and starts to inform a potential way forward.

The approach is being evolved to enable a joined up and effective approach that can:

- Deliver the homes and jobs needed in the area over the long term;
- Secure the provision of infrastructure for transport and telecommunications, education, health, community and cultural infrastructure; and
- Ensure the creation of quality places including the conservation and enhancement of the natural and historic environment, including landscape, together with an affective long-term approach to effective local stewardship.

Braintree, Colchester and Tendring have all been evolving new Local Plans which have been brought forward through separate decision-making structures within the respective Councils. Alongside this and in accordance with the Duty to Cooperate, The Councils have worked closely to plan effectively for the long term.

The Local Plan making processes have considered the most appropriate spatial approach to future development, including formal consideration and consultation on initial issues & options, and identification and consultation on preferred options, leading to the proposed joint approach being agreed and submitted to the Planning Inspectorate for examination.

The approach has evolved into the consideration of cross boundary strategic matters (including the potential location of 3 proposed Garden Communities) through a joint “Section 1” component of the plan, together with separate “Section 2” components which address local matters for each separate Council. The Plans are accompanied by a broad evidence base which has informed decision making, have included formal stages of public and stakeholder consultation and strategic environment assessment, which included evaluation of potential alternatives.

The vision for North Essex at a strategic level has been set out by the local planning authorities within Section 1 of the Preferred Option Local Plans. This addresses both an agreed joint spatial vision for the wider area together with the role and significance of the proposed Garden Communities. The vision sets out a clear statement of local ambition and establishes a strategic basis from which to move forward. It enables The Councils to plan positively for the future homes and jobs needed across the area, the provision of high quality infrastructure (transport, telecommunications, education, health, community and cultural infrastructure); and the creation of quality places including the conservation and enhancement of the natural and historic environment, including landscape.

Corporate Consideration of the Delivery Approach

The Local Plans have been brought forward through respective plan making committees and decision-making structures, which has considered the spatial approach and evidence underpinning the consideration of options leading to a preferred spatial scenario including the 3 proposed Garden Communities.

Cabinet Meetings for each of the NEAs in January/February 2016 specifically considered the progress of joint work relating to Local Plans, with specific reference to the potential for cross-boundary sites to come forward, and the NEAs' role in their further consideration and potential delivery.

The Councils agreed to formalise the joint working into a joint working governance structure including representation on a Shadow Joint Delivery Board, programme Steering Group and topic based working group structures. Initial advice had been provided in respect of potential delivery options and implications, and further advice was to be commissioned. The Shadow Delivery Board was established to provide overall direction in respect of the programme and an appropriate delivery structure should the partners decide to progress with strategic cross boundary Garden Communities, subject to the plan-making process.

At the meetings, The Councils agreed to the continued joint working and further consideration of proposals including scope to take an active role in the development and construction of the new proposal Garden Communities. Following this the Council committed resources both in relation to officer time and a financial contribution to support the joint work alongside grant funding secured from the Department for Communities and Local Government to support the evolution of further feasibility studies.

Reports were subsequently brought back to respective Council Cabinets in November/December 2016 to seek approval for The Councils to enter into joint arrangements with the other Councils to create an overarching body to be known as North Essex Garden Communities Limited (NEGC) to coordinate the development of the sites and establish further companies (Local Delivery Vehicles (LDVs) for each proposed garden community. The Councils were asked to give in principle agreement to provide proportionate funding to enable the initiative to proceed.

Further papers were considered at Council Cabinet meetings in August/September 2017, which provided an update on the general approach, and secured endorsement to promote the positioning of NEGC with respect to the potential establishment of a single new locally-led development corporation as one of several delivery model options, as well as support to the principle of using compulsory purchase orders to secure control of land if voluntary agreements could not be achieved in a reasonable time. The Councils committed further revenue contributions to continue working on the initiative.

Importantly, the decisions made clear that the corporate decision relating to delivery did not commit any council to allocate any sites within the Local Plan, as this has been subject to separate decision-making processes in accordance with the statutory requirements and material considerations at the relevant time.

The Commercial Case & Options Considered

The Councils have considered a wide range of alternative delivery mechanisms and structures.

The principal alternative options would be to allow for the development of the settlements, namely:

1. by the private sector under traditional approaches to such development;
2. via some form of public/private partnership/joint venture; or
3. via a public sector led delivery structure.

Current and past experience provides evidence of the difficulty of relying upon a solely private sector approach, and weaknesses in relying purely on planning policy to secure suitable outcomes. Multiple issues have hindered the progress of such large-scale sites, be it due to the nature of land promoters/developers, their ability to deliver and raise suitable finance, and often a reliance on the public sector to ultimately intervene and/or provide some form of funding support. In addition, planning policy can be open to interpretation and a degree of flexibility, most notably in respect of viability concerns, meaning that full policy objectives have potential to not be achieved.

Given the level of local policy and place-making ambition and choice that has been made to bring forward schemes along true ‘Garden City’ principles, their scale and timescale of delivery, complexity and landownership position of the sites being considered, it was considered that neither private sector led or joint public/private approaches (whereby the private sector retains a controlling stake) would offer the same level of confidence that over a development programme of 30 years that the garden community objectives would be met throughout different economic cycles.

The approach has therefore focussed on adopting a positive and proactive public sector leadership role from the outset, with a strong planning policy basis and direct role in delivery. This was considered to offer sufficient certainty about ambition and eventual delivery.

The projects will take in the order of 30-40 years to deliver; infrastructure which supports the development of the whole programme will necessarily have a long payback period, the public sector is well placed to act as a patient investor taking a long-term approach to payback enabling higher levels of investment at early stages.

It was originally envisaged that land would be acquired via the LDV’s in the governance structure created by The Councils and through successful negotiations with existing landowners, or via a CPO made by the planning authorities if necessary. Negotiations have as yet not been able to conclude to a satisfactory outcome.

Changes to the law made by the Neighbourhood Planning Act 2017 has meant that the prospect of a New Town style, Locally-Led Development Corporation (LLDC) with local accountability has emerged as a realistic option for the onward development of the programme. Whilst this would change the currently formulated delivery model, it would be based on the same vision and delivery principles as outlined above; particularly early development of infrastructure and it being public sector led.

If a LLDC was created, the use of LLDC planning powers would be supported by land ownership to provide a stronger mechanism than traditional planning agreements or Community Infrastructure Levy (CIL) for the recovery of investment and a safeguard against opportunistic planning applications that are contrary to the agreed plans.

Initial consideration of the key issues indicated that speedy establishment of an LLDC could provide major advantages, both in terms of ensuring effective delivery in line with the aspirations of The Councils through the Vision, and in respect of delivering effective funding arrangements.

The programme was reviewed by Lord Kerslake in January 2017, which identified a series of recommendations that had an influence over programme resourcing, risk management and appropriate timescales. This has informed the approach. The proposals will enable the Council to have a significant role in ensuring that there is a sustainable environment with strong community facilities,

including green spaces. This focus on a sustainable community with strong infrastructure will also include both education and health facilities, which meet the needs of all sectors of the community.

Clearly within the proposals there is the potential for a significant investment by The Councils. This would need to be managed in such a way as to ensure that this is viable. The Council's will be looking at this as a long-term investment and therefore there may need to be careful consideration of the details of future funding agreements and their impacts on The Council's budgets, while also recognising affordability within budget envelopes.

Such matters will evolve further and be encapsulated into the progression of related Business Cases, prepared to align with HM Treasury Green Book approaches. This Business Plan sets out information aligned to elements of the initial scoping and Strategic Outline Case stage of the process.

Working with Stakeholders

The existing stakeholder picture is a complex one. NEGC is currently working together with The Councils, along with a number of statutory organisations and local business groups such as the Haven Gateway and South East Local Enterprise Partnership. In addition, the future delivery at the scale envisaged through the NEGC programme interfaces with the expansion plans for many key bodies such as the University of Essex, Stansted Airport, Harwich/Felixstowe ports, and the opportunity and ambition for economic growth as set out in the NEGC Prospectus.

The focus will need to be placed on NEGC having a key focus on delivery, distinct from the wider roles of the founding Councils. This refocussing will provide an opportunity for a wider discussion with key individuals / groups and an emphasis on aligning the work to achieve broader aims and objectives across the North Essex area.

Having a structured approach to stakeholder management will help to identify quick wins to progress or where there are stakeholder issues that may take longer to fix. It can also help to identify issues, where there are gaps in relationship management or where additional support is needed to facilitate new relationships.

An initial list of stakeholder groups is set out below. All will need to continue to be effectively engaged in the programme for it to be a success, and deliver on wider ambitions:

- Political (national/local MPs / Members / parish and town councils)
- Officials (key Government Departments and organisations, Civil Servants / Senior Officers)
- Local Interest & Pressure Groups (national/local)
- Social & Community Groups (local authority area)
- Business Groups (national/local)
- Education & Skills (sub region/local authority area)
- Health (sub-region/local authority area)
- Statutory groups (Police/Fire, Transport, Utility, Environment, Heritage etc.)
- Housing & Construction sector (national/local)
- Economic (national/regional (LEPs & corridors)/local)

NEGC will need to continue to interface with key stakeholder groups so that joint initiatives can be progressed and delivered. To do this successfully, responsibilities need to be refined between the key partners and then allocated accordingly.

It is important to recognise that stakeholders directly (or indirectly) interface across a number of relationship owners. For example, they may have an interest in multiple issues or areas of control. Their influence may change over time. Stakeholders can ‘wear different hats’ for different scenarios and issues (and may behave differently with different situations or audiences). Continuing to be aware of these interfaces and multiple interests is important, plus knowledge of stakeholder networks and cross- connections will be key.

It will be important for NEGEC to consider how it expands its existing engagement programme and continues to raise its profile in the future. Further detailed analysis, building on the work done to date, will be undertaken on comprehensive stakeholder mapping as part of a wider approach to publicity and & communications and as work on a North Essex Economic Strategy and site-specific masterplans begin to take shape.

Stakeholders and relationships will change over time and any stakeholder analysis can only provide a snapshot in time. Therefore, it will be important to continue to regularly monitor and measure stakeholder views, interfaces and associated influencing factors.

APPENDIX C: NEGC BUDGET FORECAST 2019/20

£000's	Q1	Q2	Q3	Q4	Total
Local Plan / DPD					
Staff	£103.8k	£119.6k	£126.5k	£120.8k	£470.7k
Overheads	£27.3k	£33.5k	£36.5k	£30.4k	£127.7k
Supporting studies	£45.5k	£65.1k	£79.5k	£10.5k	£200.6k
Planning	£79.5k	£84.5k	£71.75k	£69.75k	£305.5k
Engagement	£6.0k	£18.0k	£13.3k	£5.5k	£42.8k
Risk/Contingency	£14.0k	£14.0k	£13.8k	£29.6k	£71.4k
Total					£1,218.7k
Delivery Strategy					
Staff	£68.7k	£70.2k	£71.7k	£72.7k	£283.3k
Overheads	£20.8k	£22.3k	£21.3k	£20.8k	£85.2k
Governance	£9.0k	£4.0k	£7.5k	£54.2k	£74.75k
Delivery & Stewardship	£15.3k	£29.4k	£37.6k	£38.5k	£120.8k
Masterplan/Transport	£1.0k	£1.0k	£11.0k	£20.1k	£33.1k
Infrastructure & Utilities	£5.0k	£15.0k	£25.0k	£30.0k	£75.0k
Strategic Business Planning	£31.0k	£61.0k	£81.1k	£44.0k	£217.1k
Risk/Contingency	£6.2k	£5.0k	£5.0k	£6.3k	£22.5k
Total					£911.7k
Overall Total					£2,131k

Report of	Assistant Director of Policy & Corporate	Author	Hayley McGrath ☎ 508902
Title	2018/19 Year End Review of Risk Management		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report provides members with an overview of the Council's risk management activity undertaken during the financial year from 01 April 2018 to 31 March 2019.
- 1.2 Effective management of risk is essential to ensuring that the Council's aims and objectives are achieved. The Council has therefore approved a Risk Management Strategy, which is included in the policy framework. This provides a comprehensive risk management process that is embedded across the organisation and includes a strategic risk register (which is the responsibility of the senior management team), operational risk registers which are produced by each service, project risk monitoring and specific risk mitigation initiatives.
- 1.3 The Risk Management strategy and processes are reviewed annually to ensure that they are still appropriate to the Council's needs and continue to be effective in identifying and mitigating risks to its aims and objectives.
- 1.4 Key Messages:
 - The highest level risk on the strategic risk register is the potential impact of the United Kingdom leaving the European Union. This is followed by the difficulty to compete with the private sector in the recruitment (and retention) of staff with key marketable skills.
 - The potential impact of future government decisions to reduce public funding, failure or inappropriate management of a strategic partner and the delivery of the Garden Communities project, are still recognised as significant risks. These are outside of the direct control of the Council, however the impacts of these risks are mitigated as far as possible, and risks and controls identified in section 6 of the register – Assets and Resources – are a reflection of some of the work that is undertaken to ensure that the organisation can respond to these challenges.
 - Risk Management principles continue to be reinforced and embedded in the organisation. The 2017/18 Annual Audit letter, issued by the Council's external auditors, Ernst & Young, in August 2018, did not include any findings of anticipated risks occurring. This is further demonstrated by the repeated 'substantial' assurance rating from the Internal Audit review of the Risk Management function.

2. Recommended Decision

- 2.1 Note the Council's progress and performance in managing risk during the period April 2018 to March 2019.
- 2.2 Consider and comment on the current strategic risk register.
- 2.3 Approve the proposed risk management strategy for 2019/20 and recommend to Full Council that it be included in the Council's Policy Framework.

3. Reason for Recommended Decision

- 3.1 Cabinet has overall ownership of the risk management process and is responsible for endorsing its strategic direction. Therefore, the risk management strategy states that Cabinet should receive an annual report on progress and should formally agree any amendments to the strategy itself.
- 3.2 During the year progress reports are presented to the Governance & Audit Committee, detailing work undertaken and current issues. This report was presented to the Governance & Audit Committee on 30 July 2019, where they approved its referral to this meeting.
- 3.3 The Risk Management Strategy is one of the key corporate governance documents that supports the Constitution of the Council, and forms part of the Policy Framework. Accordingly, any amendments have to be approved by Full Council.

4. Alternative Options

- 4.1 There are no alternative options to consider

5. Background Information

- 5.1 The aim of the Council is to adopt best practice in the identification, evaluation, cost-effective control and monitoring of risks across all processes, to ensure that risks are properly considered and reduced as far as practicable.
- 5.2 In broad terms risks are split into three categories:
 - Strategic – those risks relating to the long term goals of the Council
 - Operational – risks related to the day-to-day operation of each individual service
 - Project – the delivery risks of specific initiatives.
- 5.3 Identified risks, in all three categories, are judged against levels of probability and impact to give them an overall score. This allows the risks to be shown as 'high, medium or low' which enables a prioritised action plan to be set for managing risks. A high score does not mean that a risk has, or will definitely, occur.
- 5.4 In many cases the causes of risks are outside of the Council's control, such as general economic issues. The Council cannot stop these risks from occurring (the probability score) but can put plans in place to mitigate against their effect if they occur (the impact score). Likewise, there are occasions that risks can be reduced with preventative actions but there is not much that can be done to mitigate their effect if they do occur, such as a failure to protect public resources. Therefore, some risks will tend to maintain the same score, regardless of the controls that the Council puts in place.

6 Work undertaken during the period

- 6.1 There were no fundamental changes to the risk management function, or the processes used to identify and control risk, during 2018/19.
- 6.2 An audit of the risk management function was carried out in February 2019. This produced four priority 2 recommendations and two priority 3 recommendations. These related to standardising the operational risk registers, updating training and development of the risk processes within Colchester Commercial Holdings Limited.
- 6.3 A significant proportion of the work undertaken during the year related to the preparations for the United Kingdom's exit from the European Union, especially around the possibility of there being no deal agreed for the exit. This included working with partners across Essex to mitigate the impacts.
- 6.4 Work has continued to develop the insurance and risk programmes for Colchester Commercial (Holdings) Limited, to ensure that emerging commercial risks are appropriately managed.
- 6.5 Support continues to be provided, reviewing the risk elements of event plans, to both the Colchester, and the Community Stadium, Safety Advisory Groups.
- 6.6 The risk registers for the Joint Museum Service and the North Essex Parking Partnership both continue to be produced and reported to the joint committees.

7 Strategic Risk Register

- 7.1 During 2018/19 the strategic risk register was reviewed by the senior management team every quarter and reported to the Governance & Audit Committee every six months. The current register is shown at appendix 1. These risks have been mapped onto a risk chart as shown at appendix 2.
- 7.2 The Corporate Governance Manager reviewed the strategic risks with each member of the Senior Management Team in March 2019, and in June 2019 the Performance Management Board (PMB) comprehensively, and robustly, reviewed the register to ensure that the identified risks were still appropriate, and that individual risk tolerances do not unduly influence the scores.
- 7.3 Several of the risks on the register are scored at the higher end of the scale. This is not an indication that they will definitely occur, rather that the council is cautious about its ability to influence the likelihood or the potential impact. A further review of these risks will be undertaken later in the current year.

8. Risk Management Strategy for 2019/20

- 8.1 The Council's current approach to managing risk was introduced in 2006/07. A requirement within the strategy, and also of the annual audit assessment, is to review the approach each year to ensure that it is still appropriate to the Council's needs.
- 8.2 Therefore a review has been undertaken and the strategy has been updated for 2019/20. The revised strategy is attached at appendix 3. There are no fundamental changes proposed to the risk process, with amendments only to external review comments and the updating of external guidance references.

9. Equality, Diversity and Human Rights implications

- 9.1 There are no equality, diversity or Human Rights implications as a result of this report.

10. Strategic Plan References

- 10.1 The strategic risk register reflects the objectives of the strategic plan and the actions have been set with due regard to the identified key strategic risks. Therefore, the risk process supports the achievement of the strategic objectives.

