

# Scrutiny Panel Meeting

**Grand Jury Room, Town Hall, High Street,  
Colchester, CO1 1PJ  
Tuesday, 09 July 2024 at 18:00**

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

**Information for Members of the Public**

## Access to information and meetings

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

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

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

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[www.colchester.gov.uk](http://www.colchester.gov.uk)

## Scrutiny Panel – Terms of Reference

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

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

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

- (a) To scrutinise the annual Strategic Assessment that informs the Annual Action Plan of the Community Safety Partnership (CSP);
- (b) To scrutinise the CSPs progress against the current Annual Action Plan, as a collective Partnership, or as the partners who comprise it (insofar as their individual activities relate to the CSP itself);
- (c) To review the CSP as a non-adversarial 'critical friend' and provide constructive challenge at a strategic level (rather than at an operational level); and
- (d) To make recommendations to the Cabinet, or other relevant decision makers, with respect to the discharge, by the CSP, of its crime and disorder functions where this is appropriate and in accordance with legislation.

**COLCHESTER CITY COUNCIL**  
**Scrutiny Panel**  
**Tuesday, 09 July 2024 at 18:00**

**The Scrutiny Panel Members are:**

Councillor Darius Laws [Chair]  
Councillor Dennis Willetts [Deputy Chair]  
Councillor Simon Appleton  
Councillor Joceyln Law  
Councillor Venessa Moffat  
Councillor Thomas Rowe  
Councillor Lee Scordis

**The Scrutiny Panel Substitute Members are:**

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

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

**1 Welcome and Announcements**

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

**2 Substitutions**

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

**3 Urgent Items**

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

**4 Declarations of Interest**

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

5 **Minutes of Previous Meeting**

The Councillors will be invited to confirm that the minutes of the meetings held on 16 May 2024 and 4 June 2024 are a correct record.

**Scrutiny Panel Minutes 16 May 2024**

7 - 10

**Confidential Scrutiny Panel Minutes 16 May 2024**

- This report is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (financial / business affairs of a particular person, including the authority holding information).

**Scrutiny Panel Minutes 4 June 2024**

11 - 14

6 **Have Your Say!**

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

7 **Decisions Taken Under Special Urgency Provisions**

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

8 **Cabinet or Portfolio Holder Decisions called in for Review**

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

9 **Items requested by members of the Panel and other Members**

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

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

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

10 **Portfolio Holder Briefing [Waste, Neighbourhood Services and Leisure]**

- |    |  |         |
|----|--|---------|
| 11 | <p><b>Year End April 2023 – March 2024 Performance Report Key Performance Indicators (KPI) and Strategic Plan Delivery Plan (SPDP)</b></p> <p>This report provides details of performance against Key Performance Indicators (KPIs) and Strategic Plan Delivery Plan (SPDP) at Year End point 2023 - 2024.</p>   | 15 - 30 |
| 12 | <p><b>Financial Planning Framework 2025-26 to 2029-30</b></p> <p>This report invites the Panel to review and comment upon the draft Financial Planning Framework 2025/26 to 2029/30.</p>   | 31 - 44 |
| 13 | <p><b>Community use of Colchester City Council Assets and curating Colchester City Centre’s Public Spaces</b></p> <p>This report updates Scrutiny Panel on the Council’s approach and policy towards the use of the community assets which it owns following the discussions at their meetings in August 2023 and February 2024. It also provides information for the Panel about more recent work to programme and coordinate activity in public spaces.</p>  | 45 - 48 |
| 14 | <p><b>Middle Mill Weir Collapse – Update Briefing- including consultation feedback</b></p> <p>This briefing sets out the current position at Middle Mill following the collapse of the weir in December 2023.</p>  | 49 - 62 |
| 15 | <p><b>Work Programme 2024-25</b></p> <p>This report invites the panel to consider both the current Work Programme for 2024-2025 for the Scrutiny Panel and any changes or additions to that programme.</p>   | 63 - 74 |
| 16 | <p><b>Exclusion of the Public (Scrutiny)</b></p> <p>In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).</p> |         |

**Part B**  
**(not open to the public including the press)**

# SCRUTINY PANEL

## 16 May 2024

*Present: -* Councillor Laws (Chair), Councillor McCarthy, Councillor Rowe, Councillor Smalls, Councillor Willetts

*Substitutions: -* Councillor Moffat for Councillor Arnold, Councillor Rippingale for Councillor McLean.

*Also present: -* Councillor Dundas, Councillor King, Councillor Naylor, Councillor Smith

### **465. Minutes of previous meetings**

*RESOLVED* that the minutes of the meetings held on 13 February 2024, 26 February 2024 and 12 March 2024 be approved as a correct record.