11. Risk Management Implications

- 11.1 The failure to adequately identify and manage risks may have an effect on the ability of the Council to achieve its objectives and operate effectively.

12. Other Standard References

- 12.1 There are no particular references to consultation or publicity considerations or financial; community safety or health and safety implications.

Appendices

Appendix 1 – The strategic risk register

Appendix 2 – Strategic risk register score matrix

Appendix 3 – Risk Management Strategy for 2019/20

Colchester Borough Council – Corporate Strategic Risk Register
July 2019 – September 2019

1. AMBITION											
Specific Risks		SCORE						Consequences	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
1a	In a period of public sector resource reductions, the ability to have ambition and to deliver on that ambition.	3	2	6				Major changes needed to the town would not be delivered thus affecting the quality of life of its residents and businesses.	Ensure the KPI and SPAP reporting processes are effectively used to inform senior management and politicians about the performance and direction of the organisation.	Assistant Director Policy and Corporate	September 2019
1b	Unrealistic internal and external expectations on the speed of delivery.	3	3	9				Major downturn in public sector resourcing over the next few years will hamper the speed of delivery across the services provided.	Ensure that the organisation has a clear strategy for working effectively with businesses in the borough, to develop the economy.	Strategic Director of Policy and Place	September 2019
1c	The Council is unable to effectively influence changes in the Borough economy.	3	4	12				Poorer external assessments by independent agencies and loss of Council reputation.			
1d	Over reliance on a limited number of people limits ability to deliver our ambition.	3	3	9				The Borough Council loses its status and influencing ability at sub-regional, regional and national levels.	Manage the recruitment and development processes to ensure that the organisation has the appropriate skills and expertise.	Chief Executive	September 2019

2. CUSTOMERS											
Specific Risks		SCORE						Consequences	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
2a	The expectations of our customers, set alongside the financial constraints, will create challenges to service delivery, our channel shift ambitions and the reputation of the authority.	3	4	12				The Authority fails to deliver the standards of service and delivery which our customers expect, especially in relation to self-service and the reliance on technology capabilities.	Monitor the engagement and consultation processes, to ensure customers are able to inform service priorities and delivery, whilst managing their methods of interaction with the organisation. This will be evidenced by reporting the pattern of usage of the routes used by customers and savings achieved.	Strategic Director of Customer and Relationships	September 2019
2b	The expectation remains that the Council will step in to deliver services when other providers either fail or reduce service provision	3	3	9				The Council suffers from a loss of reputation as customers' expectations are not met. There is increased demand on existing services leading to a reduction in standards of delivery.	Ensure that Cabinet set a clear and consistent message about the role of CBC for customers and partners.	Strategic Director of Customer and Relationships	September 2019
2c	Impact of the implementation of Universal Credit in Colchester could lead to additional work for CBC to help customers apply for the new single benefit. There will be a transition period whereby residents move to the new application which could be difficult for some of our more vulnerable customers.	2	3	6				The Council fails to support our most vulnerable residents leading to an increase in crisis intervention.	Regularly monitor the impact of the resources allocated to the welfare reform project, to ensure that customers are supported with signposting to appropriate providers/partners.	Strategic Director of Customer and Relationships	September 2019

3. PEOPLE											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	o	P	I	O				
3a	Unable to compete with the private sector in the recruitment (and retention) of staff with key marketable skills	5	3	15	4	3	12	Decline in service performance Disengaged and demotivated staff Efficiency and productivity reduction	Communicate job opportunities and benefits of working at CBC clearly and imaginatively. Review opportunities to do things differently for key posts including considering the value of trading companies.	Assistant Director Policy and Corporate Assistant Director Policy and Corporate	September 2019 September 2019
3c	Staff motivation declines with an impact on service delivery, our capacity to make changes and implementation of budget efficiencies	3	4	12				Inability to meet changing requirements and needs Customer perceptions decline as we deliver less Loss of key staff	Monitor staff morale and trends using staff surveys and by monitoring the People Dashboard; and ensure good communications with staff, exploiting new technologies such as yammer. Implement the action plan for the People Strategy; ensuring that performance is regularly monitored. Regularly report the progress of the learning and development strategy, including financial considerations and business behaviours, and exploring training alternatives.	Assistant Director Policy and Corporate Assistant Director Policy and Corporate Assistant Director Policy and Corporate	September 2019 September 2019 September 2019

3. PEOPLE											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	o	P	I	O				
3e	There is an increase in challenging behaviour from customers, towards officers, when the Council cannot meet the customer's expectations. Alongside partners being unable to provide support or having incorrectly signposted the customer to the Council.	3	3	9				Officers suffer potential mental and physical issues as a result of confrontations. The ability to assist the customer is reduced. Service delivery declines	Ensure that the Health & Safety reporting process is used to record instances of violence and aggression, with regular reporting to senior management. Develop an on-line training tool for staff, for managing difficult situations. Liaise with partners, such as Police and health, about expectations for vulnerable customers. Both in terms of emergency response to issues and services that the Council can, and cannot, provide.	Strategic Director of Customer and Relationships	September 2019

4. HORIZON SCANNING

Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
4a	To continuously assess future challenges to ensure Council is fit for future purpose	2	4	8				If not properly managed then either the Council will lose the opportunity to develop further or will have enforced changes to service delivery. Adverse impact on local residents / resources. Missed opportunities to boost local economy. Conflict between Council / Government agendas. Reduction in levels of service provision and potential withdrawal of services.	Regularly monitor national trends and policy changes, ensure that CBC is represented on specialist network groups.	Strategic Director of Customer and Relationships	September 2019
4b	Not taking or creating opportunities to maximise the efficient delivery of services through shared provision, partnerships or commercial delivery	4	3	12					Identify and maintain skill set required to meet future challenges, maintain partnership relationships	Strategic Director of Policy and Place	September 2019
4c	Failure by the Council to spot / influence at an early stage the direction of Central Government policies / new legislation.	3	3	9					Ensure that responses are considered and provided for consultations. Utilise specialist officer knowledge and ensure CBC representation on relevant working groups.	Assistant Director Policy and Corporate	September 2019
4d	Potential impact of future central government decisions on public funding, including that of our partners e.g. Fair Funding Review, Business Rates Retention	4	4	16					Maintain a constant review of the budget situation, incl impact of decisions from central government. Identify additional actions and areas for spending as necessary.	Chief Operating Officer	September 2019
4e	The UK's withdrawal from the European Union is leading to a number of uncertainties. At the moment it is unclear how this will impact on the Council, our communities and businesses. There are different potential risks depending on the agreed exit arrangements..	5	4	20					Continue to monitor the Government's announcements on the implications of the exit from the EU and to bring them to the attention of decision makers at the appropriate level, including the potential implications of a 'no deal' Brexit.	Strategic Director of Policy and Place	September 2019

5. PARTNERSHIPS											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
5a	Failure or inappropriate performance management of one or more strategic partnerships or key contracts E.g. Haven Gateway, LEP, Health, CBH, Emergency Services	4	4	16				The cost of service delivery is increased however quality decreases. Failure to deliver key priorities. Reputational and financial loss by the Authority. Failure to deliver expected outcomes through partnerships	Set an assessment process for proposed strategic partnerships (to ensure that they will satisfy the Council's objectives) that needs to be signed off by EMT before commitment to new partnerships is made.	Strategic Director of Customer and Relationships & Strategic Director of Policy and Place	September 2019
5b	Change of direction / policy within key partner organisations and they revise input / withdraw from projects.	4	3	12				Requirement to repay external funding granted to partnership – taking on the liabilities of the 'withdrawn' partner.	Set a formal relationship / performance review process to be used by all partnerships and ensure results are reported to senior management. Ensure that Exec Board and Leadership review partnerships on a regular basis. Embed Scrutiny Cttee process for key partnerships including CBH and the Safer Colchester Partnership.	Strategic Director of Customer and Relationships	September 2019
5c	Potential inability to agree shared outcomes/ agendas with partners and the Council's ability to influence partner's performance.	3	4	12				External assessment of the Councils partnerships are critical and score poorly.			
5d	Working across the partners for delivery of the garden communities project encounters delay. The partners - Colchester BC, Tendring DC, Braintree DC, Essex CC and/or the landowners fail to agree objectives and actions	4	4	16				The project fails to deliver its objectives leading to increased costs as there would be delays in local plan progress and loss of reputation, as well as the long term effect on ability to generate investment into the area and meet housing and employment needs.	The North Essex Garden Communities (NEGC) Board allows the Authorities to co-ordinate their actions and resolve issues.	Strategic Director of Policy and Place	September 2019

6. ASSETS & RESOURCES											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
6a	Failure to protect public funds and resources – ineffective probity / monitoring systems	3	4	12				Service delivery failure Financial and reputational loss by the Authority Personal liability of Officers and Members. Legal actions against the Council Loss of stakeholder confidence in the Borough Inability to sustain costs	Ensure the outcomes of the assurance systems that form the internal control environment, (including Internal Audit, Risk Management, Budget process, Corporate Governance and performance management) are appropriately reported so that issues and concerns are managed, and variances are spotted at an early stage.	Chief Operating Officer	September 2019
6b	Risk that Asset Management is not fully linked to strategic priorities and not supported by appropriate resources	3	4	12				Failure to deliver a balanced budget as planned. A need to use balances / reserves or to adapt financial plans to deal with impact of changes.	Review the budget monitoring process to ensure it reflects the structure and co-ordinates finances across the whole Council not just individual service areas.	Chief Operating Officer	September 2019
								Required to use Reserves & Resources to fund capital priorities Severe impact on cash-flow leading to negative effect on performance targets	Ensure the continued development of the Revolving Investment Fund (RIF) and ensure that assets are used to their full commercial potential.	Strategic Director Policy and Place	September 2019

Continued.

6. ASSETS & RESOURCES											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
6c	Inability to deliver the budget strategy as planned.	3	4	12					Ensure effective use of the controls built into the annual budget strategy, to enable the organisation to respond quickly to changes. Include sensitivity analysis to consider the impact of potential changes to external funding/ income streams and the capacity of the organisation to deliver services. Consider income risks as part of budget strategy / budget plans.	Chief Operating Officer	Annual exercise. Council approves budget in Feb annually
6d	Failure to set aside sufficient capital funds for strategic priorities	3	4	12					Monitor the review processes for the medium term financial outlook, capital programme and HRA business plan processes, to ensure they are kept up to date and realistic.	Chief Operating Officer	September 2019
6e	Significant reliance on our ICT presents challenges in maintaining customer service in the event of service interruptions.	2	5	10					Ensure that the IT Disaster Recovery plan, and service plans, adequately reflect the organisation's requirements and provide an effective framework for maintaining service provision. Regularly review the IT development strategy to ensure it continues to support the organisations ambitions.	Assistant Director Policy and Corporate	September 2019

6. ASSETS & RESOURCES											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
6f	Increasing demands around information security and data protection create a risk in the event that security and/or data breaches occur.	2	5	10					Review the IT security policies to ensure that they are fit for purpose and implement a training program for all staff.	Assistant Director Policy and Corporate	September 2019

SCORE DEFINITIONS	1 Very Low	2 Low	3 Medium	4 High	5 Very High
Impact	Insignificant effect on delivery of services or achievement of Strategic Vision & Corporate Objectives.	Minor interruption to service delivery or minimal effect on Corporate Objectives.	Moderate interruption to overall service delivery/effect on Corporate Objectives or failure of an individual service.	Major interruption to overall service delivery or severe effect on Corporate Objectives.	Inability to provide services or failure to meet Corporate Objectives
Probability	10% May happen – unlikely	10 -25% Possible	26 – 50% Could easily happen	51 – 75% Very likely to happen	Over 75% Consider as certain

Risks Removed

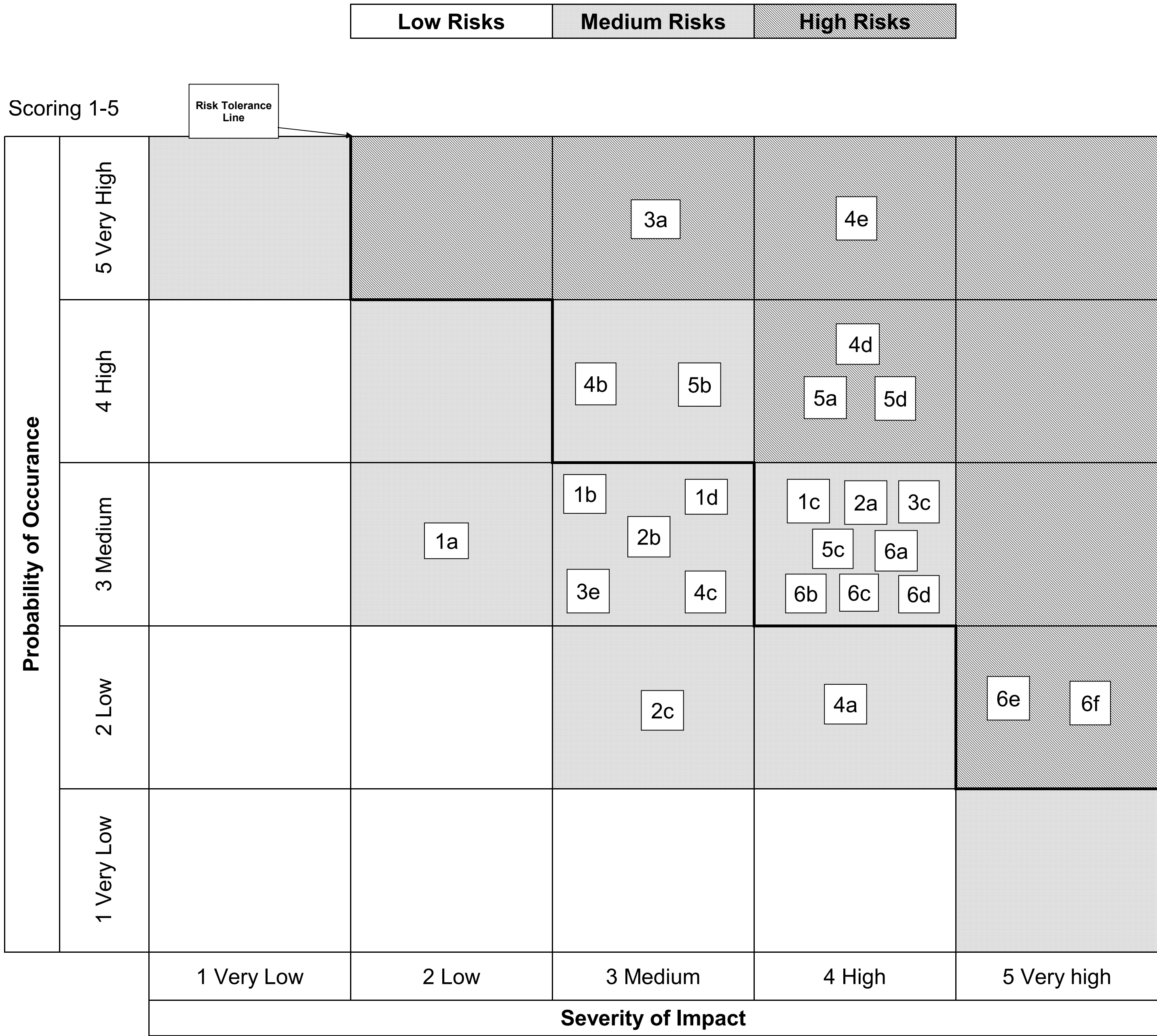
1e The resource implications, including ICT, staffing and financial, of the UCC FSR are greater than anticipated. Removed July 15.

1f The organisation fails to recognise the tensions between aspirations and statutory functions. Removed October 17

3b Failure to sustain adequate resource to support training and development because of the financial situation. Removed July 15.

3d Failure to provide effective and visible political and managerial leadership. Removed July 15

RISK MATRIX
Jul - Sep 2019



Removed Risks

- 1e The resource implications, including ICT, staffing and financial, of the UCC FSR are greater than anticipated. Re
- 1f The organisation fails to recognise the tensions between aspirations and statutory functions. Removed October
- 3b Failure to sustain adequate resource to support training and development because of the financial situation. Re

DRAFT Risk Management Strategy 2019/20

A guide to the Council's approach to managing risk. Draft for committee approval.

RISK MANAGEMENT STRATEGY

This document outlines the Council's commitment to managing risk in an effective and appropriate manner. It is intended to be used as the framework for delivery of the Risk Management function and provides guidance to ensure management of risk is a routine process for all services.

INTRODUCTION

Strategy will ensure that:

1. The management of risk contributes towards ensuring effective service delivery and the achievement of the Council's strategic objectives.
2. Members and the Senior Management Team own, lead and support on risk management.
3. Ownership and accountability are clearly assigned for the management of risks throughout the Council.
4. There is a commitment to embedding risk management into the Council's culture and organisational processes, at all levels, including strategic, programme, project and operational
5. All members and officers acknowledge and understand the importance of risk management as a good governance process, by which key risks and opportunities are identified, evaluated and managed.
6. Effective monitoring and reporting mechanisms are in place to continuously review the Council's exposure to, and management of, risks and opportunities.
7. Best practice systems for managing risk are used throughout the Council, including mechanisms for monitoring and reviewing effectiveness against agreed standards and targets.
8. Accountability to stakeholders is fully demonstrated through periodic progress reports and an annual statement on the effectiveness of and the added value (benefits) from the Council's risk management strategy, framework and processes.
9. Where possible the Council's approach is regularly assessed by an external, independent body against other public sector organisations, national standards and Best Practice.
10. The Risk Management Strategy is reviewed and updated annually in line with the Council's developing needs and requirements.

Endorsement by Adrian Pritchard, Chief Executive

“Colchester Borough Council is committed to ensuring that risks to the effective delivery of its services and achievement of its overall objectives are properly and adequately controlled. It is recognised that effective management of risk will enable the Council to maximise its opportunities and enhance the value of services it provides to the community. Colchester Borough Council expects all officers and members to have due regard for risk when carrying out their duties.”