### **466. Call-In: Update for Viability Assumptions used for HRA affordable housing delivery - April [20]24**

Councillor Dundas attended and, with consent of the Chairman, addressed the Panel to argue that the call-in was not about the housing shortage, but was rather about the Council being realistic. The updating of assumptions was welcomed, but queried as to whether it was done correctly and realistically. Councillor Dundas argued that the housing market was more complicated than the report implied, and that incorrect assumptions would mean higher financing costs, leading to higher rents and less money spent on repair and maintenance. The paper assumed rent rises of 25% in real terms, over the long term, but this would be higher if the assumptions were incorrect. Councillor Dundas asked if the discount rate assumption was realistic, when it diverged from the Altair figure given. The Panel was asked whether the decision would stand up to public scrutiny and was asked to minimise the risk to tenants.

Councillor Naylor attended and, with consent of the Chairman, addressed the Panel to emphasise the importance of getting the decision right, with assumptions being the foundation on which new housing would be built. The Panel was asked to consider whether the assumptions would allow the building of necessary homes, and to focus on the need to maintain the trust of residents and tenants.

The Chairman introduced the decision, which had been called in by Councillor Sunnucks for the reasons set out within the report. The decision must be taken in line with the conditions of 12.02 of the Council's constitutional articles, and the

objectives of the Strategic Plan. The timeline was given, from call-in being received and accepted as valid, to the mediation session held prior to this formal meeting, where resolution had been sought but not agreed. The rules of a call-in hearing were covered, as were the options open to the Scrutiny Panel.

Philip Sullivan, Chief Executive of Colchester Borough Homes [CBH], explained why it was recommended that this item be taken into Part B confidential session for discussion. A theoretical scenario of the Council buying five properties was used to show how, if the Council's assumptions were made public, this would affect negotiations and potentially increase the prices set by developers or owners. The Council would not want sellers to know what the Council could pay for properties or land, as this would leave the Council at a financial disadvantage in negotiations.

A member of the Panel argued that the Council was a public organisation and should publish its assumptions, claiming that previous assumptions had been published and that others could guess as to how these had changed, and establish the Council's limits anyway. The view was given that the commercial downside was outweighed by the importance of openness.

The Chief Executive of CBH argued the need to keep the assumptions as commercially sensitive, to protect the Council's financial position. Some data was in the public domain such as sales values, but the Council's assumptions used for viability assessments that inform negotiations with developers and landowners were not. The example which had been given had been a generic model. In some cases, the Council could be in competition with other bidders.

Another Panel member argued in favour of moving into confidential session. Developers could guess at what the Council's assumptions might be, but that did not mean that the Council should not pursue being as competitive as possible. The Council had to be seen to be as careful as possible with investing public money. A Panel member noted that the consultants had advised that none of their other housing clients published their assumptions and data.

A Panel member stated that the issue was about tenants and residents getting confidence that the Council was doing the right thing, and what was in the taxpayers' best interests. Spending must be wisely done, getting best value. If the issue could not be considered in public, due to competitors gaining a major commercial advantage, then the item must be considered in Part B of the agenda. If that was what was decided, the Panel member requested that the Panel be given a chance to scrutinise the full Housing Revenue Account [HRA] model in the future, including how the assumptions were used, later in the municipal year. The Council's approach to the HRA was currently under review, so the Panel had the opportunity to review the whole process in open session in the future. It was noted that the Portfolio Holder for Housing was expected to provide a briefing to the Panel during 2024-25, and suggested that such a review could be timed to occur at that meeting.

*RESOLVED* that this item be further considered in confidential session, under Part B of the agenda.



[The record of the further consideration of this item is recorded as confidential minute 467.]

**468. Items requested by members of the Panel and other Members**

The Chairman expressed his hope that the next Portfolio Holder briefing from the Portfolio Holder for Housing could be scheduled for early in the 2024-25 municipal year, where the additional information requested by the Panel at this meeting could be discussed.

*RESOLVED* that an additional item be added to the Scrutiny Panel work programme for 2024-25, for scrutiny of the HRA [Housing Revenue Account] model and the current review of the HRA.



# SCRUTINY PANEL

## 4 June 2024

*Present: -* Councillor Laws (Chair), Councillor Appleton, Councillor Law, Councillor Rowe, Councillor Willetts

*Substitutions: -* Councillor M. Spindler for Councillor Moffat, Councillor Smalls for Councillor Scordis.

*Also present: -*

### **469. Have Your Say!**

Ms Tassanum Sayed addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to raise her views on the Council's community consultation process, and specifically where this might relate to the appointment of architects for projects. As a qualified architect, Ms Sayed informed the Panel that she had been invited to join the Council's Residents' Panel, and had been invited to speak on eight projects. Ms Sayed raised two of the projects, Colchester's Natural History Museum, and the Castle Park playground., and asked if the Council had a methodology for its consultations, dealing with different sections of society. Ms Sayed emphasised the importance of clear visual communications, noting the four display boards at the Natural History Museum. Ms Sayed asked why it was that the Council couldn't appoint a high-quality design team, to look at wider plans and engaging with the local communities. Ms Sayed picked out the opening of the Natural History Museum in 1958, and the later updating of the premises, with grants secured and a reopening in 2010. Ms Sayed stated that architects had been appointed who had not been local to the area, lacking local knowledge, and that funding had not been secured following that appointment.

The Chair noted that some of the regeneration of the City centre was being progressed as part of the Town Deal projects, and that consultations had been conducted on these projects. Some elected members had argued in favour of bigger and better hoardings and displays. The regeneration of historic buildings and important sites was highlighted as being worthy of advertisement. The Chair recommended that Ms Sayed raise her views with the Leader of the Council, as they related to Council assets.

Mr Nick Chilvers addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to ask questions as to the overview and scrutiny arrangements relating to Colchester Commercial Holdings Limited [CCHL], the Council's wholly owned company. Mr Chilvers stated that there were five directors in 2023-24, meeting quarterly. There had been 25 directors since 2015 which, in his view, did not show evidence of much stability. The range of the company's work

seemed to be expanding, and Mr Chilvers asked who directed its work and workstreams. Mr Chilvers noted that a reference provided in a finance report recorded payments of £128k to one director, and asked which director this concerned. Mr Chilvers raised concerns about Council spokespeople talking of work with event operators regarding Castle Park maintenance and repairs, giving the view that it should be spokespeople from Amphora Events Company [a subsidiary of CCHL] who answered questions on such matters. Mr Chilvers called for greater transparency and information for the public, arguing that there appeared to be 'light touch' management and oversight. Mr Chilvers asked if the Scrutiny Panel had the powers to conduct proper scrutiny of CCHL.

The Chair laid out that the Council owned CCHL, and that there had been aspirations to make significant money through the company. The company served as a vehicle for events, and the Chair emphasised his view that there needed to be accountability if and when things went wrong. The company was described as an 'execution only' vehicle, with the Council's political Administration setting priorities, pricing, and other matters. The Chair suggested that the Panel would need to identify specific areas of operations on which to focus, if it were to be able to conduct effective scrutiny.

#### **470. Items requested by members of the Panel and other Members**

Councillor Willetts introduced his request for the Scrutiny Panel to add an item to its work programme, to allow scrutiny of the work being done to address the Climate Change Emergency, which had been declared previously by Full Council. Councillor Willetts noted that it had been five years since the Emergency had been formally declared, following a positive debate at Full Council, and that much good work had been conducted, with the past five years seeing a stream of activity and progress, with some work winning awards.

Councillor Willetts argued that there was, as with any project, an issue in that different specific parts of the project plan generated different levels of enthusiasm. The work relating to the Climate Emergency had seen enthusiasm put in to projects which were quick and relatively low-cost, whilst any projects requiring significant funds or changes in working practices saw a lack of progress and enthusiasm. The Fleet Management Strategy had taken five years to get to the stage of generating a decision report, now due to go to Cabinet, and containing detail as to transitioning to environmentally-friendly vehicle types.

Councillor Willetts expressed concern that there had been a lack of enthusiasm in action to follow the unanimous vote to approve the motion proposing the declaration of a climate change emergency. A number of examples of companies and countries transitioning to electric-powered forms of transport were given, and Councillor Willetts queried why the Council supposedly found it hard to move to such vehicles in the next three years. A better methodology was requested, to oversee harder, structural decisions on climate emergency projects. Councillor Willetts requested that the Panel examine what had been done and what should have been done by the Council to protect the environment.

A Panel member agreed that the Council had to keep a focus on how it worked on this, including smaller scale projects, such as work on energy efficiency and insulation. The comment was made that some schemes were heavy with jargon, and the Panel member argued that it was important for them to be communicated clearly, by both officers and councillors.

Other Panel members voiced their agreement to the request, asking for the inclusion of actions taken which had been perceived as being green, but which might then be found not to be effective. One member recommended that any concerns voiced should be shared with the Chair of the Environment and Sustainability Panel, and recommended that the Scrutiny Panel avoid duplicating the work of that aforementioned Panel. A further Panel member asked for cost/benefit analyses to be provided for each relevant project, to show the value assigned to the environment by the Council.

The Chair suggested that the Chair of the Environment and Sustainability Panel, and relevant officers, could be invited to join the Scrutiny Panel's discussions on this matter. Issues such as the sources for battery materials could be examined. Duplication of work between Panels should be avoided, and could be discussed with the Chair of the Environment and Sustainability Panel and officers.

*RESOLVED* that the SCRUTINY PANEL approves the request by Councillor Willetts, for a work programme item to be added to allow the Panel to examine the work of the Council in response to the declared Climate Change Emergency.