A handwritten signature in black ink that reads "A. R. Pritchard." The signature is fluid and cursive, with a long, sweeping underline that extends to the right.**WHAT IS RISK MANAGEMENT**

Risk Management is the control of business risks in a manner consistent with the principles of economy, efficiency and effectiveness. It is an essential performance management process to ensure that both the long and short term objectives of the Council are achieved and that opportunities are fully maximised.

Risk Management is not about eliminating risk, as this would limit the ability of the organisation to develop and deliver its ambitions. Its purpose is to recognise the issues that could effect the achievement of objectives and develop actions to control, or reduce, those risks. Acknowledgement of potential problems and preparing for them is an essential element to successfully delivering any service or project. Good management of risk will enable the Council to rapidly respond to change and develop innovative responses to challenges and opportunities.

The ‘Delivering Good Governance in Local Government’ 2016 framework, jointly issued by The Chartered Institute of Public Finance & Accountancy and the Society of Local Authority Chief states that there are seven core principles of good governance including ‘Managing risks and performance through robust internal control and strong public financial management’. The document goes on to state ‘Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and are crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities.’

BACKGROUND

A process for managing risks was first adopted by the Council in 2003 and since then has been developed to ensure that it continues to be an effective management system. This strategy defines Colchester Borough Council's definition of risk and the processes to be followed.

In broad terms risks are split into three categories:

- Strategic – those risks relating to the long term goals of the Council.
- Operational – risks related to the day-to-day operation of each individual service.
- Project – consideration of the risks occurring as a result of the Council's involvement in specific initiatives.

The following are some of the practical ways that risks are managed and how effectiveness is measured:

- Provision of a comprehensive strategic register, that is regularly reviewed.
- Provision of operational risk registers for all service areas.
- Consideration of risk in Committee reports.
- Development of a comprehensive risk register for the project management programme and consideration of risk as a project management tool.
- Successful internal and external assessment.
- Provision of advice to other authorities regarding our management of risk.

This has led to a practical and workable approach to managing risk, which has resulted in the Council becoming more risk aware and actually taking more risks, as demonstrated by the comprehensive project risk register. Colchester is also highly regarded for managing risk by both our insurers and other authorities.

The 2018/19 internal audit of risk management gave a substantial assurance opinion. Six recommendations were raised during the audit relating to embedding the risk management process in Colchester Commercial Holdings Company Ltd, development of e-learning and reporting of operational risk registers.

OWNERSHIP

The responsibility to manage risk rests with every member and officer of the Council however it is essential that there is a clearly defined structure for the co-ordination and review of risk information and ownership of the process.

Appendix 3 is from the CIPFA/SOLACE risk management guide, Chance or Choice. It is a generic map of responsibility for each part of the risk management process.

The following defines the responsibility for the risk management process at Colchester:

Cabinet – Overall ownership of the risk management process and endorsement of the strategic direction of risk management.

Portfolio Holder for Business and Resources – Lead Member for the risk management process

Governance and Audit Committee – Responsible for reviewing the effectiveness of the risk management process and reporting critical items to Cabinet as necessary.

Performance Management Board (PMB) – Ownership of the strategic risks and overview of the operational risks. Actively support the Risk Management Strategy and framework.

Chief Operating Officer – Lead officer for the risk management process, demonstrating commitment to manage risk.

Assistant Director Policy & Corporate – Responsible for co-ordination of the risk management process, co-ordinating and preparing reports and providing advice and support.

All Assistant Directors – Ownership, control and reporting of their service's operational risks. Contribute to the development of a risk management culture in their teams.

All Employees – To understand and to take ownership of the need to identify, assess, and help manage risk in their individual areas of responsibility. Bringing to the management's attention at the earliest opportunity details of any emerging risks that may adversely impact on service delivery.

Internal Audit, External Audit and other Review Bodies – Annual review and report on the Council's arrangements for managing risk throughout the Council, having regard to statutory requirements and best practice. Assurance on the effectiveness of risk management and the control environment.

AIMS & OBJECTIVES

The aim of the Council is to adopt best practices in the identification, evaluation, cost-effective control and monitoring of risks across all processes to ensure that risks are properly considered and reduced as far as practicable.

The risk management objectives of Colchester Borough Council are to:

- Integrate risk management into the culture of the Council
- Ensure that there are strong and identifiable links between managing risk and all other management and performance processes.
- Manage risk in accordance with best practice
- Anticipate and respond to changing social, environmental and legislative requirements
- Prevent injury, damage and losses and reduce the cost of risk
- Raise awareness of the need for risk management by all those connected with the Council's delivery of services.
- Ensure that opportunities are properly maximised through the control of risk.
- Reduce duplication between services in managing overlapping risks and promote 'best practise'.

STRATEGIC RISK MANAGEMENT

Strategic risks are essentially those that threaten the long term goals of the Council and therefore are mainly based around meeting the objectives of the Strategic Plan. They may also represent developing issues that have the potential to fundamentally effect service provision, such as proposals to dramatically change the corporate assessment process.

Strategic risks will be controlled using a register that will detail the risks and associated controls. The register will be owned by the Senior Management Team, with ownership for risks being assigned to individual officers, and will be reviewed every quarter. The strategic risks will be reported to the Governance & Audit Committee at least twice a year.

OPERATIONAL RISK MANAGEMENT

Operational risks are those that threaten the routine service delivery of the Council. Each service area will have their own operational risk register that details the risks associated with providing the service. These registers will be reported, in summary format, to the Senior Management Team and committee on an annual basis. High risks and the success in controlling them will be reported to Senior Management Team on a quarterly basis, as these will help in the formulation of the strategic risk register.

LINKS

It is essential that risk management does not operate in isolation to other management processes. To fully embed a risk management culture it has to be demonstrated that risk is considered and influences all decisions that the Council makes. It is essential that there is a defined link between the results of managing risk and the following:

- The Strategic Plan
- Service Plans
- Revenue and Capital Budgets
- Annual Internal Audit Plan

ACTION REQUIRED

The following actions will be implemented to achieve the objectives set out above:

- Considering risk management as part of the Council's strategic planning and corporate governance arrangements.
- Ensuring that the responsibility for risk management is clearly and appropriately allocated
- Maintaining documented procedures for managing risk
- Maintaining a corporate approach to identify and prioritise key services and key risks across the Council and assess risks on key projects.
- Maintain a corporate mechanism to evaluate these key risks and determine if they are being adequately managed and financed.
- Establish a procedure for ensuring that there is a cohesive approach to linking the risks to other management processes
- Including risk management considerations in all committee reports
- Providing risk management awareness training to both members and officers.
- Developing risk management performance indicators.
- Establishing a reporting system which will provide assurance on how well the Council is managing its key risks and ensures that the appropriate Members and officers are fully briefed on risk issues.
- Preparing contingency plans in areas where there is a potential for an occurrence to have a significant effect on the Council and its business capability.
- Regularly reviewing the risk process to ensure that it complies with current national Governance Standards and Best Practice.
- Developing risk management links with key partners and contractors, to ensure that principles are adopted in all areas of service delivery.

REVIEW

To ensure that the risk management process is effective it will need to be measured and reported to P.M.B., Governance & Audit Committee and Cabinet. As well as a structured reporting process of risks and controls during the year there will need to be an annual review demonstrating the success of the following:

- The inclusion of risk management principles within Service Plans and budgets.
- The development of the Internal Audit plan based on the risk issues.
- Achievement against identified performance indicators.
- Members consistently ensuring managing risk is considered as part of the decision making processes within the Council.
- Service managers making recommendations that regard risk as an opportunity as well as a threat.
- Risk management principles being considered in service reviews, for example in areas such as options for change and service improvements.
- Changes in risk being independently identified and assessed by Service Managers
- Compliance with the use of resources criteria and self assessment requirements.

Suitable opportunities to benchmark the risk management service against other organisations should also be explored, to ensure that it is effective and the work carried out by the Council conforms to best practise.

The three appendices attached give greater detail of key areas:

Appendix 1 – Outline of the risk management process

Appendix 2 – Details of how Risk Management will be reported.

Appendix 3 – CIPFA guidance on Risk Management Responsibilities

APPENDIX 1

The Risk Management Process

Risk Management is a continual process of identifying risks, evaluating their potential consequences and determining the most effective methods of controlling them and / or responding to them. The risks faced by the Council are constantly changing and the continual process of monitoring risks should ensure that we can respond to the new challenges. This process is referred to as the risk management cycle.

Stage 1 – Risk Identification

Identifying and understanding the hazards and risks facing the council is crucial if informed decisions are to be made about policies or service delivery methods. There is detailed guidance available on how to identify risks which includes team sessions and individual knowledge. Once identified a risk should be reported to the relevant Assistant Director who will consider its inclusion on the relevant risk register. If the risk is identified in between register reviews then it is reported to the Risk & Resilience Manager for information and the Head of Service is responsible for managing the risk.

Stage 2 – Risk Analysis

Once risks have been identified they need to be systematically and accurately assessed. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to it.

Stage 3 – Risk Control

Risk control is the process of taking action to minimise the likelihood of the risk event occurring and / or reducing the severity of the consequences should it occur.

Stage 4 – Risk Monitoring

The risk management process does not finish with the risk control procedures in place. Their effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of the risk has changed over time.

APPENDIX 2

Reporting

No matter how good the process to identify and control risks is, it will not be effective unless the information gained from it is reported and used to influence other management issues / processes. Therefore, it is essential that there is a defined process and timetable for reporting the results of the risk management process to both members and officers.

Types of Report

- The strategic risk register is reviewed a minimum of twice yearly by P.M.B., with interim reports quarterly as required.
- Six monthly review of the operational risk registers and a summary report of these reviews to P.M.B.
- Project risks are reported through the project management process and reported to the project management board. Significant issues will also be included in the reporting process to P.M.B.
- A six monthly report is provided to Committee (Governance and Audit) detailing the current strategic and high level operational risks and the progress made in controlling them.
- An annual report reviewing Risk Management activity and an action plan for the coming year – taking into account changes in methodology and results of internal and external reviews. Going to P.M.B., Governance & Audit and Cabinet.
- Ad-hoc reports need to be provided to P.M.B. when new, significant risk issues arise.

The reports can be summarised as follows:

	Services	P.M.B.	Governance & Audit	Cabinet
Quarterly		Review of strategic risk register		
6 Monthly	Review of operational risk register	Summary of operational review from services	Progress report of strategic & high level operational risks	
Yearly		Scrutiny of annual progress report to cttee on R.M.	Endorsement of annual progress report on R.M.	Summary of past years work on R.M.

Appendix 3

Risk Management Responsibilities – CIPFA / SOLACE Guidance

	Framework, Strategy and Process	Identifying risk	Analysing Risk	Profiling risk	Prioritising action based on risk appetite	Determining action on risk	Controlling risk	Monitoring & Reporting	Reporting to external stakeholders.
Members	Agreeing the Framework, Strategy and Process Determined by Officers	Identifying risk	Analysing Risk	Profiling Risk	Determining the risk appetite and prioritising risk. Agreeing the priorities determined by officers			Reviewing the effectiveness of the risk management process.	Reporting to external stakeholders on the framework, strategy, process and effectiveness .
Risk Management Team	Providing advice And support to the executive Management Team and Members	Providing advice and support.	Providing Advice and support	Providing advice and support	Providing advice and support			Co-ordinating the results for reporting to the corporate management team and members	
Senior Management Team	Determining the framework, Strategy and Process	Identifying strategic and cross-cutting issues	Analysing Strategic and cross-cutting issues.	Profiling strategic and cross-cutting issues.	Determining the risk appetite and prioritising strategic and cross-cutting issues	Determining action on strategic and cross-cutting issues. Delegating responsibility for control.		Monitoring progress on managing strategic and cross-cutting risks and reviewing the implementation of the risk management framework, strategy and process. Reporting to members.	Reporting to external stakeholders on the framework, strategy, process and effectiveness.
Assistant Director Policy & Corporate	Providing Advice and Support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Co-ordinating the results for reporting to the executive management team and members	Preparing draft reports for the corporate management team and members to issue.
Service Managers / G.M.T's		Identifying service Risks	Analysing Service risks.	Profiling service risks.	Prioritising action on service risks.	Determining action on service risks. Delegating responsibility for control.		Monitoring progress on managing service risks. Reporting to the group management team	
Employees, contractors And partners		Maintaining awareness of risks and feeding these into the formal process.	Maintaining awareness impact of risks and feeding information into the processes				Controlling risk in their jobs.	Monitoring progress on Managing job related risks Reporting to the service manager.	

Report of	Assistant Director of Policy and Corporate	Author	Richard Clifford ☎ 507832
Title	Environmental Project Support Officer – recommendation from Conservation and Environmental Sustainability Task and Finish Group		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 At its meeting on the Conservation and Environmental Sustainability Task and Finish Group made a recommendation to Cabinet that resources be made available for the recruitment of an Environmental Project Support Officer to support the work of the Group,

2. Recommended Decision

- 2.1 That the necessary resources be made available to support the work of the Conservation and Environmental Sustainability Task and Finish Group.

3. Reason for Recommended Decision

- 3.1 Additional resource would help the Conservation and Environmental Sustainability Group deliver on its ambitious and important objectives.

4. Alternative Options

- 4.1 The alternative option would be not to agree to the recommendation from the Task and Finish Group.

5. Background Information

- 5.1 The all-party Conservation and Environmental Sustainability Task and Finish Group was established following a decision by Cabinet at its meeting on 5 June 2019. At its meeting on 17 July the Full Council unanimously agreed a motion declaring a climate emergency, and agreeing to support Conservation and Environmental Sustainability Task and Finish Group to consider the following actions:
- (a) Commission an environmental audit which identifies pollution hotspots, wildlife biodiversity and environmental health issues, and an urban impact assessment with an aim to identify areas of improvement across the borough.
 - (b) Consult expert opinions in the field, as appropriate.
 - (c) Collaborate with regional and neighbouring local authorities, as well as communities, to encourage practical measures to reduce emissions, reduce carbon footprints and develop community-based renewable energy projects.
 - (d) Encourage all sectors of the economy across the borough to take steps to reduce waste and become carbon neutral.
 - (e) Develop a roadmap for Colchester Borough Council to go carbon neutral by 2030.
 - (f) Report to Cabinet and Full Council within six months with an action plan setting out conservation and environmental sustainability goals to address targets by 2030; incorporating proposals on the investment implications of this proposed activity.
- 5.2 At its first meeting on 24 July 2019, the Group began to consider the scope of the work involved and its future work programme. It also considered issues related to resource capacity. In view of the importance of the issues under consideration, and the need to report to Council with an action plan within six months, and after considering the existing resources available within the Council, the Group requested that Cabinet should consider making additional resource available to support the delivery of the Task and Finish Group's objectives. Additional resource would support the planning and delivery of environmental and sustainability projects and support the policy work of the Group, including working with town and parish councils on these issues.

6. Equality, Diversity and Human Rights implications

- 6.1 There are no direct equality, diversity and human rights implications.

7. Strategic Plan References

- 7.1 The work of the Conservation and Environmental Sustainability Task and Finish Group supports the following Strategic Plan priorities:-
- Growth – To ensure Colchester's growth is sustainable and bio-diversity is encouraged;
 - Responsibility – To encourage public and private sector organisations to act with greater environmental responsibility;
 - Opportunity – Create new opportunities for use of renewable energy sources and conservation of natural habitats;
 - Wellbeing – To enhance the wellbeing of residents through the promotion and protection of our natural environment, reducing practices with detrimental environmental and health outcomes.

8. Financial implications

- 8.1 There is currently no provision in the budget for additional resource, so it is proposed that the Group's activity in 2019/20 be delivered from within existing resources. Any additional resource should be considered as part of setting the Council's 2020/21 revenue budget.

9. Standard References

- 9.1 There are no consultation or publicity considerations; community safety; health and safety or risk management implications.

Extract from the draft minutes of the Scrutiny Panel meeting of 16 July 2019

221. Bus Review: Further Actions

The Chair introduced this item, noting the complexity of the report which was due to the long-running and complex nature of the review. Very positive engagement had been obtained from Essex County Council and the bus operators at the main review session in 2018, but input since then had only been received from Essex County Council and Arriva.

A member of the Panel noted that, whilst the provision of travel information packages by developers to new residents was very helpful, they had significant experience of large-scale developments not providing these for incoming residents. This added to the difficulty of effecting a modal shift concerning travel options.

Members of the Panel noted the difficulty in understanding the feedback and operator views listed in the report and highlighted the lack of recommendations within the report. The priority of reducing car usage and traffic levels was also highlighted, especially where travel distances precluded the use of bicycles for journeys. It was argued that efforts to persuade people to use rural bus services would only be efficacious if a frequent and reliable service could be guaranteed, accepting the likelihood that this would require a very large subsidy at least in the short-term. This should lie in the remit of Essex County Council, although it was not currently within their strategies. CBC funding could technically be possible, but extremely difficult to make possible. A Panel member posited that the investigation of impacts on parking revenues of a modal shift in use of transport options should also be carried out in order to better inform the Council's approach to this matter.

The Panel noted that the bus operators had made commitments relating to improved service provision, within their evidence, and that they could be invited back to explain what progress they had made towards meeting these commitments.

The Panel emphasised the lack of progress in improving bus provision and increasing bus usage over the years. This was an important strategic issue for the Borough and was identified in the Strategic Plan and the administration's strategic priorities, set out in the Budget report the Panel had considered earlier. The Panel considered whether to recommend that Cabinet consider the evidence gathered in the bus review and use it in consideration of the development of a public transport strategy. This would also feed in to other strategic priorities, such as addressing social isolation and improving public health. It was also suggested that if Cabinet should proceed with a public transport strategy, this should then be brought back to the Panel for pre-scrutiny before being approved.