#### **471. Work Programme 2024-25**

Owen Howell, Democratic Services Officer, notified the Panel that the Council's Deputy Head of Finance had requested that the Panel move its consideration of the Budget Strategy 2024-25 to its meeting on 9 July, to occur before Cabinet decides whether to approve it on 10 July 2024 [the item will be titled 'Financial Planning Framework 2025/26 to 2029/30'].

Lucie Breadman, Strategic Director, briefed the Panel that officers had requested that the Colchester Waste Strategy item be moved from the 9 July meeting, and deferred until October. This was linked to timing of the General Election in July and political nature of such a significant Strategy for the Council. The Essex Waste Strategy was still due to be considered at Cabinet on 10 July, subject to changes the County Council might make. A proposal was made to move The Colchester Waste Strategy to the Scrutiny Panel meeting to be held on 8 October, prior to it going to Cabinet later that month.

The Chair suggested that visiting councillors may wish to give views on the detail in the Council's proposed budget strategy. Councillor Sunnucks had indicated that he wished to gain access to appraisals in the Budget process. The Chair argued that all elected members should be given access to information, in confidential session if necessary.

The Strategic Director noted that the recent review of corporate governance had found that, if officers were given prior warning of important questions that members

wished to cover, for example at the Chair's briefing sessions, then officers could provide details requested and check any confidentiality issues in advance.

The Panel considered the access arrangements for information. One member ventured that, whilst the Panel could champion the making of decisions in the best possible way, it had to accept that some matters could not be considered in public session, with an example being the budgeting arrangements for work in the Capital Programme. The Panel would need to accept that, should it wish to examine the Capital Programme and related appraisals in detail, then it would need to accept the need for this to be done in confidential session, whilst seeking to minimise the disruption to public participation and viewing.

A Panel member stated that elected members often requested information, only to be told that they could not have access, due to confidentiality. The member requested that more faith be placed in elected members, as it would aid in decision-making. Another Panel member explained that the Scrutiny Panel did have a legal right to be given access to see any information relevant to items it was to consider, but that other elected members did not have an automatic right to be granted access to confidential information. Requests for access to confidential information could be legitimately refused in certain circumstances.

The Chair summarised the Panel's previous work on examining matters relating to Community 360, Middle Mill Weir and other issues, where the Panel had helped generate action. Further issues would likely arise over time for the Panel to examine. The Panel would need to consider how it could operate most effectively.

A Panel member summarised the Panel's examination of the use of Council assets by community groups. Colchester Commercial Holdings Limited [CCHL] had been instructed to sweat the Council's assets as hard as possible, however the member argued that this had made some costs prohibitive. The Scrutiny Panel had worked to push the Council to ensure that it maintained the correct balance between increasing income and ensuring that facilities were made available to charities, community groups, and youth groups at affordable rates. The Panel discussed whether the Panel could also look at the balance between events being held, whilst minimising the effects on the environment and local residents. The Chair suggested that this could be examined when the relevant Portfolio Holder presented their briefing to the Panel.

*RESOLVED* that the SCRUTINY PANEL approves its Work Programme for 2024-25, subject to the item on Financial Planning Framework 2025/26 to 2029/30 being moved to the 9 July 2024 meeting, the item on the Council's Waste Strategy being moved to the 8 October 2024 meeting, and the addition of an item on the Climate Emergency, to be considered at the 12 November 2024 meeting.

## Scrutiny Panel

Item  
**11**

9 July 2024

<b>Report of</b>	<b>Chief Operating Officer</b>	<b>Author</b>	<b>Charlotte Holl Simon Thorp ☎ 506949 03300 538049</b>
<b>Title</b>	<b>Year End April 2023 – March 2024 Performance Report Key Performance Indicators (KPI) and Strategic Plan Delivery Plan (SPDP)</b>		
<b>Wards affected</b>	All wards		

### 1. Executive Summary

- 1.1 This report provides details of performance against Key Performance Indicators (KPIs) and Strategic Plan Delivery Plan (SPDP) at Year End point 2023 - 2024.

### 2. Action Required

- 2.1 To review performance against Key Performance Indicators and, where Key Performance Indicators have not been met, ensure that appropriate corrective action has been taken.
- 2.2 To review performance against the Strategic Plan Delivery Plan and, where goals or associated actions have not been completed or show a RAG status of Red or Amber, ensure that appropriate corrective action has been taken.
- 2.3 Where concerns about performance are identified, to make recommendations to Cabinet so these can be considered when Cabinet considers the same report on 4 September 2024.

### 3. Reason for Scrutiny

- 3.1 To review Year End performance for 2023 – 2024 and ensure robust performance management of key Council services.

## 4. Background Information

- 4.1 **Corporate Key Performance Indicators.** The Council has agreed twenty-six key performance indicators grouped under five themes, which it uses as part of its Performance Management Framework to help monitor progress and improvement. This report provides an update on the Council's Key Performance Indicators and a review of other performance achieved throughout the reporting period. We have reviewed the set of corporate KPIs for 2023 – 2024 to align them with the Strategic Plan 2023 – 2026.
- Financial
  - Respond to the Climate Emergency
  - Deliver Homes for those Most in Need
  - Improve Health, Well Being and Happiness
  - Grow our Economy So Everyone Benefits
- 4.2 The table at Appendix A features Year End performance April 2023 – March 2024 and targets.
- 4.3 At the year end point for April 2023 – March 2024, the overall position is that seventeen targets were achieved ('green'), and seven did not meet the target in full ('red').
- 4.4 Of the seventeen KPIs that have been achieved ('green' KPI's), it is worth noting that some have been exceeded. This is particularly the case in relation to Housing Benefit and Local Council Tax Scheme where residents are receiving benefits after an average of 3 days for Housing Benefit and 2.65 days for Local Council Tax Scheme.
- 4.5 Targets have not been met for seven indicators ('red' KPIs) due to a range of impacts. These are:
- Bereavement Services Income
  - Trees planted
  - Improving biodiversity
  - Number of households in temporary accommodation per 1,000 households
  - Average time to re-let council homes
  - Repairs completed within target timescale
  - Social value in procurement
- 4.6 **Bereavement Services Income.** Bereavement Services income is heavily swayed by cremation numbers and 2023/24 saw a return to pre-Covid cremation numbers. A new website, new memorial schemes and vastly improved marketing will hopefully enhance memorial income.
- 4.7 **Trees planted.** Trees are only planted during the planting season (November 2023 to March 2024). Limited budget available to plant new trees.
- 4.8 **Improving biodiversity.** Areas to be left for biodiversity to be decided at the end of the current cutting season October. No additional areas of grass were identified in 2023-24 as the grounds maintenance specification for grass cutting was being reviewed.



- 4.9 **Number of households in temporary accommodation per 1,000 households.** This has been a very challenging aspect of CBH's work during 2023/24. The very high demand on temporary accommodation has been exacerbated by the impact locally on the housing of asylum seekers and families needing to be rehoused as the hotels were closed. The emphasis continues to be on prevention; however, this is a statutory function and there have been an increased number of households we have needed to accommodate compared to the measure of 3.0 per 1,000 households.
- 4.10 **Average time to re-let council homes.** The contractor responsible for works changed during the year and a new contractor(s) introduced to speed up the clearance work for voids. This led to the target being achieved in each of the last 4 months of the year.
- 4.11 **Repairs completed within target timescale.** The CBH repairs team and Council's Call Centre staff have participated in workshops to review and streamline internal processes aiming to reduce unnecessary "waste" across the CBH repairs operation. An action plan has been developed and is being implemented to boost performance.
- 4.12 **Social value in procurement.** For contracts where social value was not included, the main reasons were for very short-term building contracts, specialist consultancy and specialist election printing, whereby the benefits of social value would not be achieved in the local economy.
- 4.13 In addition to the performance described above, the Council has again received numerous awards and accreditations. These are highlighted here: [Council Awards and Accreditations](#). Other sources of performance data can be found in the Council Data section of the website: [Council Data](#).
- 4.14 **Strategic Plan Delivery Plan.** The Council has agreed six Strategic Plan 2023-26 objectives.
- Respond to the climate emergency
  - Deliver modern services for a modern city
  - Improve health, wellbeing and happiness
  - Deliver homes for those most in need
  - Grow our economy so everyone benefits
  - Celebrate our city, heritage and culture

Performance against these goals is monitored monthly through 46 individual actions. A lead officer is responsible for each action and monitoring consists of a narrative on completed and planned activities, and an assessment of the Red, Amber and Green (RAG) Status for each action.

- 4.15 At the year end point for April 2023 – March 2024, the overall position is that 41 of 46 Actions (89%) were completed or on track with a RAG Status of Green. Highlights to note include:

Goal	Action	Status
<b>Respond to the climate emergency</b>		
Reduce our carbon footprint	Deliver the “Our Climate Emergency Action Plan - Colchester City Council (CEAP)” initiatives to reduce emissions across the city and produce positive environmental impacts.	Achieved approx. 4% carbon reduction across the organisation. Secured £170k from Sport England to implement energy saving measures at Leisure World and delivered savings in energy use affecting carbon emissions of over £120k (identified further £110k). Worked with external consultants to develop Carbon Off-setting Strategy and delivered Carbon Literacy training to Members, and implemented several sustainable Travel initiatives to improve air quality and reduce emissions and begun report on Greenhouse Gas for September 2024.
	Production of a Climate Change and Active Travel Supplementary Planning Documents (SPD)	This has been delivered and will provide increased opportunities for sustainable travel and initiatives such as Biodiversity Net Gain.
<b>Deliver modern services for a modern city</b>		
Colchester Council and supporting organisations work together to a shared and ambitious vision for the future of our city	Work across CBH and CCHL to produce a Strategic Asset Management Plan for the Council and supporting delivery plan to ensure best use of our assets.	Extensive work throughout the year reviewing our approach to Asset Management including independent review and agreement of a new ‘joined up’ operating model for the future and the development of a future Asset Strategy and Policy.
	Review the Buildings Maintenance programme to ensure our corporate and heritage buildings remain safe and well maintained and help to deliver services in the most efficient and effective way.	Insights re condition surveys and H&S compliance is underway and completion expected in June.
	Complete the capital programme review and reset the capital programme including a revised medium term investment programme.	Completed. Extensive review has taken place resulting in a revised programme approved through full council.