RESOLVED that: -

(a) The Panel reviewed and noted the response received in answer to its requests for information;

RECOMMENDED to CABINET that: -

(a) The evidence and engagement collected within the review of bus services be referred to Cabinet and Cabinet be invited to consider using the evidence as part of the basis for drafting a Public Transport Strategy, in line with the Council's Strategic Plan 2018-21 and the administration's strategic priorities.

(b) Should Cabinet proceed with a Public Transport Strategy, this should be made available for the Scrutiny Panel to conduct pre-scrutiny, prior to its approval.

The report to the Scrutiny Panel on 16 July 2019 is also attached for members information

16 July 2019

Report of	Assistant Director Policy and Corporate	Author	Owen Howell
Title	Bus Review: Further actions.		☎ 282518
Wards affected	Not applicable		

1. Executive Summary

- 1.1 The Scrutiny Panel at its meeting in September 2017 agreed to review the bus services operating in Colchester. Further details of the scope and history of the review are set out in section 4 of this report. However, at its meeting in August 2018 the Panel determined that a series of questions should be sent to Essex County Council (ECC), the bus operators and Community 360.
- 1.4 This report was produced at the request of the Panel to review the responses provided by Essex County Council, bus companies and Community360 to these questions. The responses received from Essex County Council and Arriva to these further questions can be found at Appendices C and D respectively. The Panel is also invited to consider the next steps for the review and what further action, if any, it wishes to undertake to conclude the review.

2. Action Required

- 2.1 To review and note the responses received from Essex County Council, the bus operators and Community 360 to the Panel's request for information agreed by the Panel in August 2018.
- 2.2 To consider what further action needs to be taken in respect of the review of bus services in Colchester.

3. Reason for Scrutiny

- 3.1 The Panel received a request from a member of the Panel to review bus services in Colchester. Following the creation of a scoping document, the Panel agreed for a review to be added to the Scrutiny Panel work programme.

4. Background Information

- 4.1 In July 2017 Councillor Scordis submitted a scoping document to the Panel to request a review be held to examine the operations of bus companies in Colchester Borough. In September 2017 the Scrutiny Panel resolved to hold this review and objectives and a formalised scope were agreed.
- 4.2 The review followed the objectives as agreed at the September meeting.

These included:

- To understand the strategic role and benefits of bus operation and how it can best serve the community;
- To investigate and scrutinise what bus companies are doing to:
 - Improve the punctuality of services
 - Increase bus usage
 - Reduce emissions
 - Make buses more accessible
 - Communicate with passengers when services are cancelled or altered.
- To improve the dialogue between bus companies that operate in the Borough and Colchester Borough Council, Councillors and Residents.

4.3 The Scrutiny Panel meeting on 16 April 2018 was attended by representatives of bus companies, Community360 and ECC. Prior to this meeting, officers had collected information from the invited organisations and the Panel discussed this with the representatives in attendance. A summary of the discussion held can be found in the minutes extract found at Appendix A. A summary of the written answers provided by the invited organisations can be found at Appendix B.

4.4 The Panel resumed its consideration of the issue in August 2018: A follow-up letter with questions to operators and ECC was approved by Panel. The questions related to the Bus Services Act 2017, Colchester Blueprint and follow-up questions based on the objective areas for the review and responses to the Panel's initial questions.

4.5 In November 2018 a response was received from Essex County Council. There were no responses from operators.

4.6 At its meeting on 29 January 2019 the Panel resolved to schedule an update on the review for the 2019-20 municipal year. At the Panel meeting held on 11 June 2019 the Panel further resolved that this update be scheduled for its meeting on 16 July 2019, and that the supplementary questions be re-sent to those bus companies which had not yet provided responses.

5. Equality, Diversity and Human Rights implications

5.1 There are no specific implications regarding Human Rights, however there are implications regarding equality and diversity, in that the efficient and comprehensive operation of local bus services should take account of the needs of disabled service users.

6. Standard References

6.1 There are no particular references to consultation or publicity considerations or financial, community safety, health and safety or risk management implications.

7. Strategic Plan References

7.1 The operation of efficient and environmentally-sustainable bus services within Colchester Borough has reference to the following themes and priorities of the Strategic Plan 2018-21:

- Growth:
 - Help make sure Colchester is a welcoming place for all residents and visitors;
 - Ensure residents benefit from Colchester's economic growth with skills, jobs and improving infrastructure;
 - Work with partners to create a shared vision for a vibrant town centre.
- Opportunity:
 - Promote green technologies through initiatives such as SMART Cities;
 - Promote initiatives to help residents live healthier lives.

Appendices

Appendix A - Minutes extract from Scrutiny Panel meeting on 16 April 2018.

Appendix B - Summary of initial written answers to the review, as provided by the invited organisations and companies.

Appendix C - Responses to the Scrutiny Panel's follow-up questions, as provided by Essex County Council.

Appendix D - Responses to the Scrutiny Panel's follow-up questions, as provided by Arriva.

**EXTRACT FROM THE SCRUTINY PANEL MINUTES OF THE MEETING
HELD ON 16 APRIL 2019**

160. Bus Review

Councillor Fox (by reason being an employee of Community360) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7 (5).

Geoff Whybrow, Transport Representative, Tiptree Parish Council

Geoff Whybrow, Tiptree Parish Council Transport representative attended the Scrutiny Panel meeting to highlight his disappointment with public transport in Tiptree. Mr Whybrow stated that Tiptree was one of the largest growing villages in Essex and that the last bus back from Colchester Town Centre was at 7pm in the evening. This means that for those without a car they cannot access the evening economy and other facilities in Colchester Town Centre. This also causes significant issues for those attempting to return on the train from London.

Geoff Whybrow informed the Panel that an Essex County Council supported evening service between Tiptree and Colchester had recently been withdrawn. Despite user surveys conducted by Tiptree Parish Council highlighting the level of patronage it is not expected that the supported service will return. Geoff Whybrow reiterated that the Parish Council are disappointed at the withdrawal of the supported service and feel that something needs to be done to increase public transport provision in Tiptree.

Elizabeth Trellis, Transport Representative, East Donyland

Elizabeth Trellis attended the meeting as the Transport Representative for East Donyland Parish Council. Ms Trellis raised the issue of the shuttlebus that has provided a link to the standard bus service, following a road closure by Anglian Water in the Parish.

Ms Trellis informed the Panel that the bus provided was not access friendly and that stopping times had been incorrectly advertised. Accurate information regarding stopping times had been circulated through the village following a resident borrowing the schedule from the bus driver and photocopying the details.

Ms Trellis also highlighted difficulty with congestion at bus stops in Colchester Town Centre, which results in buses stopping in different locations to their allotted bus stop.

Heather Carnes

Heather Carnes attended the meeting to have her say regarding her disappointment of the withdrawal bus route 66a. Ms Carnes highlighted that the bus service had run for forty years, providing public transport to those residents on Barnhall Avenue, Mountbatten Drive and Abbots Road.

Heather Carnes highlighted that residents with access problems may not be able to walk to the nearest bus stop now this service has been removed. Heather Carnes stressed that residents want to see the bus service returned to the original route.

Nick Chilvers

Nick Chilvers highlighted that he was a frequent user of buses, and supported the return of the 66a route. Mr Chilvers questioned why the service was cut as it has inconvenienced a lot of residents in the area. For those with accessibility issues the nearest bus stop is now too far to get to. Mr Chilvers suggested that it would not require too much creative thinking between Essex County Council, Colchester Borough Council and First Bus to bring at least one service an hour to the 66a route. It was also highlighted that later in the year a new Lidl would be built on this route bringing additional passengers to the location.

Mr Chilvers questioned whether previous suggestions to improve the Town Centre, such as removing the uncontrolled pedestrian crossing on the High Street outside of the George Hotel and improving the curbs near bus stops to allow better access and prevent buses from sticking out into the road, would be carried out.

Mr Chilvers also requested that better information regarding the bus services be available at bus stops.

Cllr Rosalind Scott

Councillor Scott, attended the meeting and echoed many of the comments made about accessibility of the bus services and asked what further steps were being taken to make them more accessible.

Councillor Scott also highlighted the importance of public transport in being the answer to air quality issues and not the cause. Councillor Scott requested information on the number of buses that are now low emission and whether there were plans for electric buses or smaller and more frequent services that avoid major roads. She also suggested that air quality could become a condition of licensing buses.

Councillor Scott raised two further points. The first was related to the concern around traffic if garden communities are built and the requirement to make transport

sustainable. The second point was regarding home to school transport in Wivenhoe which is still not meeting the needs of children or families in the community.

Bus Review – Information Gathering

Councillor Davies thanked those who attended to have their say. Councillor Davies, then welcomed the bus company representatives for attending the Panel. Councillor Davies highlighted that this is an information gathering session, with a further discussion occurring in the next municipal year. Attendees were then invited to provide a brief introduction to the Panel.

Anthony Comber, Business Development Lead, Arriva Buses

Anthony Comber stated that his role within Arriva was to work with business and Councils to develop enhanced solutions for bus services and develop how Arriva can move forward as a bus company. Anthony Comber gave apologies to the Panel from Arriva's Managing Director, Glen Shuttleworth who was unable to attend the Scrutiny Panel meeting.

Antony Comber highlighted that Arriva is a Europe wide company that includes many different forms of transport, including ferries, trains and electric cars. Mr Comber mentioned a new Arriva click service that operates smaller vehicles in a zonal area. These services can be matched to different communities and deliver a better service to customers within that area.

Going forward, Antony Comber confirmed that Arriva have introduced their first electric bus on the FastTrack route. Lots of different strands and technologies are now becoming available to make it easier to link public transport together and let people leave the car at home.

Tracy Rudling, Chief Executive, Community360

Tracy Rudling informed the Scrutiny Panel that Community360 is a charity and one of the projects within the charity is to run community transport in Colchester. The service is for those who are unable to access public transport for a number of reasons, such as rurality or disabled access. Community360 have a fleet of 5 minibuses and 35 volunteer drivers that transport people in their cars as volunteers. By the end of March Community360 completed a total of 50,000 accessible trips. Tracy Rudling highlighted that Community360 also provide opportunities for people to come together through befriending services as well as excursion trips. The charity can provide the door to door service for those with access issues that are not able to get to the nearest bus stop.

In response to queries raised by those attending to have their say about accessibility, Tracy Rudling confirmed that Community360 provide this service in the

Borough, and are able to take individuals to hospital appointments, therapy and social clubs.

Tracy Rudling informed the Panel that the Community360 website provides more information about the services available and that she would be happy to have any further conversations outside of the meeting. Moving forward, Tracy Rudling stated that further links with commercial operators would benefit the service and that they would hope to have these discussions in due course.

Steve Wickers, Managing Director, First Essex

Steve Wickers, provided the Panel with a summary of First buses in the region. The company operates a total of 80 vehicles, with 275 members of staff and 15 routes into Colchester. First Essex carry 8.6m passengers per annum, and covers a total of 6.2m miles. Steve Wickers confirmed that all buses within the fleet are Disability Discrimination Act compliant and that 17 buses in the fleet are of Euro6 diesel standard. A further 9 have been retrofitted to Euro5 level, and following a successful joint bid with Essex County Council and Arriva a further 7 buses will be retrofitted to Euro6 standard.

With regard to punctuality of the service, it currently stands at 91%. Steve Wickers highlighted that back office systems constantly monitor the service to make it more robust and sustainable. This can mean that bus times change or that different roads or resources are placed into the schedule.

First Essex work alongside other bus operators and Essex County Council as part of the bus blueprint. These meetings allows for discussions about the major issues occurring and to look for solutions. With regard to congestion Steve Wickers confirmed that this was getting worse and that action needed to be taken to reduce the congestion in the town centre and improve capacity for buses. Mr Wickers highlighted that this can be approached in innovative ways.

Deborah Fox, Head of Commissioning, Connected Infrastructure (Passenger Transport), Essex County Council

Deborah Fox confirmed that she would take the comments from those who attended to have their say back to Essex County Council. Ms Fox also welcomed the fact that a number of those attending to have their say were already local transport representatives. Local transport representatives from Parishes and other areas are invited to two meetings a year to meet with the bus operators and have their say.

Deborah Fox confirmed that Essex County Council fully supports a bus review in Colchester, and is keen to help people find solutions to help people get round Essex. Essex County Council has a strategy called Getting Around in Essex, which details a number of proposals.

Essex County Council currently allocates £60m in funding for passenger transport services. This includes school services, £30m for discretionary passenger transport, £600,000 for Colchester Park and Ride and £1m for Community Transport across Essex. Essex County Council are also required to review any services that are withdrawn commercially to ensure that no area is left without a bus service. Ms Fox highlighted that this may lead to re-routing of services. Ms Fox also acknowledges that improvements could be made in the communication of these changes.

Ms Fox stated that there is a comprehensive bus network within Colchester, more than other areas of the county. Due to the number of operators in the area, this provides healthy competition and keeps fares low. The aim of the Essex County Council passenger transport team is to keep down costly levels of congestion, which currently cost Colchester an estimated £20m a year.

The Panel were informed that Essex County Council had been one of only 20 local authorities to secure funding from central government for bus retrofitting. Ms Fox confirmed that the County Council is continuing to look at Colchester for green bus initiatives and confirmed that the Park and Ride buses will be the first to be retrofitted.

Ms Fox explained to the Panel that there is an officer programme, incorporating all the bus operators in Colchester, called the Colchester Bus Blueprint. The Blueprint looks at 9 different elements including ticketing, business engagement and marketing. Ms Fox confirmed that members of the Panel would be welcome to attend a meeting if requested.

Ms Fox also informed the Panel of the formal bus quality partnership on route 88, between Colchester and Halstead, which is a legal arrangement and allows members of the public to transfer tickets.

Ms Fox confirmed that there is currently a lot of positive effort between operators and local authority officers. In response to Councillor Scott's query about garden communities, Ms Fox confirmed that Essex County Council are taking the mass transit of people very seriously.

Jeremy Cooper, Managing Director, Heddingham/Chambers (Go-Ahead Group)

Jeremy Cooper informed the Panel that Heddingham/Chambers were sold to the Go-Ahead group in 2012, and that he had been in his role for the past year, bringing experience from a previous role of growing passenger numbers.

Mr Cooper explained that Heddingham and Chambers run twenty buses into Colchester during the day. These include both school services as well as local authority supported services. The intention is to continue to develop the network, with the Sudbury link to be increased to every half hour during May. In addition, a

new service, with support from the County Council, to a village in West Mersea has been launched and has been successful.

With regard to the questions raised by those having their say, Mr Cooper stated that many of the issues relate to ensuring that there are enough paying people on the buses. This enables more buses to run and greater investment in the services. There is an opportunity going forward as 40% fewer young people have driving licenses than there were 40 years ago, which may be a way to increase bus patronage.

Improving passenger demand can be achieved by working together with the local authorities and bus companies through the bus blueprint. The blueprint also helps to highlight the effect of cheap car parking, roadworks and development on bus services and identify areas where further support is required. Mr Cooper highlighted the Essex roadwork permit scheme which ensures that bus companies are aware where routes may be disrupted in advance and can plan accordingly.

Councillor Davies, thanked the attendees for their contributions to the meeting. The Panel asked a number of themed questions relating to the objective as set out in the original scoping report.

Punctuality of Services

Members of the Panel raised queries relating to the punctuality of services and whether there had been a recent shortage of drivers that had punctuality issues.

In response, Steve Wickers, First Essex confirmed that they do not have a current shortage of drivers. Whilst there was a small shortage six months ago this did not affect service provision. Steve Wickers stated that over the year First Essex reached 91% punctuality, which includes the recent snowfall disruption, and the service completed 99% of the expected route mileage.

Mr Cooper, Go-Ahead, confirmed that Hedinghams and Chambers had been short of bus drivers in the past and had previously seen an ageing workforce. Hedingham and Chambers now use a bus drivers training school based in Clacton, which has resulted in the company employing a sufficient number of drivers.

Mr Comber, Arriva, confirmed that Arriva were not short of drivers and whilst there is an ageing workforce they are working hard to encourage younger people to become drivers and engineers. Arriva run two schools in the southern counties and there is a focus on apprenticeship schemes. With regard to punctuality as a whole, Colchester is one of the better depots in the Southern Counties area. Mr Comber highlighted that Arriva are currently trialling a scheme in Southend to manage services through bus tracking, which allows controllers to reassign buses as and when necessary for the benefit of the route and passengers. Mr Comber confirmed that the scheme

looks to manage in front of the bus rather than behind it and is currently being launched in Colchester.

Increasing Bus Usage

In terms of increasing bus usage in Colchester Panel members suggested the use of Oyster style ticketing and contactless payments, which could increase the number of casual bus users, as well as questioning what could be done to challenge old perceptions of bus service reliability and ease of use.

Julian Elliot, First Buses, highlighted that new technology has provided opportunities to challenge the perception of bus services as mobile applications can now provide users with accurate bus locations. This previously wasn't possible and led to uncertainty over whether buses would turn up. Mr Elliot also highlighted the need to make payments easier, which would remove barriers to usage. First Essex currently have a mobile ticketing application which assists with ticket purchasing, and contactless payments will be introduced in the near future, both of which will assist with speed of boarding. Mr Elliot stated that the contactless payments would still be in the form of a traditional bus fare rather than a daily capping system that is in place in London. Mr Elliot also highlighted that within the Borough there is a multi-operator Colchester Borough Card which is available to buy and use on different services. It was confirmed that through the Blueprint meetings, discussions on extending the Colchester Borough Card, and introducing additional types of product could be discussed.

Steve Wickers, First Essex, highlighted the difference between services provided in London and services provided outside of London. Mr Wickers informed the Panel that the congestion charge, in London, aids bus services in reducing congestion, which in turn increases the speed and reliability of bus services, and acts as a deterrent for car drivers. This makes bus services more attractive to use and increases patronage. Outside of London the commercial nature of the bus services means that bus operators need to work with local businesses, universities, hospitals and local authorities to ensure that the services can be profitable. Mr Wickers highlighted to the Panel that with new developments Section 106 funding can be available to ensure that bus services are set up for new residents to encourage bus usage and prevent travel habits changing. It was acknowledged that the perception of bus services is difficult to overcome, but that the service in the Colchester is good and working together with local authorities will improve this perception.