Put communities, and their needs, at the heart of our vision and supporting local areas as they help shape and deliver the services which are most important to them	Actively use the Communities Can approach (Asset Based Community Development) to ensure Communities are involved and included in all future plans. This includes the continued roll out of training to teams & members	The Community Partnerships team continue to work with all Communities and key Community Leaders including Residents in decision making and engagement. Examples include Heart of Greenstead project, new residents panel, work with litter warriors, consultation on City Centre Masterplan and Local Plan.
	Launch a new citizens panel to ensure communities can help shape future service provision.	Residents' Panel established, with planning for future meetings in progress. Promotion of the Panel at the city centre library.
	Support Parish and Town Councils to produce their own neighbourhood plans.	We are actively engaging with Parish Councils regarding the Local Plan Review, which includes Neighbourhood Plans.
Improve Health, Well-Being, and Happiness		
Tackle the causes of inequality and support the most vulnerable people in Colchester	Invest time into relationships to influence decision and make joint strategic changes based on lived experience and data	Continuing work to optimise the Health Alliance and other key partnerships such as University and Police to ensure the best outcomes and decisions are made for the People of Colchester. Council posts are embedded in system working to shape and influence from the inside.
	Increasing everyday activity and participation of all sectors of the community in active lifestyles as a legacy of the Local Delivery Pilot	Using an Asset Based Community Development approach, the Health Alliance 'Be Well' Domain and external funding is used to support projects and initiatives to allow residents to move more and keep active. The Community participation enables projects to be more sustainable in the future and to be legacy of the end of the Local Delivery Pilot (LDP) in 2025.
	Develop and implement a programme of repair and renewal of our play parks.	Around 20 parks were prioritised for improvement in 2023-24 with the majority completed or nearing completion. This includes replacement of the old wetpour safety surface with rubber bonded mulch at Greenstead Slopes; new

		supernova play unit and safety surface in 4 locations at Castle Park; refurbishment of toddler and junior play areas at High Woods Country Park and scheduled refurbishment of play area at Swift Avenue, Stanway.
Deliver Homes for those most in need		
Increase the number, quality and types of homes on offer	Work in partnership with Developers and Housing Associations to implement Colchester's Local Plan seeking 30% of all new homes to be affordable.	During 2023-24 a total of 174 affordable rented homes were delivered in Colchester via RP's, 48 Shared Ownership and 5 First Homes.
	Increase the amount of guidance available to developers to help inform new housing design and make it beautiful and sustainable.	Complete. City Centre Masterplan Adopted 15th January 2024
	Continue with private sector housing support, advice & enforcement to improve the condition of housing in the private and social rented sector	Continued to regulate and take enforcement action where required to ensure the safety of properties for the 25% of Colchester residents who live in the private and social rented sector. Continued to work with system partners through the Livewell Neighbourhoods Team to ensure housing is recognised as a wider determinant of health.
Prevent or assist those facing homelessness	Work with partners to deliver the priorities in Colchester's Homelessness and Rough Sleeping Strategy 2020 –25	During 2023-24 the Housing Solutions Team; Accepted a full duty under the homelessness legislation for 223 households and helped them into accommodation. Prevented homelessness for 239 households and relieved homelessness for 177 households.
	Provide assistance, support and an accommodation pathway for Rough Sleepers through the governments Rough Sleeper Initiative	The Rough Sleeper Team continue to provide support and accommodation to rough sleepers. During 2023-2024, the Rough Sleeper Team: Provided 167 clients with support, advice, and assistance to help them move off the streets. Housed 50 rough