Mr Cooper, Go-ahead highlighted that a significant issue which reduces bus patronage is that buses do not have priority on the roads. Until priority is provided bus services will experience the same level of congestion and disruption as cars. The current priority scheme in place between the Town Centre and Colchester

station has allowed for the introduction of a higher frequency of service between Sudbury and Colchester.

Mr Comber, Arriva, suggested that a longer term ambition is for multimode transport, that would benefit congestion, and potentially some form of public transport subscription system. Mr Comber stated that he would be happy to talk individually with Borough Councillors about what Arriva are planning to do, and confirmed that the Bus Blueprint meetings are moving ideas forward.

A member of the Panel questioned whether there was evidence that cheaper car parking affected the number of bus users. In response Jeremy Cooper, Go-Ahead, stated that in Folkestone when car parking prices were reduced by 30%, bus user figures reduced by 5% on the first day. Bus patronage then started to grow again subsequently due to the trend of the increasing number of users. Mr Cooper also highlighted the Park and Ride service in Canterbury which uses the income from car parking charges in the city centre to fund the service, which keeps the fares low. In addition Mr Cooper highlighted the importance of influencing new residents or workers to use public transport rather than drive. Ensuring that there is a good offer for park and ride services and bus services assists greatly with this. Mr Cooper suggested that people were more put off by congestion in town centres than if car parking prices were raised.

Mr Comber, Arriva, suggested that cheaper car parking creates more congestion. If buses had priority into the town centre, which increased speed and reliability there would be an increase in the number of bus users. Mr Comber highlighted that new technology can provide innovative solutions for bus priority, for example keeping traffic lights green on bus lanes if the bus is running late. Mr Comber also informed the Panel about public transport in Limburg, Holland, where they are piloting a scheme to bring oyster cards and multi-modal transport to a community area.

Steve Wickers, First Essex, reiterated that buses are the best use of road space, which is constrained in Colchester. Providing bus priority allows for a quicker service and increased frequency. Mr Wickers highlighted that there are other towns and cities that have introduced bus only lanes which helps to avoid potential gridlock. Mr Wickers felt that the level of congestion is a reason why people visit other locations.

Councillor Lilley, Portfolio Holder for Public Safety and Licensing confirmed that the Council want people to use buses and to reduce congestion. Councillor Lilley highlighted that he receives regular e-mails regarding the cost of car parking in Colchester and that residents may travel to Chelmsford or Braintree instead, which could impact on the town centre. Councillor Lilley highlighted that parking charges are similar to those in Ipswich and Chelmsford, and questioned whether bus operators have special offers for those visiting certain facilities in the town, like a number of car parks provide to entice more bus users.

Councillor Lilley also highlighted that the Council are looking to improve the current situation between the bridge on North Station Road and the roundabout to further improve the route into Colchester Town Centre.

A member of the Panel suggested that further bus priority could be provided into Colchester. It was also suggested that bus companies needed to share the responsibility of attracting new bus users and must work together to get people out of their cars and on to buses, particularly as Colchester is experiencing significant growth.

Mr Cooper, Go-Ahead, confirmed that all parties play a part in attracting new bus users and there may have been times where fares have been incorrect. Mr Cooper confirmed that bus operators do use special offers and test economics on bus services, and Hedingham and Chambers will be introducing new fares as part of a new mobile application. Mr Cooper explained that the reason for suggesting an increase in car parking charges is because this encourages people not to park, which reduces congestion, which subsequently makes fares cheaper or provides a more frequent service. Changing this involves political consensus and partnership agreement.

Deborah Fox, Essex County Council, stated that there is more that could be done together to promote bus services. Promotion of services is included as a commitment within the bus blueprint, and whilst operators will have their own marketing strategies, there have been joint campaigns like 'Catch the Bus Week' in July. This campaign included have a presence in both the Town Centre and the University to highlight bus travel. Ms Fox also informed the Panel that following feedback from Park and Ride users additional promotional material was used to advertise the service in more traditional means, such as a billboard outside of Colchester station. Ms Fox also highlighted that certain aspects of the community are not regularly online and therefore leaflets, posters and adverts in the local press are also used to get the message across.

A member of the Panel also highlighted that fares for families can be quite expensive and may lead them to using the car rather than public transport.

Following a query regarding Garden Communities and the opportunity to encourage sustainable transport and use the most environmentally friendly buses, Ms Fox confirmed Essex County Council are looking at this. Ms Fox highlighted that a Cabinet member had expressed a thirty year vision on mass transit from garden communities and this is something that could be further explored by the bus review. Mr Cooper highlighted an example of FastTrack in Dartford which provides public transport links to a number of communities in Dartford Kent.

Deborah Fox also informed the Panel that new developments are monitored at Bus Blueprint meetings to assist in establishing new services as soon as people move into the new areas.

Reducing Emissions/New Buses

Panel members requested information on the different standards of diesel engines and whether there were plans in place to refresh and modernise the existing bus operator fleets.

With regards to emissions standards, it was explained that Euro6 is currently the best standard available, reducing the level of Nitrogen Oxides.

In response to a query about improving the current fleet of buses, Mr Cooper confirmed that there are vehicles in Hedingham and Chambers fleet that are over ten years old. Mr Cooper stated that they are keen to generate more bus users which would allow for more investment. Mr Cooper highlighted that working with the local authority to reduce congestion, which makes running buses expensive, and increasing car parking charges would assist generating more users and provide a business case for investment in buses.

Julian Elliot, Commercial Manager, First Essex, confirmed that 17 new buses had been brought into the fleet, and each year a certain number of new buses are brought into service in Colchester. Mr Elliot explained that it is a gradual process due to the expense of renewing the fleet. The oldest buses in Colchester are being removed and replaced with more modern stock. Mr Elliot also highlighted that many of the buses now have Wi-fi services available for passengers.

Mr Comber, echoed the comments regarding the evolutionary process of bringing newer buses into different towns. Across the southern counties, Arriva, brought into a total of 80 new buses last year, with a further 40 buses during this year. Not all of the new stock have been earmarked as yet, so some may be coming to Colchester. Mr Comber also highlighted the difficulty in investment in new buses due to the cost of car parking in the Town Centre, which can be lower than a day ticket on the bus. Mr Comber understood the issues in the local market place and would like to see new products and services in the town, however this needed to have commercial viability.

Accessibility

A member of the Panel raised the issue of accessibility of the shuttle bus service that had been installed in East Donyland as a result of the Anglian water repairs. The member requested information regarding which company was responsible for providing the service.

Chris Seaman, Essex County Council, confirmed it is the responsibility of the company that is carrying out the roadworks. In this instance Anglian Water contacted Essex County Council to establish their options, which was to either work with First to provide a service or arrange one by themselves and they opted for the latter.

With regard to access to services, Tracy Rudling urged Councillors to pass the details of Community360 to any residents that have difficulty in getting out of their homes. Tracy Rudling highlighted that Community360 would help to find a solution to assist them in accessing the services they need.

Communication with Passengers and Councillors

In relation to communication about cancellations and complaints about buses a member of the Panel queried whether the bus companies and Essex County Council had direct contact lines.

In response, Essex County Council stated that there isn't a specific named individual, instead a contact centre is used due to the volume of queries received. There is also a passenger transport e-mail inbox, a bus passenger newsletter and a member enquiries system for Essex County Councillors. Essex County Council also have a live twitter feed that includes information as well as the local transport representative meetings which take place during the day and provide a direct opportunity to speak to the bus companies.

Steve Wickers, First Essex, confirmed that First have a call centre. This is placed outside of the local area, however due to the technology available providing real time information about bus services this information can be passed on to local residents. Members of the public can also use the mobile application to find out the location of buses in real-time, and there is a live twitter feed providing updates.

Jeremy Cooper confirmed that Hedingham and Chambers do have a contact number based in Colchester, which is available for a set number of hours during the day. With regard to service alterations and cancellations, the bus blueprint meetings allow for discussions on this. Mr Cooper also highlighted that Hedingham and Chambers would be launching an e-mail newsletter in the near future to inform local residents about any changes to services. Mr Cooper also highlighted that a draft timetable for Route 87, Colchester to Brighlingsea, was recently published on their website inviting public comment. As a result of comments received the timetable was revised twice.

Services in the Borough of Colchester

In response to a question regarding the issues at the High Street and Bus Station. Chris Seaman, Essex County Council, highlighted that Colchester is fortunate to have a high number and frequency of bus services, however due to limited amount

of curb space, this can cause overcrowding at the bus stops. Mr Seaman also highlighted that due to new developments taking place around Colchester, it is likely that the number of bus services will increase. This will put further pressure on existing bus stops, and the Town Centre may struggle to accommodate that. Mr Seaman stated that discussions are underway with the Borough Council to establish what opportunities there are for additional picking up and setting down facilities, however it is too early to confirm whether there are any suitable locations that could be used.

Mr Cooper, Go-Ahead, highlighted that other areas in East Anglia have grouped the services in terms of destinations. Mr Cooper suggested that bus operators could discuss the distribution of buses in the Town Centre at future bus blueprint meetings.

With regard to rural services, Tracy Rudling, Community360 highlighted that the charity provides a high number of services in rural areas. Community transport provided by Community360 will also be launching in the Tiptree area in the near future, providing a public transport service for that area. Tracy Rudling stated that the charity currently has 35 volunteer drivers from across the Borough strategically placed across the rural areas, which helps to keep the amount of dead miles down.

In response to a question about how commissioning of supported services is undertaken by Essex County Council, Deborah Fox confirmed that commercial withdrawals are tracked and equality impact assessments conducted. Where it is feasible services are supported by Essex County Council funding. When commercial services are withdrawn, officers review whether the service could be re-routed, or altered to ensure it continues. There is also the possibility that community transport providers, such as Community360 or Essex County Council's CommunityLink would be able to provide certain services. Ms Fox stated that paying patronage on buses ensures that services keep running and that there are times when services cannot be supported. Deborah Fox highlighted that further information on this could be provided at the next stages of the Bus Review.

Councillor Davies highlighted that she would be keen to find out more information about the Bus Blueprint.

Closing Comments

Deborah Fox, Essex County Council

Deborah Fox provided further information about fares for Park and Ride following on from queries raised during the meeting. Feedback from customers suggested that a family fare should be introduced, and this has now been rolled out with two adults and three children costing £5. In addition, further offers have been made to local businesses buying a volume ticket from Essex County Council. This has been

successful with Colchester General Hospital who have passed on a further subsidy to their staff. This then frees up spaces at the hospital for less able residents. Further work will continue with business to help to grow the Park and Ride service. Deborah Fox also highlighted that the Park and Ride service has a dedicated bus lane into the centre of Colchester.

First Buses

Steve Wickers, First Buses, thanked the Scrutiny Panel for the invitation to the meeting and for the comments and feedback provided, which shows that people are passionate about buses and see the value and the role they play. Mr Wickers highlighted that buses are very reactive to demand and that there needs to be a plan between partners to future proof for the growth of Colchester.

Simon Davies provided the Panel with information regarding the business model used in London, as Panel members had raised queries relating the bus provision in London. Simon Davies stated that instead of bus operators needing to be commercially viable, they are paid a flat fee per mile for operating a service. Revenue from public transport provision is collected by Transport for London and then provided to bus operators. This allows for evening services, which would not be commercially viable outside of London, to operate. Outside of London it is necessary to incentivise people to use buses alongside a deterrent. Mr Davies highlighted the cost of parking in London and the difficult in finding car parking spaces which acts as a deterrent.

Mr Davies also wanted to highlight that First Essex have worked with, and want to continue to work with community groups and estates to develop solutions and build and grow the network.

Jeremy Cooper, Go-Ahead

Jeremy Cooper thanked the Panel for the opportunity to discuss bus services in Colchester. Jeremy Cooper raised the issue of family fares which was raised in Have Your Say and highlighted that the industry does get this wrong at Off-peak time. Mr Cooper highlighted that a new discount would be on offer for the Sudbury service.

The issue of school travel was also raised during Have Your Say, and Jeremy Cooper commented that he would be happy to have a conversation about this after the meeting. Mr Cooper explained that in some cases school transport can provide the support required to ensure a rural bus route continues, due to children and young people paying the fares.

Anthony Comber, Arriva

Antony Comber stated that they are keen to work in partnership with the Council and businesses as there is a common problem that can be tackled together. Mr Comber highlighted that there are certain Business Improvement District areas that increase the levy to fund alternative transport measures. Other options could include using funds from car parking to invest into other forms of transport, such as a bike scheme. Removing people from cars into other modes of transport.

Mr Comber highlighted that there is a younger generation that do not have or want a car, and therefore public transport is attractive to them. With more environmentally friendly technology being developed this is becoming a potential areas of growth for bus services. Buses are one of the biggest alternative options for public transport, Mr Comber highlighted that a double decker bus can remove 75 cars from the road, if the bus was given priority on the roads passenger satisfaction in bus services would be even higher.

Mr Comber finished by highlighting that Councils, Local business and bus operators can work together to deliver services that reflect the needs of the community.

Scrutiny Panel

The Panel expressed their thanks to those who had attended the meeting and responded to queries raised. Councillor Davies explained that the next steps for the bus review would be discussed at the beginning of the next municipal year. Councillor Davies also thanked members of the public for taking their time to attend the meeting and have their say. Councillor Davies suggested that if anyone in attendance had any further comments that they should feed them in through their local councillors or direct to the Borough Council.

RESOLVED that;

- a) The Scrutiny Panel expressed their thanks for those who took their time to attend the meeting and respond to questions.
- b) the next steps of the Bus Review be established at the beginning of the next municipal year.

Scrutiny Panel Bus Review

1. Summary of feedback and information from participating companies and organisations

General feedback

- Town is congested, making bus operations more challenging (Arriva, Panther, Heddingham & First Bus)
- Car parking charges in town centre are too low and prevent modal shift from car to bus (Arriva, Panther & First Bus).
- Community transport schemes benefit from using bus lanes but use of stops is sometimes questioned (when being used for a not-for-profit service run for a community/public use) (Community360 (C360)).
- Community groups operating under Section 19 Permits (transport of members but not the public) also provide support and signposting for service users) (C360).
- Essex County Council (ECC) are investing in local buses, Park and Ride and Community 360. ECC has recorded slight increases for bus use in Colchester and believe competition between operators has kept fares down (ECC).
- Fares and multi-operator season tickets are good value (First Bus).
- Colchester Blueprint meetings are positive and useful (several operators and ECC)
- 40% fewer teenagers have driving licenses, compared to the figures for 1997.

Work underway to improve punctuality

- Arriva: Building live surveillance centres to manage services. All buses have GPS & radios. Trialling of new working method in Southend led to punctuality almost reaching 95%.
- ECC: Reducing congestion by increasing bus use. Bus lanes introduced and A12 junction 28 improved.
- First Bus: Use of AVLS (automatic vehicle location system). Data used to refine future service changes. Feedback from public tracked to improve quality.
- Heddingham: They use satellite tracking and messaging to and from vehicles. Twitter is used to flag issues and a customer line is operated. It would help operators to have ways to work with ECC to manage the impact of road works and recommend a Punctuality Improvement Partnership is developed between ECC and operators.
- Ipswich Buses: Have increased frequency on their route but priority bus lanes on the Ipswich Road route would help.

Current efforts to increase bus usage in Colchester

- Arriva: Looking to engage more with local business community. Lack of ECC funding however leaves a significant risk for operators, with a currently declining market.
- ECC: Held promotional campaign for Park & Ride in early 2018. Promoting use of Colchester Borough Card multi-operator season ticket.
- First Bus: Now using digital platforms, mobile and contactless payment ticketing for buying tickets. This removes barriers. Bus tracking app introduced, and larger buses on busier routes.
- Hedingham: An increase in frequency and timeliness of services can be used as a driver to increase use of buses. Plans include improved marketing/presentation of the fleet and better wi-fi in vehicles.
- Ipswich Buses: A new network is in operation with revised fares, contactless and app payment, along with a new website. Marketing is to be improved.

Work ongoing to reduce emissions

- Arriva: Won £1m from ECC to convert Colchester fleet to the Euro 6 emissions standard.
- Community 360: Have replaced several older, less efficient buses
- ECC Sustainable Travel Planning Team works with firms to implement travel plans. £500k government funding secured to convert 30 Colchester buses to Euro 6 standard.
- First Bus: Introduction of Euro 6 standard buses and upgrading of vehicles already in service. Green road system fitted to improve driving style and cut idling.
- Hedingham: Want to upgrade fleet to Euro 5 standard, but this would be dependent on the awarding of contracts on more than just competitive pricing. Euro 6 standard is commercially sustainable for new additions to the fleet.
- Ipswich Buses: Improving fleet to Euro 5 standard
- Panther: Fleet in Colchester area is 'Low emission zone' compliant

Moves to increase Accessibility

- Arriva: Use of 'ArrivaClick' flexible minibus service.
- Community 360: Most buses are fully accessible. Gradually replacing older models with new ones which include tail lifts. More capital funding support is needed for this.
- ECC: Over 100 smaller infrastructure issues dealt with, but topography and design of town cause difficulties which are difficult to mitigate.
- First Bus: All vehicles now DDA compliant and drivers are trained to consider access issues as part of their CPC course. Improvements to town bus stops would help give access where customers need it.

- Heddingham: Raised concern bus stops present issues e.g. buses not being able to always pull up flush with the kerb, through design of the kerb or illegal parking. Bus station area is poorly laid out (also mentioned by Panther) and improvements for stops should be discussed at Colchester Blueprint meetings.