		sleepers into more settled accommodation. Helped 19 rough sleepers to return to the local authority area they came from and where they have support networks.
Increase affordable housing using buildings or land the council own	Continue delivering the New Council Housing Programme and building to Future Homes 2025 standards	Continuing to progress Phase 3 garage sites. To proceed with procurement for land sites, working towards achieving planning permission. Continuing to work with developers to seek agreements for acquiring off the shelf units. Continuing to seek viable options for more units. Completed on acquisition of units at Boxted Road and Chesterwell
Grow our Economy so everyone benefits		
Work with partners to create a vibrant city which people want to live in and visit, whilst attracting investment	Work with System Leaders to define a 2040 Vision for Colchester.	Working with Essex County Council we have developed and adopted a Masterplan for the City Centre and our now developing a jointly owned development vehicle to deliver the goals it details.
	Deliver the Town Deal projects to improve the lives of residents and support businesses	Digital Skills Hub completed with Essex Pedal Power bike handout in Greenstead well underway. Good progress across other funded projects including transformed youth facilities at Townhouse, Highwoods and Stanway. Phase 1 of build work at St Nicholas Square progressing well.
	Ensure the Tendring and Colchester Borders Garden Community is plan led and policies are drafted to ensure the City benefits from the development	Work ongoing to inform Examination. Hearing sessions completed 9.5.24
Celebrate our City, Heritage and Culture		
Strengthen Colchester's tourism sector and welcome more visitors each year	Have a Year of Celebration through 2023 including coronation celebration engagement with City Status in all areas,	Year of Celebration of City Status included a range of events and activities, joined up marketing and a collaborative approach across businesses, partnership, public

	Gladiators Exhibition at the Castle and Siege Spectacular re-enactment	sector and attractions. Scrutiny reviewed plans and progress.
	Enhance marketing of Colchester as a destination including a refresh of Visit Colchester Website, 3-year successive marketing campaign and collaborative marketing with the Business Improvement District	Website go live (soft launch) 15th May. Collaborative marketing approach during the year of Celebration across the City.
To make our city a better place in which to live and work and visit	Delivery of an annual small grants scheme annually for 3 years to support Cultural and Creative Events.	Complete. Another year of superb, diverse applications for the popular, small grants scheme.
Celebrate the historic Coronation of King Charles III	Coronation plaque to be fixed in the Town Hall entrance.	Completed. Colchester welcomed our new King with a civic ceremony and City Centre Visit.

4.16 Our Strategic Plan Delivery Plan has actions that will span a number of years. At year end no actions are being report as having made no progress. Those where progress is not quite at the point we would have wanted at this stage (flagged as Amber) are detailed below:

- **Deliver the Climate Emergency Action Plan** – some good progress but acknowledgement that our action plan needs to be reviewed in 2024/25, Scrutiny workplan includes time to review and feed into Cabinet.
- **Deliver modern services for a modern City** – this is all about delivering brilliant business as usual. Despite the financial challenges most Council Departments continue to deliver great services and our Fit for the Future (FFF) programme has been developed to review key areas such as Sport and Leisure, Grounds Maintenance, Waste Services our Digital approach and workforce strategy. This is ongoing work and crucial to living within the tighter budgets we now have and meeting the changing demands.
- **Deliver the Town Deal projects to improve the lives of residents and support businesses** – overall this extensive multi-million-pound programme is progressing well, but some areas have taken longer than anticipated and costs in some areas have been impacted by inflation.

4.17 To ensure that Strategic Plan Goals continue to be effectively delivered, a review of activities to be monitored in 2024-25 has been carried out. This includes:

- Assigning a Head of Service or lead officer to each activity
- Defining measure(s) of progress against activities where appropriate
- Identifying links to Fit for the Future where applicable
- Identifying links to Corporate KPIs where applicable

- Providing a rich qualitative narrative on each activity
- Continuing to monitor the RAG Status of each activity

4.18 Progress against the Strategic Plan Delivery Plan will be monitored and reported on a quarterly basis. In addition, Heads of Service will monitor 'in service' performance to ensure that remedial action for emerging risks and known issues can be taken in a timely manner.

## **5. Equality, Diversity and Human Rights implications**

5.1 Robust performance management of key Council Services supports the aims of improving both services and the lives of everyone in the borough. Where required, specific Equality Impact Assessments will exist for policies and activities rather than for individual performance indicators or actions.

## **6. Strategic Plan References**

6.1 The set of corporate KPIs for 2023 – 2024 is aligned with the Strategic Plan 2023 – 2026.

## **7. Consultation**

7.1 The report's contents do not have any direct implications regarding consultation.

## **8. Publicity Considerations**

8.1 The performance report contains measures for our key performance indicators. Many of these are used to monitor the performance of our services, and as such these may be of public interest. The report and related information are published on the Performance and Improvement section of the Council's website.

## **9. Financial implications**

9.1 The financial implications of the action plans to deliver the indicators form part of the budget setting process.

## **10. Health, Wellbeing and Community Safety Implications**

10.1 Many of the KPI targets reported above ensure that Council Services that have a positive impact on Health and Wellbeing are delivered effectively.

## **11. Health and Safety Implications**

11.1 There are no direct health and safety implications associated with this report.

## **12. Risk Management Implications**

12.1 There are no direct risk management implications associated with this report.

## **13. Environmental and Sustainability Implications**

13.1 The KPIs relating to recycling and the levels of residual waste collected are the key indicators that contribute to Environment and Sustainability.