Ways to achieve improved dialogue with bus companies:

- CBC need to meet bus company representatives individually in private to discuss issues, as commercial sensitivities often apply (Arriva).
- Have a regular meeting for bus users, CBC representatives and bus company representatives to discuss issues and requests (Arriva, Panther and Community 360).
- Make sure that community transport scheme operators are included in meetings on public transport (Community 360)
- Continuation of ECC's 'Colchester Blueprint Programme' (engagement between ECC, CBC and bus operator representatives). Meetings for resident representatives to meet bus operators will continue (ECC and First Bus).
- Voluntary Quality Bus Partnerships can be effective, and it would be useful to engage with key stakeholders (e.g. the BID) to feed into bus operations.
- Regular email newsletters and consultation with operators (Panther).

Date 21/1/2019
Our Ref: PT/CKS
Your Ref:

Essex County Council
Strategy and Transformation
Integrated Passenger Transport Unit
County Hall
CHELMSFORD
Essex CM1 1QH

Dear Cllr Davies,

Re: CBC – Bus Scrutiny Panel Letter – 27th November 2018

Thank you for your letter of 27th November, in which you ask for responses on several areas of bus operation within the town, following the Colchester Borough Council Scrutiny Panel Bus Review meeting of 16th April 2018.

I have used your initial letter as a framework by which to respond, which I hope will make it easier for the panel to correlate responses to the specific questions raised. The headings and bullet points below are therefore from your original narrative, ECC's comments are added italicised afterwards.

To understand the strategic role and benefits of bus operations and how buses can best serve the Community.

- **With regard to the Bus Blueprint, what are the current goals, deadlines and long-term targets for the group?**
 - *The Colchester Bus Blueprint has a number of headline themes, which collectively cover most aspects of the bus business and operational environment. Specific theme areas comprise; Vision, ticketing, business engagement, current services, new developments, car parking provision & pricing, marketing of bus travel, town centre bus hub infrastructure and route / stop infrastructure.*
 - *The group has already worked collaboratively on a number of projects including;*
 - *participation in the 2017 Catch The Bus Week campaign,*
 - *development of a quality bus partnership on bus route 88 (Colchester to Halstead {Great Yeldham}),*
 - *introduction of a much improved range of multi-operator ticketing products based on the Colchester Borough Card,*
 - *the review and implementation of town centre bus stopping arrangements,*
 - *involvement with Colchester Business Community's 'Our Colchester' process,*

- *working with other service providers such as Colchester General Hospital and several higher educational establishments on bus related activities.*
- *The next major activity that the group is looking to work towards is the development of a more comprehensive partnership arrangement between the bus operators and both the Borough and County Councils, with the aim of improving the quality, reliability and environment for bus services across the town. Work will start on this during 2019.*
- *We also hope to introduce a series of passenger infrastructure upgrades, to complement the initial review of town centre bus stopping arrangements undertaken in 2018 – however this will be partially dependant on Colchester's proposals for town centre pedestrianisation.*
- **What discussions have taken place to link services and those provided by Community360?**
 - *There are no formal plans to link main stream bus services with those provided by Community 360.*
 - *Community Transport is a very important element of the overall transport service mix for Colchester. However, they do have different client bases. Conventional bus services deal with the mass transit of large numbers of people along fixed routes across the borough for local journeys and inter-urban corridors. In contrast the services of Community 360 offers bespoke travel to provide accessibility for residents unable to use conventional bus services. As a result they tend to offer bespoke door to door services, which are not easily combined with bus routes.*
 - *In principal it might be possible for an organisation like community 360 to take on some of the more lightly used local bus services, making use of the Section 22 permits that allow not for profit organisations to carry the general public. To have a significant effect this would require a significant change to the way community transport services are run. There are also serious licensing issues, following a change of view by the DfT in July 2017 over what constitutes a 'not for profit' operation and which is currently the subject of ongoing legal dispute at a national level. Until this situation is resolved it will be difficult to extend community transport functions beyond their current scope.*
- **What steps are being taken to encourage new bus users when new housing developments are built?**
 - *Wherever appropriate the ECC Strategic Development Engineers seek to secure the infrastructure to enable development to be served by passenger transport. For larger sites, this normally means ensuring the site spine road is adequately dimensioned both in terms of its width as well as horizontal and vertical alignment. ECC also tries to secure*

improvements to existing bus stops as well as new stops, the latter generally being on larger sites.

- ECC can also encourage the developer to approach the local bus service operator(s) to procure an improvement(s) to an existing service(s) or a new service.*
- The County Council's Sustainable Travel Planning Team (STPT) may also recommend the inclusion of Travel Planning conditions which require developers to provide a Residential Travel Information Pack to the occupants of each dwelling built as part of new residential sites across Essex. A Residential Travel Information Pack should be a promotional brochure which endorses and encourages the use of local bus services and all other sustainable modes. In addition to the packs, developers are also usually required to provide sample bus tickets. The STPT works closely with developers and local bus operators to secure tickets and/or vouchers for relevant services.*
- For larger developments (250 dwellings and above) the STPT recommend the inclusion of a full Residential Travel Plan in addition to Travel Information Packs. A Travel Plan will include the appointment of a Travel Plan Coordinator (TPC), who's job it is to engage with residents and offer information, support and guidance around local public transport services and other sustainable modes. Another duty of the TPC is to offer and conduct Personalised Travel Planning which will help identify routes and journey plans, including bus services.*
- As part of both the Travel Plan and Travel Information Packs residents are signposted to www.travelinesoutheast.org.uk and other online resources. We also work with the bus operators to provide hardcopy timetable information, particularly for new bus services.*
- What is your view on the consultation regarding the Bus Services Act 2017: accessible information and Bus Services Act 2017: bus open data?**

In order to aid understanding, please find below some initial scene setting followed by ECC's current thoughts on the above;

- What is 'open data'?*
 - The DfT's Open Data ambition is to have a system that creates clear roles/responsibilities for the provision of data by bus operators for local transport authorities and data aggregators. This means: (1) introducing standards for accurate bus data, supporting operators to choose digital processes over analogue and (2) makes it easier for passengers to make informed travel decisions.*

- *What does it enable to be done differently from now?*
 - *The DfT's initial intention in their Summer 2018 consultation was to have Operators referencing their data to a DfT portal*, facilitating access to the below information:*
 - *Route and timetable information by end of 2019.*
 - *Basic fare and ticket information by end of 2020.*
 - *Real time information by end of 2020.*
 - *Complex fare and ticket information by end of 2022.*
- **As opposed to a centralised model, the DfT has proposed a distributed model for data. This means that the publication of data is at source (i.e. by the operators), helping to protect the provenance and integrity of the data. ECC's interpretation, is that the DfT portal will be an index of URLs that would point the user to the Operator's hosted file. Although this has yet to be made clear: more information is expected 'sometime' in January 2019.*
- *Does ECC think it's a good idea or not?*
 - *Broadly ECC supports the proposals for operators taking a more proactive role in making key data available to the public. However, the relatively short timescales proposed by DfT are of concern and the ability to supply accurate and up to date fares data across the whole range of service operations, which can be very complex, is also a matter of concern.*
- *How will it benefit users?*
 - *Making more and better data related to timetables, fare and reliability open to the public should help to encourage people to try using the bus and help improve their profile. In Essex both the operator and the council are usually prompt with current data submissions (timetables) and on the whole offers an accurate dataset, but elsewhere around the Country LAs have not been as diligent. It is likely therefore that 'visible' benefits will be more noticeable elsewhere.*
- *What are the main risks?*
 - *There are a number of risks associated with such activities, including, but not limited to;*
 - *Operators may not see the benefit and therefore not actively participate.*
 - *There's a concern from ECC, that data will no longer be checked/validated by an external body and instead simply be left on a portal for people to use.*
 - *Lack of clear data standards and guidance to support Operators - especially those who have no dedicated 'data staff'.*
 - *A further risk is that data will not be provided with enough lead time for other functions to be undertaken timely e.g. roadside, publicity, public engagement etc.*
 - *Real time information is another area of concern, for whilst operators will be obliged to provide Advanced Vehicle*

Location (AVL) data to the Local Authorities, there's a cost to do this on both sides and this could actually be complex to facilitate if the DfT do not provide clear guidance (as different systems will be procured by the Operators, increasing the workload for ECC immensely).

- *Fares. From our view, this is one of the weakest areas of the consultation - the amount of fares and the complexity of them means we need a robust data standard. A European standard (NETEX) has been mooted but only a handful of UK 'experts' are sufficiently knowledgeable in it. So in ECC's view, it is risky to be placing tight deadlines (by 2020) on Operators to get themselves mobilised for this.*
- *What is ECC doing to help/assist/promote with the operators/public?*
 - *We are currently awaiting the follow up report (Jan 2019) before formally reaching out to Operators to plan the way forward in more detail.*
- **What is the assessment criteria for supported services?**
 - *As the Local Authority, we are generally the transport provider of last resort, with regard to the provision of services that commercial operators are unwilling or unable to provide within their current business model. There are steps within the ECC policy, which outlines the circumstances under which ECC might step in to provide bus services and the levels of prioritisation that may be afforded to various types of service, within ECC's limited bus service budget.*
 - *This information is provided more fully within the ECC Local Bus Policy 2015 please click on the link below;*
<https://www.essexhighways.org/uploads/files/local%20bus%20service%20priority%20policy%202015%20to%202020.pdf> .

Punctuality of Services

- **What technology would assist the transit of buses in central Colchester?**
 - *Technology (such as 'green wave' systems for traffic lights or AVL allowing buses to be tracked and service to be actively managed) can assist the movement of buses through urban centres. However, the underlying issues for bus traffic in Colchester, in common with other mature urban landscapes, is the need to establish effective modal priority within the road network. This would facilitate faster and more reliable bus journey times, making them more attractive to potential service users. The potential for passenger growth would be likely to encourage investment in bus service frequency and quality, creating a virtuous circle. A reallocation of road space and prioritisation at key junctions is achievable from a technical perspective, however some difficult decisions with regard to highway priorities is the real key to*

unlocking the benefits of sustainable modes including buses throughout the Borough. The issue is therefore volumetric rather than technical in nature.

- **At the meeting, it was mentioned that grouping of services for destination in the High Street may assist with congestion and new services, are there plans to introduce this?**
 - *The first stage of bus service reallocations within the town centre quadrant as a whole was introduced on 21st October 2018. This saw ECC/CBC/Essex Highways and the bus operators work together to introduce a revised suite of bus stopping arrangements. This has led to a reduction in the number of services calling at previously over-used stops and reallocations at other stops designed to provide more evenly spaced headways between services calling at individual stops around the town.*

Increasing Bus Usage

- **What is Essex County Council doing to challenge the current perception of bus travel?**
 - *If this question is referring to the age of the vehicles and likelihood of increased services, this is an element which rests largely with the parent groups of the largely national bus operators which operate in Colchester. The level of investment that they are likely to secure from their groups will be highly dependent however on the perceived return on investment that is likely to be secured. So if the subsidiary companies are able to demonstrate that there are well founded partnerships in place with the local planning and transport authorities, approval for investments in new and/or additional vehicles for example may be more easily secured. Conversely if a particular town is seen as somewhere that is unsupportive of its bus network and/or it fails to make it an operationally sound place to function, then additional funding will be difficult for them to secure and could in times of economic difficulty make the town a prime target for service retrenchment or even withdrawal.*
 - *Through the Bus Blueprint we have secured agreement on and introduced (in July 2018) a wider range of multi operator ticketing options, designed to attract new users to the bus network in Colchester and to provide greater value for money for some existing users.*
 - *ECC has worked with a range of parties to introduce various highway improvements across the Borough, which seek to make the operating environment for buses easier within the town centre and beyond. There will however need to be political support for larger measures to bring more meaningful benefits for the buses operating throughout the Borough.*

- *We have lead on a successful bid, along with CBC to secure funding for the retrofitting of a number of vehicles with enhancements to reduce the level of emissions that these vehicles emit into the environment, which is recognised as being a positive step towards addressing the AQMAs that are present within the town.*
- *Allied to the above point, the reallocation of services to stops around the town centre will also have contributed towards a reduction in the part which buses could have been seen as playing in contributing to town centre congestion – the freer flowing vehicular movements will have a consequential impact on air quality also.*
- *The Bus Blueprint Group and the bus operators themselves also work with and through the Colchester Travel Plan Club in extolling the virtues of sustainable travel and promoting ticketing offers to employees of travel plan club member organisations.*
- *ECC is piloting some activities with younger persons in order to understand the perceptions that this age group has of passenger transport and seeking to understand / address the hurdles that are presented by the individuals themselves and information gleaned from psychometric studies that have been undertaken. It is anticipated that the learning from these activities will enable us to reconsider how passenger transport promotional activities are undertaken in the future.*
- *ECC would also be very interested to understand how CBC proposes to promote the use of sustainable modes and challenge/redress negative perceptions within its areas of influence.*
- **What family fares are in place on supported services, and what else is Essex County Council doing to encourage families to use buses?**
 - *ECC has a county wide Family Sunday Saver ticket and the recent uplift to the Boroughcard range of products brought in through the Colchester Bus Blueprint also has a daily family ticket for either inner zone only or for the whole of the Boroughcard area.*
 - *ECC is working with operators, on the aspiration for introducing an Essex Saver Family Ticket – hopefully within 2019.*
 - *ECC also introduced a Park & Ride Family Ticket in 2018.*
 - *The marketing sub group of the Bus Board will also be working on a range of activities designed to encourage additional usage of the bus network, by both new and existing passengers and their families / friends.*
- **What is the current uptake in terms of businesses for the Colchester Park and Ride service, and what are the targets for the service?**

- *We currently work with 2 large companies and a few smaller ones, the uptake is quite slow but its early days. We are constantly making contact and showcasing our offers to prospective employers.*
- **What are the obstacles for introducing multi-operator travel cards?**
 - *In simplistic terms, the normal major obstacle to be overcome when seeking to introduce a new range of ticketing products is that of revenue apportionment – providing a mechanism that satisfies the operators that they are getting their reasonable share of revenue collected through the sale of these products viz a vis the amount of travel benefit enjoyed by the users of their services.*
 - *In reality Colchester residents are able to enjoy the benefits of a number of multi-operator and indeed multi-modal ticketing products.*
 - *Essex Saver tickets allow unlimited travel throughout the County on all but a few selected ‘special’ services.*
 - *Essex Sunday Saver tickets are a cheaper version of the above, affording travel on Sundays only.*
 - *There are a range of Boroughcard Tickets, with adult and child tickets available for various time periods from one day to a year – there is also a family ticket and the product range is available for both the ‘inner’ area (broadly the main built up area of Colchester) and the ‘outer’ area which additionally includes a range of outlying villages and towns, some of which are beyond the Borough boundaries. The scheme covers the main 3 operators in Colchester as well as being available on ECC contracted bus services (click on the link for further information). <https://www.firstgroup.com/essex/tickets/ticket-types/colchester-borough-card> The Boroughcard scheme is administered by First Essex Buses on behalf of all participating operators. First are currently planning a refresh of the Boroughcard marketing materials and developing a publicity campaign to promote its awareness.*
 - *There is also the plus bus ticket, which can be added to rail tickets for a variety of time periods – this is added on to the passenger’s rail ticket at the time of purchase and can be used by local residents in order to access the rail station at the start of their journey – equally it applies to visitors / commuters to the town who would use the ticket to facilitate access from the rail station to their final destination within a defined zone.*
 - *Within the Colchester Blueprint we have also secured inter-availability of tickets for passengers using the dual operator Quality Bus Partnership Route (Service 88).*

Reducing Emissions

- **Could you confirm what proportion of the buses operating in the Borough of Colchester at Euro6 standard?**
 - *Approximately 35% of the vehicles operated by the main 2 operators in the town will be either Euro VI or operating to Euro VI standard (through the fitment of retrofit kits) in the near future. More precise information in this regard should be sourced from the operators themselves.*
 - *The retrofit kits referred to above are as a consequence of 2 successful funding bid applications for Central Government monies, made under the umbrella of the Colchester Bus Blueprint, bringing together a partnership working between ECC, CBC, First Essex Buses and Arriva Southern Counties.*
- **Do you have plans to assist the introduction or trial electric buses in the Borough?**
 - *At present there are no plans to introduce electric buses into Colchester. That said it is known that the parent groups of some of our operators do have such trials elsewhere and may have plans for rolling out these technologies over time. Information on specific operator plans should be sought from them directly.*

Communicate with passengers when services are cancelled or altered

- **Could you outline the latest developments in technology, which would improve information for members of the public?**
 - *The major bus operators in the town enable passengers to track the progress of their bus by means of 'apps' downloaded onto mobile phones and tablets. Some of these are operator specific, whilst others carry information for all operators.*
 - *The bus operators have asked ECC through the Bus Blueprint group to facilitate their access to the Real Time Passenger Information Screens, present at many bus stops, for reporting last minute cancellations to services.*

Improving dialogue between bus companies and Colchester Borough Council, Councillors and members of the public

- **What consultations do you conduct with members of the public regarding removal of services, or introduction of new services?**
 - *ECC always consult on changes to their contracted services, such consultations are widely publicised.*
 - *The majority of the network (circa 85%) is however operated commercially by the various bus companies. They will have a range of mechanisms for interacting with the travelling public over changes to their services – ECC has no jurisdiction over how, when and with whom*

such activities are undertaken. Information should be obtained directly from the respective operators.

- **Is there a named contact available for Councillors, when information on bus services in a locality is required?**
 - *The Councillors should in the first instance check on Traveline, all changes that have been applied to the Traffic Commissioner for approval, will normally appear here in advance of the changes coming into effect.*
 - *Bus operator websites are also a useful place for Councillors to find out about operator consultations and impending service changes as well as potentially receiving other information such as those relating to service disruptions, diversions (eg due to roadworks) and new products.*
 - *ECC members are also able to make use of the Member Enquiry system.*
 - *Any issues that cannot be satisfactorily resolved through one or other of the above courses of action can be directed towards the Integrated Passenger Transport Unit mailbox Passenger.Transport@essex.gov.uk – the enquiry will be directed to an appropriate officer to generate a response.*

Yours sincerely



Helen Morris
Integrated Passenger Transport Unit
Essex County Council

Please reply to:	Passenger Transport
Telephone:	0345 743 0430
Email:	passenger.transport@essex.gov.uk
Internet:	www.essex.gov.uk

Response to supplementary Scrutiny Panel Questions to bus operators.

The following responses have been provided by Mr. Gavin Hunter, Arriva Area Manager for Hertfordshire and Essex.

To understand the strategic role and benefits of bus operations and how buses can best serve the Community.

- What discussions have taken place to link commercial services and those provided by Community360?

No discussions to date. The Colchester Blue Print Transport Forum meetings have not covered this as far as I know either, nor has the bus strategy board.

- What steps are being taken to encourage new bus users when new housing developments are built?

Communication with a couple of developers representatives have suggested very little funding is available to kick start new or extended routes. This has been raised at the Blue Print Transport meetings and at bus strategy board meetings and it would appear that during the planning process, s106 funding [particularly for bus provision] was poor or non-existent. This has been raised with Colchester Borough and Essex CC. My understanding is most of the planned developments in the area have already gone through the planning process without adequate or any funding for bus services. Where it is possible to include new developments with little or within existing resource, this has been or is being considered.

Arriva produce welcome packs for new residential areas promoting bus travel with discounted travel tickets [usually, with s106 contribution.] We are extremely keen to be involved as early as possible in the planning cycle, even if it is several years in advance, so that we can support and influence planning applications for future developments with day one subsidy which really cater for the travel needs of the new home owners.

- What is your view on the consultation regarding the Bus Services Act 2017: accessible information and Bus Services Act 2017: bus open data?

Arriva have been at the forefront of progressing open data; and have been fully involved in the consultation process with the DfT [Department for Transport].

Punctuality of Services

- What technology would assist the transit of buses in central Colchester?

Traffic light priority, bus lanes, key route pre-messaging for car drivers to use park and ride when town centre parking full, bus only routes using barriers recognising vehicles

- At the meeting, it was mentioned that grouping of services for destination in the High Street may assist with congestion and new services, are there plans to introduce this?

The High Street had revised stopping arrangements implemented on 21st October 2018 to ease congestion in the area partly caused by bunching at busy bus stops resulting in reduce traffic flows. I understand traffic flows in the area are better [but that's not to say they are good!]. There are no plans to revised the bus stop allocations at this point.

Increasing Bus Usage

- What is your company doing to challenge the current perception of bus travel?

Working with our partners at ECC, ECC secured funding from DfT to upgrade our vehicles [and First Group] to Euro 6 standard helping to improving air quality in and around the town centre. In partnership with Stansted we have introduced new vehicles on our route 133. We have a real-time app allowing customers with a smart phones to track their bus helping to give confidence when using our buses [particularly with so much major road improvements currently going on with the resulting delays]. This year, we introduced new ticket machines on our buses allowing contactless payments. Together with on-line/m-ticketing gives customers more convenience and flexibility about their ticketing and payment options. A lot of buses have free WiFi. Internal projects such as Community Fund to allow staff to bid for funding to support local community projects, clubs or charities, reconnecting local staff with the local communities.

- What family fares are in place in your network, and what else are you doing to encourage families to use buses?

Multi journey Family tickets are available for Arriva only Colchester wide day ticket. Additionally, the multi operator Colchester Borough Card day tickets are available for both zones. We have run summer campaigns in the past for families. We are looking at a similar campaign for summer 2019.

- Do you participate in Catch the Bus Week?

Yes, we historically offer £1 day tickets to new users to encourage trial of bus, also attending events to share information where appropriate, or attend bus surgeries with local authorities.

- What are the obstacles for introducing multi-operator travel cards?

We already have them in Colchester [see above]. Any card which undermines the commercial viability of existing tickets comes with no guarantee of a no better no worse outcome, far less a positive situation so the introduction of any card with a reduced price would need to be financially supported

Reducing Emissions

- Could you confirm what percentage of the buses that you operate in the Borough of Colchester are at Euro6 standard?

50% once retrofitting has been completed

- Do you have plans to introduce or trial electric buses in the Borough?

We have championed the need previously and have supported funding submissions across Essex for clean air initiatives including electric buses. However, we do not currently have any plans to introduce electric vehicles but would be happy to be part of a trial supported by CBC

Communicate with passengers when services are cancelled or altered

- Could you outline the latest developments in technology, which do or would improve information for members of the public?

Through the Colchester Blue Print Transport Forum, access to the bus stop real time information screens is being investigated to see if bus companies can update customer information when services are disrupted using fixed statements through pulldown menus to avoid misuse.

Social media is used to inform customers of any disruption currently, this is posted directly from our depot staff as any disruption occurs. We are currently looking into development of our app to push notifications direct to customers phones on the journeys they use, this is still in scope. Our website and app are being upgraded to improve information to customers in real time.

Improving dialogue between bus companies and Colchester Borough Council, Councillors and members of the public

- What consultation do you conduct with members of the public regarding removal of services, or introduction of new services?

When contracted service 11 changed enough to potentially cause an issue to customers, on bus notices and questionnaire together with on-line feedback page to the proposals was arranged through ECC. Bus user group engagement and the Colchester Blue Print Transport Forum is the main method. There is some contact with Colchester Institute and Essex University. For our own commercial services, we write out to the local community via a number of channels and request feedback on what changes we should make to our services. These suggestions are either implemented or not depending on their validity, and we make sure we feedback to those who have put the ideas forward and thank them for becoming involved.

- Is there a named contact available for Councillors, when information on bus services in a locality is required?

John Copping

Extract from the draft minutes of the Policy and Public Initiatives Panel meeting on 31 July 2019

29. Use of the River Colne

Councillor Jowers (by reason of being a member of West Mersea Yacht Club and having allocated locality budget funding to assist local user groups for gigs) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

Mr Darius Laws addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). He explained his concerns which had led him to request that the Panel consider recreational use of the Colne and ways to improve it. These included environmental problems (such as algal blooms and overgrown weeds leading to death of fish) and physical difficulties at certain points, such as lack of access and portage points. It was his view that, in relation to its potential, the Colne is not currently well used.

Mr Laws urged the Council to examine ways to improve access and gave examples of where portage points would be useful, including at East Gates and Middle Mill where portage to avoid weirs/obstructions is currently difficult. It was suggested that developers of riverside properties could be asked for contributions to assist with the funding of this work. Mr Laws also suggested that a jetty could be installed close to North Bridge (North Station Road). Mr Laws posited that quick wins could be gained by improving the number of easy-access points, both in the upper and lower Colne.

Mr Mark Nowers, RSPB Conservation Officer, addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). He stressed the importance of the Colne, from a conservation viewpoint, and the need to balance recreational activities with ensuring that the conservation areas are not damaged.

Mr Nowers gave a detailed explanation of the damage done by disturbance of wintering birds, present along the Colne from July to April, by noise, wash from powered water craft and a range of antisocial behaviours. The Panel was informed that damaging disturbance can occur, even in instances where birds do not take flight. There are a number of scheduled species of birds which nest in or use the Colne Estuary, which is one of the two most-important sites in the UK.

Mr Nowers supported engagement with river users to give them positive contact with nature, whilst avoiding damaging behaviours and directing certain activities away from the more sensitive areas of the Colne.

Mr Tony Evans, Chair of the WivGigs rowing club, addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). WivGigs were happy to contribute and support the review into recreational river use. A key issue identified by

Mr Evans was the need to look at access points for mid-sized craft (such as gigs). There were currently two points, both at Wivenhoe and leased to the Wivenhoe Sailing Club, and no free launching/recovery access along the length of the Colne from Colchester to Brightlingsea. Of the two, the hard at the bottom of Anchor Hill presents several difficulties for use, with the new hard being preferable, but use of either requires payment to be made to the Sailing Club. The floating pontoon at Wivenhoe was only appropriate for use by very small craft such as canoes, kayaks and paddleboards. WivGigs requested that consideration be given to the provision of free launching/recovery access points along the Colne.

Mr Evans stressed his organisation's support for efforts to cut antisocial and damaging behaviours along the river, including work to tackle speeding. Enforcement was key, and a request was made for consideration to be given to the banning of high-powered craft upriver from Alresford Creek.

Mr Chris Parkin, Chair of Colchester Canoe Club, addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). Mr Parkin gave the Club's history and background, operating from the old pumping room of the former lido at Colne Bank Avenue, leased from the Council. The activities and river and sea canoeing training offered by the Club was described, with most activity focused on the stretch from Spring Mill to East Gates.

The Club held a license with the Council for exclusive use of this part of the river for boating activity and regularly worked with the Council to identify problems relating to water quality and preserving the river's visual and practical amenities. Problems such as weed build up (leading to de-oxygenation) were detailed. The Club worked with River Care and Colchester in Bloom to rectify obstructions and other issues within its area of operation. The Club was keen to continue working with the Council and asked that it be noted amongst the existing user groups and stakeholder groups, and that increased canoe and paddleboard use be listed amongst the options for future use of the Colne.

Mr Colin Bachelor, Secretary of Colchester Canoe Club, addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). An offer was given to assist the Council in developing a plan for the use of the upper Colne, and a request was made for additional Council help to allow the Club to increase its environmental protection/enhancement and community-based work on the river.

A sewage leak had been identified by the Club from a local sewage pumping station and this was contrasted with the current inability of the Club to provide toilet facilities, due to a lack of functioning drainage. Council help was requested for rectifying this, with the Club then being responsible for upkeep.

The Club had been lobbying the Environment Agency to take a more proactive approach to managing issues on the Colne, such as water quality and removal of obstructions. Council involvement was requested in lobbying and in removing low tree branches which contribute to blockages forming.

Mr Bachelor offered help to identify appropriate portage points on the upper Colne.

Councillor Adam Fox, Portfolio Holder for Housing attended and, with the consent of the Chairman, addressed the Panel to confirm the Council's commitment to developing the green assets of the Colne and its riverside areas. Recreational use would continue to be balanced with environmental conservation and cleanliness. Councillor Fox committed to ongoing support for the Colchester Canoe Club's work to make the river usable and pleasant.

Councillor Fox drew attention to the residential use of the Colne, such as by the Hythe Boaters, based around King Edward Quay, and the potential for the gaining of developer funding for the purposes of improving the riverside areas for use by residents and visitors.

Uses of the river around Rowhedge were described, and Councillor Fox stated that there was a high level of support for the installation of a footbridge across the Colne and noted that a temporary bridge had been installed during World War One to allow soldiers to walk to Wivenhoe and access the station. In 2018, Councillor Bentley had suggested that he would provide funding to investigate the possibility of a new bridge that would not impede the navigation channel.

Councillor Cory, Portfolio Holder for Strategy and Leader of the Council attended and, with the consent of the Chairman, addressed the Panel to emphasise his view that a vision is needed for the Colne, produced in consultation with users and stakeholders and covering fair and safe use of both the upper and lower river and the operational foci of tackling antisocial behaviour and safeguarding the environment. The Council was being proactive to address biodiversity and ecological issues and has recently set up a Conservation and Environmental Sustainability Task and Finish Group to help avoid harmful policies and protect green assets. Councillor Cory backed the creation of a vision document, especially given the need for the Council to be proactive in the wake of cut backs to the Environment Agency, and the effect this has had in reducing the action it took. Such a vision document could then be consulted whenever river-side planning applications are decided.

Mandy Jones, Assistant Director (Policy and Corporate) presented the report and its main points, supported by Stephen Collis, Parks, Contracts and Volunteering Specialist. She clarified that the user groups and potential ideas for increased use, as given in the report, were not prescriptive or fully comprehensive, but meant to be illustrative of the groups and options available. Further user groups were invited to make themselves known and take part in any future engagement regarding this subject.

The Assistant Director reiterated that there was currently no plan/strategy for the Colne and that the Panel was being asked whether it wished to recommend that Cabinet have one produced, underneath the Council's Strategic Plan 2018-21, whilst being mindful of the financial implications of any content.

Dr Jonathan Scales, representative of ColneWatch, attended and, with the consent of the Chairman, addressed the Panel to describe the work done by his organisation. ColneWatch was not a formally-constituted organisation but was a collection of active groups which address the level of antisocial behaviour experienced on the Colne, especially in relation to high-powered craft and speeding. It was also a forum

for issues to be discussed regarding river usage.

An increase in speeding and low-level antisocial behaviour has been noted, with some caused by ignorance and other incidents the result of intentional transgression. There are concerns regarding potential environmental damage (including by noise and wash of craft) and regarding safety of other river users, e.g. swimmers. Dr Scales noted that there was currently very limited Police resource for taking preventative and enforcement action and that patrols by the Dracula Pilot Vessel, operating from Brightlingsea, had been restarted and were proving effective but would require future funding to continue.

ColneWatch and its organisations' actions were described, including efforts to encourage reporting of incidents and speeding, use of social media and training sessions by the Nottage Maritime Institute on responsible river use. Better signage along the river had also been requested by ColneWatch.

Future potential for the work of ColneWatch was discussed, including the potential for a new Colne Estuary Partnership to be formed. It was noted that such an organisation would require funding, and that in order to obtain funding, it would need to formally constitute itself as a not-for-profit entity, and that hard work and time would need to be volunteered for such a partnership to be successful.

James Thomas, Brightlingsea Harbour Master, and William Coulet, representing Exo Environmental Ltd, attended and, with the consent of the Chairman, addressed the Panel and gave a presentation on current and potential future work to improve use and conservation of the Colne and its estuary. Their presentation covered challenges experienced by recreational users of the Colne, such as siltation, limited clearance along certain stretches at low tide, and antisocial or inconsiderate behaviour by a minority of users. Efforts were being made to move excess mud and silt from navigational channels and use this to form saltmarshes to protect the coastline and improve biodiversity conservation.

Regarding antisocial behaviour, much is due to unwitting behaviour. Speeding was policed by the harbour whilst Colchester Oyster Fishery polices the use of sailing craft in the lower Colne, however there had been limited investment in this. The use of buoys was overseen by Trinity House, who also audit navigational audits carried out by the Brightlingsea Harbour. In addition to speeding issues, danger to swimmers and unlicensed/impromptu mooring and abandoned craft, incursions into the restricted area surrounding the nearby firing range have caused disruption to the armed forces and enforcement activities. There was currently no authority managing Arlesford Creek whilst Wivenhoe was mostly overseen by the Wivenhoe Sailing Club, although without any enforcement powers.

The need for new activities to generate income was highlighted, and it was suggested that funding for river improvements could be raised by instigating a river levy for user groups and companies. Current levels of income were not sufficient to pay for thorough management. James Thomas suggested the formation of a management group to identify ways to raise funding, with a board incorporating borough and district councils and stakeholders in the river. He advised that this be done in-house, in consultation with stakeholders, and that resources should be provided and maintained going forwards, and that the management group take a

stewardship role regarding the Colne. Ineffective stewardship would lead to greater costs in comparison (e.g. from needing to clear wrecks/abandoned craft, dealing with effluent and other hazards to conservation).

It was noted that EU funding had been obtained to help resource projects around Brightlingsea, including efforts to tackle siltation. William Coulet explained the effect and dangers caused by siltation, including increased likelihood of flooding and a reduction in river use which, in turn leads to more-rapid siltation. It was argued that, as a first step towards dealing with the siltation issue, a survey of the river bed should be carried out.

With reference to regeneration of the Hythe area, the challenges facing the area were summarised, including unpleasant views caused by mud stretches, deteriorating residential boats in poor condition, caravan users along the riverside, rubbish and hazardous substances and difficulty in establishing retail businesses in the area. Mr Coulet provided a case study of Breda, in the Netherlands, where the infilling of a disused harbour area had been reversed, and the riverside successfully developed to attract visitors and additional river users. He argued that such a development project could successfully improve the Hythe. This could include regeneration of the waterside areas, additional moorings and facilities, add marina facilities and welcome in private enterprise and services.

The Panel thanked their guests for presenting. A member of the Panel gave a brief summary of the history of commercial port operations at Colchester (including Rowhedge). A weir had been investigated as an option following the end of commercial operations, however this had been ruled out on cost grounds. A less-costly turning basin had been installed, at the cost of around £1m, but had been rarely used. It was highlighted that the commercial port had meant that recreational use had not been possible and that this had started almost from nothing in the wake of the closure. Difficulties included that there was no statutory power held by the Council regarding the river, that the majority of oversight powers regarding the riverbanks had been divested to the Marine Management Organisation (MMO), that the leasing arrangement regarding the river bed was restrictive, and that it had been difficult to install access points and ensure that they remain available for public use.

Councillor Nigel Chapman, Chair of the Dedham Vale Area of Natural Beauty, compared the Colne to the Stour and stated that the Colne was as good as the Stour, but had been neglected. Partnership working and research of options were identified as necessities, and it was explained that the Council had worked with Braintree District Council on the Colne Partnership in the upper river area, but both had pulled out. Councillor Chapman informed the Panel that parish councils in the upper river area were interested in setting up partnership arrangements to improve amenity and protection for the river.

Options suggested by Panel members included a fish-gate weir at Rowhedge, allowing higher water and more recreational potential upstream and increased portage points. However, it was noted that the options for increasing water levels at the Hythe had been explored in past years and had been found to be prohibitively expensive (including a 2002 study on the feasibility of a tidal lock at the Hythe). Drainage problems, water quality concerns and habitat issues had also been factors raised. A member of the Panel asked whether a half-tide gate could be possible and

would mitigate any drainage issues.

The Panel was briefed on current work to improve the Hythe area, including the tackling of caravans and the waste produced, work to increase mooring numbers, facilities and revenue, and improvement of public realm areas. Future work would be needed to manage and protect public access, police antisocial behaviour, provide information boards and to bring user groups, residents and other stakeholders together.

The Colne Bank Lido was discussed, and the increased popularity of outdoor swimming noted. Brightlingsea lido is well-used and well-regarded. One member recalled discussions that had been held in the past regarding whether a yacht basin could be created in that area, attracting visitors. The mooring of historic vessels could also bring in further visitors, as evidenced by the success of Brightlingsea and Maldon harbours.

The Panel suggested that the Council's neighbouring district councils along the course of the river be approached, and their views sought regarding the Colne. It was also noted that Environment Agency input would be valued and that there may be value in conducting dialogue with owners of the banks. It was also noted that Councillor Bentley could be asked to provide an update on whether the County Council would be investigating the potential for a new swing bridge between Rowhedge and Wivenhoe. It was stated that there had been some concern in Rowhedge regarding the possibility that a bridge would lead to commuters parking in the village and walking to Wivenhoe Station.

The Panel stated that a phased approach would be best, with quick actions where possible, whilst longer-term actions are put into place. Panel members considered the improvement of access to be possible in the short-term, with longer-term projects including reducing the mud deposits and siltation. Funding should be sought, with options including the requirement of residential developments in riverside areas to contribute financially to river improvements.

Councillor Cory agreed that more could have been done in the past to proactively steward the Colne and that he was keen to take back control of the river, in partnership with stakeholders and interested parties. The administration was currently working to improve the rights and powers it held over the river and had already started examining options for reducing the mud and siltation problem. Funding options could be examined, as although EU grants were likely to be unavailable in the near future, other sources such as UK Government and the South East Local Enterprise Partnership were still available. The possibilities of dredging and installing weirs could be investigated and feasibility assessed.

In response to a question, Councillor Cory explained that the Safer Colchester Partnership had been approached regarding whether they can take enforcement action over antisocial behaviour on the river in the Colchester Borough area, but the Partnership have maintained that this was not possible for them to do. Alternative enforcement options would be examined, including the possibility of volunteer involvement in identifying antisocial behaviour.

RESOLVED that the Panel noted the information provided within this report.

RECOMMENDED to *CABINET* that: -

- a) The Cabinet approves the drafting of a vision document for a River Colne partnership involving all local authorities along the Colne, stakeholders and interested others to seek out funding and implement a vision that accounts for the upper, middle and lower River Colne and estuary, to be developed in a phased way starting with access and control and with the Hythe and funding options as focal points, and;
- b) This document be brought back to the Policy and Public Initiatives Panel for further discussion and public comment before being sent to the Cabinet for approval.

Extract from the draft minutes of the Policy and Public Initiatives Panel meeting of 31 July 2019

28. Public Initiatives

Councillor Jowers (by reason of being a member of Essex County Council) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

Councillor Robert Johnstone (of Myland Community Council) addressed the Panel to suggest that the Council investigate ways to recommend improvements to the manner in which the Highways Authority installs cycleways on existing footpaths, especially where this results in a mixed-use, unsegregated cycleway/footpath.

Councillor Johnstone described the example of the mixed-use foot/cycleway on Mile End Road, raising concerns regarding the lack of consultation, poor planning and problematic implementation. The concerns raised included lack of transparency regarding funding, and the lack of before and after traffic studies to assess the impact of the installation. Only one 'information' (rather than consultation) session had been held prior to work commencing, and public dissatisfaction was such that the design was then altered. Implementation work lasted 28 weeks, rather than the 14 weeks scheduled. The approximate cost was £0.75m, funded by the South East Local Enterprise Partnership (SELEP).

The Panel were informed of the range of dangers to cyclists and pedestrians from unsegregated cycle/footways and Local Transport Note 1/12 was noted, regarding its summary of the potential disadvantage of using unsegregated cycle/footways.

The Panel discussed Councillor Johnstone's request, as to whether there should be a recommendation submitted to Cabinet that the matters raised be formally reviewed and, if so, how this should go forward.

Panel members agreed that there were examples in Colchester of problems arising from the installation of certain cycleways. The Panel noted that the installation of cycleways was a matter for Essex County Council, as the local Highways Authority, and that there was little that Colchester Borough Council could do directly regarding problems with the way in which installation is conducted. A member informed the Panel that Councillor Kevin Bentley (Essex County Council Cabinet Member for Infrastructure) had agreed to examine the use of 'shared spaces' and demarcation options. It was suggested that a letter of support for Councillor Bentley's work on this could be written by the Council.

A Panel member asked whether any information had been provided to Colchester Borough Council by Essex County Council regarding the cycleway installation on Mile End Road. It was stated that local consultation should be a necessary part of any future plans to install cycleways and that it would be good practice for a protocol to be in place for local authorities to advise highways authorities as to where a need for cycleways had been identified.

Councillor Johnstone addressed the Panel to note that Colchester Borough Council was the local planning authority and had powers to direct how cycleways be planned within new developments. One recent development had been permitted with on-pavement cycleways on footpaths, next to 14-metre-wide roads. He stated that Local Transport Note 1/12 guidance had not been followed by Essex County Council regarding cycleways. The Panel noted that Highways Authority views would have been sought as part of the planning process for this.

RECOMMENDED to CABINET that a letter be sent to Essex County Council, supporting the work of Councillor Bentley in examining this issue, noting protocols and statutory consultation rights regarding cycleway installations, and stating Colchester Borough Council's support for segregated cycleways, wherever feasible.

Cabinet

4 September 2019

Item
10(i)

Report of	Monitoring Officer	Author	Andrew Weavers
Title	Local Government and Social Care Ombudsman – Annual Review Letter 2018/2019		282213
Wards affected	Not applicable		

1. Executive Summary

- 1.1 The Local Government and Social Care Ombudsman produces an Annual Review Letter on the number of complaints it has received regarding each local authority. This report provides details of Colchester Borough Council's Annual Review Letter for 2018/2019.

2. Recommended Decision

- 2.1 To note the contents of the Local Government and Social Care Ombudsman's Annual Review Letter for 2018/2019.

3. Reasons for Recommended Decision

- 3.1 To inform the Cabinet of the contents of the Local Government and Social Care Ombudsman's Annual Review Letter relating to Colchester Borough Council for 2018/2019.

3. Alternative Options

- 3.1 No alternative options are presented.

4. Supporting Information

- 4.1 The Local Government and Social Care Ombudsman issues an Annual Review Letter to each local authority. The Annual Review Letter for Colchester for the year ending 31 March 2019 is attached to this report at Appendix 1.
- 4.3 It is worth noting that anyone can choose to make a complaint to the Local Government and Social Care Ombudsman. Accordingly, the number of complaints is not an indicator of performance or level of customer service. In most instances there was no case to answer. The Local Government and Social Care Ombudsman will normally insist that the Council has the opportunity to resolve the complaint locally through its own complaints procedure before commencing its own investigation.
- 4.4 The Governance and Audit Committee has an overview of Local Government and Social Care Ombudsman investigations and the contents of the Annual Review will be reported to the Committee in due course.

5. Key Headlines

- 5.1 No public interest reports or service improvement recommendations were issued.

5.2 In 2018/2019 the Council received 210,185 direct customer contacts in the customer services area. However, this figure does not include ad hoc customer contacts across the organisation. The Local Government and Social Care Ombudsman in the same period received 20 complaints and enquires in relation to how the Council had dealt with its customers. This is a slight decrease from the previous year's figure of 21.

5.3 The following table provides a comparison of complaints and enquires received.

Year	Benefits and Tax	Corporate and other services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
2015/16	3	2	3	2	6	8	0	25
2016/17	2	0	2	0	5	7	0	16
2017/18	1	1	5	2	8	3	1	21
2018/19	0	1	4	0	5	10	0	20

5.4 The following table provides a comparison of decisions made.

Year	Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed after Initial Enquiries	Detailed Investigations			Total
					Not Upheld	Upheld	Uphold Rate	
2015/16	2	3	12	4	1	1	50%	23
2016/17	0	1	4	5	2	1	33%	13
2017/18	1	2	8	5	4	1	20%	21
2018/19	2	1	4	10	3	3	50%	23

As can be seen from the table above, 6 detailed investigations were undertaken. Of which:

- 3 not upheld,
- 3 upheld.

(The Local Government and Social Care Ombudsman decided that the Council had been at fault in how it acted, and the fault may or may not have caused injustice to the complainant, or where the Council accepted that it needed to remedy the complaint before the Local Government and Social Care Ombudsman made a finding on fault. If the Local Government and Social Care Ombudsman decided there was fault and it caused an injustice to the complainant, usually it will have recommended the Council take some action to address it).

The uphold rate of 50% is slightly higher than the average of 43% in similar Authorities. However, the uphold rate should also be seen in the context of the 23 cases received by the Local Government and Social Care Ombudsman.

5.5 Two of the upheld cases related to Planning and Development:

- (a) One was in relation to a complaint regarding the way the Council had determined a planning application in relation to development on an open space with reference to the (then) emerging local plan. The Local Government and Social Care Ombudsman upheld the complaint because there was some fault in the Council's degree of weighting given to the (then) emerging local plan in its decision. However, the Local Government and Social Care Ombudsman ended the investigation as the complainant had not suffered significant personal injustice.
- (b) The other related to how the Council dealt with a planning application to extend the complainants' neighbours property. The Local Government and Social Care Ombudsman found fault due to officers providing conflicting information to the

complainant regarding aspects of the application process. Additionally, the complainant had made a formal complaint through the Council's complaint process. The Local Government and Social Care Ombudsman found fault by the Council in the manner in which it had handled the complaint. The Council agreed to apologise to the complainant and pay a time and trouble payment of £100.

The third upheld case related to Housing and was in relation to an application for housing. The Local Government and Social Care Ombudsman found that Colchester Borough Homes had been at fault in the way they had handled the initial stages of the complainant's housing application. Colchester Borough Homes agreed to provide an apology to complainants.

In all three instances processes have been reviewed and amended as appropriate.

- 5.6 For the first time this year the Annual Review Letter contains a table which indicates the Council's performance in implementing agreed recommendations. The table indicates that the Council had a compliance rate of 100% with one recommendation implemented within the agreed timescale and the other outside. This will be closely monitored going forward to ensure that recommendations are implemented within the timescales.

6. Financial Considerations

- 6.1 No direct implications other than mentioned in this report.

7. Strategic Plan References

- 7.1 The lessons learnt from complaints to the Local Government and Social Care Ombudsman link in with our Strategic Plan aims to be efficient accessible, customer focused and always looking to improve. Having an effective complaints process helps us to achieve the Strategic Plan's themes of a Wellbeing, making Colchester an even better place to live and supporting those who need help most.

8. Equality, Diversity and Human Rights Implications

- 8.1 No direct implications.

9. Publicity Considerations

- 9.1 Details of the Annual Review Letter are published on the Local Government and Social Care Ombudsman's website and will also be published on the Council's website.

10. Consultation, Community Safety, Health and Safety and Risk Management Implications

- 10.1 No direct implications.

Local Government & Social Care OMBUDSMAN

24 July 2019

By email

Adrian Pritchard
Chief Executive
Colchester Borough Council

Dear Mr Pritchard

Annual Review letter 2019

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2019. The enclosed tables present the number of complaints and enquiries received about your authority, the decisions we made, and your authority's compliance with recommendations during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

Complaint statistics

As ever, I would stress that the number of complaints, taken alone, is not necessarily a reliable indicator of an authority's performance. The volume of complaints should be considered alongside the uphold rate (how often we found fault when we investigated a complaint), and alongside statistics that indicate your authority's willingness to accept fault and put things right when they go wrong. We also provide a figure for the number of cases where your authority provided a satisfactory remedy before the complaint reached us, and new statistics about your authority's compliance with recommendations we have made; both of which offer a more comprehensive and insightful view of your authority's approach to complaint handling.

The new statistics on compliance are the result of a series of changes we have made to how we make and monitor our recommendations to remedy the fault we find. Our recommendations are specific and often include a time-frame for completion, allowing us to follow up with authorities and seek evidence that recommendations have been implemented. These changes mean we can provide these new statistics about your authority's compliance with our recommendations.

I want to emphasise the statistics in this letter reflect the data we hold and may not necessarily align with the data your authority holds. For example, our numbers include

enquiries from people we signpost back to your authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside our annual review of local government complaints. For the first time, this includes data on authorities' compliance with our recommendations. This collated data further aids the scrutiny of local services and we encourage you to share learning from the report, which highlights key cases we have investigated during the year.

New interactive data map

In recent years we have been taking steps to move away from a simplistic focus on complaint volumes and instead focus on the lessons learned and the wider improvements we can achieve through our recommendations to improve services for the many. Our ambition is outlined in our [corporate strategy 2018-21](#) and commits us to publishing the outcomes of our investigations and the occasions our recommendations result in improvements for local services.

The result of this work is the launch of an interactive map of council performance on our website later this month. [Your Council's Performance](#) shows annual performance data for all councils in England, with links to our published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each council. It also highlights those instances where your authority offered a suitable remedy to resolve a complaint before the matter came to us, and your authority's compliance with the recommendations we have made to remedy complaints.

The intention of this new tool is to place a focus on your authority's compliance with investigations. It is a useful snapshot of the service improvement recommendations your authority has agreed to. It also highlights the wider outcomes of our investigations to the public, advocacy and advice organisations, and others who have a role in holding local councils to account.

I hope you, and colleagues, find the map a useful addition to the data we publish. We are the first UK public sector ombudsman scheme to provide compliance data in such a way and believe the launch of this innovative work will lead to improved scrutiny of councils as well as providing increased recognition to the improvements councils have agreed to make following our interventions.

Complaint handling training

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2018-19 we delivered 71 courses, training more than 900 people, including our first 'open courses' in Effective Complaint Handling for local authorities. Due to their popularity we are running six more open courses for local authorities in 2019-20, in York, Manchester, Coventry and London. To find out more visit www.lgo.org.uk/training.

Finally, I am conscious of the resource pressures that many authorities are working within, and which are often the context for the problems that we investigate. In response to that situation we have published a significant piece of research this year looking at some of the

common issues we are finding as a result of change and budget constraints. Called, [Under Pressure](#), this report provides a contribution to the debate about how local government can navigate the unprecedented changes affecting the sector. I commend this to you, along with our revised guidance on [Good Administrative Practice](#). I hope that together these are a timely reminder of the value of getting the basics right at a time of great change.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'MK' followed by a stylized flourish.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: Colchester Borough Council
For the Period Ending: 31/03/2019

For further information on how to interpret our statistics, please visit our [website](#)

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	0	1	0	4	0	5	10	0	20

Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate (%)	Total
2	1	4	10	3	3	50	23
Note: The uphold rate shows how often we found evidence of fault. It is expressed as a percentage of the total number of detailed investigations we completed.							

Satisfactory remedy provided by authority

Upheld cases where the authority had provided a satisfactory remedy before the complaint reached the Ombudsman	% of upheld cases
0	0
Note: These are the cases in which we decided that, while the authority did get things wrong, it offered a satisfactory way to resolve it before the complaint came to us.	

Compliance with Ombudsman recommendations

Complaints where compliance with the recommended remedy was recorded during the year*	Complaints where the authority complied with our recommendations on-time	Complaints where the authority complied with our recommendations late	Complaints where the authority has not complied with our recommendations	
2	1	1	0	Number
	100%		-	Compliance rate**
Notes: * This is the number of complaints where we have recorded a response (or failure to respond) to our recommendation for a remedy during the reporting year. This includes complaints that may have been decided in the preceding year but where the data for compliance falls within the current reporting year. ** The compliance rate is based on the number of complaints where the authority has provided evidence of their compliance with our recommendations to remedy a fault. This includes instances where an authority has accepted and implemented our recommendation but provided late evidence of that.				

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

(i) Have Your Say speakers

Date of Meeting	Details of Members of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 10 July 2019	Nick Chilvers	The Council's response to Alumno's appeal against refusal of planning permission for St Botolph's development	Verbal response provided at the meeting by Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, Councillor J. Young, Portfolio Holder for Performance and Culture and Ian Vipond, Director of Policy and Place.	10 July 2019
Cabinet, 10 July 2019	Mick Spindler	Airspace development at Christopher Jolly Court	Verbal response provided at the meeting by Councillor Fox, Portfolio Holder for Housing.	10 July 2019
Cabinet, 10 July 2019	Alan Short	Publication of the lease for the St Botolph's site and cost benefit analysis.	Verbal response provided at the meeting by Councillor King, Portfolio Holder for Business and Resources	10 July 2019
Council, 17 July 2019	Stuart Johnson	Colchester Cycling Charter	Verbal response provided at the meeting by Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, and Councillor Goss, Portfolio Holder for Waste, Environment and Transportation .	17 July 2019
Council, 17 July 2019	Sir Bob Russell	Airspace development at Christopher Jolly Court	Verbal response provided at the meeting by Councillor Fox, Portfolio Holder for Housing.	17 July 2019

Council, 17 July 2019	Jackie White	Accessible housing	Verbal response provided at the meeting by Councillor Fox, Portfolio Holder for Housing.	17 July 2019
Council, 17 July 2019	Jeremy Hagon	Publication of information on Garden Communities	Verbal response provided at the meeting by Councillor Cory, Leader of the Council and Portfolio Holder for Strategy	17 July 2019
Council, 17 July 2019	Trevor Orton	The condition of the public toilets at Lion Walk	Verbal response provided at the meeting by Councillor Goss, Portfolio Holder for Waste, Environment and Transportation.	17 July 2019
Council, 17 July 2019	Clare French, Matilda Francis, Emma Marks, Ian King, David Evans and Clare Rogerson	The impact of cuts to school funding	Verbal response provided at the meeting by Councillor Lilley, Portfolio Holder for Communities, Public Safety and Licensing and issues raised also addressed during the debate on the motion on school funding cuts.	17 July 2019
Council, 17 July 2019	Jo Wheatley, Elizabeth Tollhurst and Noel Mead	Climate Emergency	Issues raised were addressed during the debate on the motion on the Climate Emergency.	17 July 2019

(ii) Petitions

Date petition received	Lead Petitioner	Subject Matter	Form of Response	Date Completed
10 July 2019	Mick Spindler	Objection to an additional floor being built on Christopher Jolly Court.	Response sent by Councillor Fox, Portfolio Holder for Housing	21 August 2019