## **Appendices**

Appendix A. [Corporate KPI 2023-2024 Year End Table](#)



Corporate Key Performance Indicators April 2023 – March 2024 Year End

Strategic Plan - Financial theme					
KPI Description	Frequency	Target	Year End Actual	Status	Supporting narrative
Council Tax collected	Monthly	97.65%	97.63%	Green	Collection narrowly missed target (by 0.02%). Targets were increased following previous year's performance, however, inflation has had an impact, as well as less government support available to bill payers. Most people pay their Council Tax from April to January (10 months), therefore collection is always expected to slow in the final couple of months of the year. The year-end target is based on an 8.14% increase each month throughout the year which doesn't account for the final months with lower collection, so falling short of the target by .02% is not cause for concern.
Business Rates (NNDR) collected	Monthly	98%	97.81%	Green	Collection is slightly below target (0.19%). The targets were revised last year based on collection which was exceptionally high.
HRA Rent collected	Monthly	98%	98.53%	Green	Significant efforts to ensure target achieved during the cost of living crisis and with the ongoing migration of households onto Universal Credit where rent is paid in arrears.
Leisure Centre income	Monthly	£6,645,000	£6,860,117	Green	£215,177 income improvement. Key areas of success Lifestyles overachievement of £332,758, linked to new delivery of retention programme and sales journey. Swimming Lessons overachievement £64,374 linked to start of new sales process. Badminton overachievement of £40,248 linked to court plan and utilisation of times. A successful year for Sport & Leisure with growth of users and customers across sites. The community work and

					increased awareness of health & wellbeing via new marketing plan has had a positive impact.
Colchester Museums income	Monthly	£448,000 admissions income £88,900 schools income	£429,360 admissions income £107,910 schools income	Green	Modest underachievement in admissions income compensated by schools income overachievement. Price resistance suspected as a result of the cost of living crisis – particularly for families. Visitor numbers and income has seen a strong start to the new financial year due to the current exhibition implying that the ambitious income targets are justified.
Bereavement services income	Monthly	£2,017,000	£1,756,000	Red	Bereavement Services income is heavily swayed by cremation numbers and 2023/24 saw a return to pre-Covid cremation numbers. A new website, new memorial schemes and vastly improved marketing will hopefully enhance memorial income.
Garden Waste	Quarterly	7053 Number of active subscribers (Q4 23-24 only)	20,316	Green	This indicator has only been measured in Q4 (Jan – Mar 2024) in line with the scheme going live in January 2024.
Capital Programme	Annually	70% of forecast against spend in the current financial year	85%	Green	The output from this indicator measures the 2023/24 outturn compared to the Q3 forecast outturn only. A more detailed and rounded analysis of the delivery of the 2023/24 Capital Programme will be contained in the Q4 (Provisional Outturn) report to the Governance & Audit Committee in July 2024.

### Strategic Plan – Respond to climate emergency theme

KPI Description	Frequency	Target	Year End Actual	Status	Supporting narrative
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Residual household waste per household	Quarterly	354 Kg	321.26 Kg	Green	<p>Small Kg reduction per household from 321.69 Kg in 22-23 to 321.26 Kg in 23-24, which remains below our 354Kg target. Our ongoing enforcement of 3 bags/1 wheeled bin of residual has maintained progress. It is believed that part of the improvement seen the past two years is linked to the cost of living crisis reducing residents purchasing power.</p> <p>Data Source: Defra Quarterly WasteDataFlow return.</p>
Household waste reused, recycled, and composted	Quarterly	53%	54%	Green	<p>Small improvement in 23/24 to 54% recycled up from 53.5% in 22/23. Our ongoing enforcement of 3 bags/1 wheeled bin of residual has maintained the progress.</p> <p>Data Source: Defra Quarterly WasteDataFlow return.</p>
Fly tipping incidents	Quarterly	2262	1962	Green	<p>The figure shows the number of fly tips that have been reported and actioned. The figures have been declining over the past two years.</p> <p>Data Source: Defra Quarterly WasteDataFlow return.</p>
Trees planted	Quarterly	2000	220	Red	<p>Trees are only planted during the planting season (November 2023 to March 2024). Limited budget available to plant new trees.</p>
Improving biodiversity	Annually	0.6 hectares (increase Grassland Wilding from 7.4 hectares to 8 hectares)	0	Red	<p>Areas to be left for biodiversity to be decided at the end of the current cutting season October. No additional areas of grass were identified in 2023-24 as the grounds maintenance specification for grass cutting was being reviewed.</p>
Achieving "Pathway to Carbon Neutral" targets to 2030	Twice per year	Reduce our emissions to 5200 tonnes by October 2023 and to 5100 tonnes by March 2024	Final figure to be provided in September		<p>The final figure for 23/24 will be provided in September. It is not appropriate to provide bi-annual figures as the seasonality of gas consumption would result in a poor representation of emissions to target.</p>

Strategic Plan – Deliver homes for the most in need theme					
KPI Description	Frequency	Target	Year End Actual	Status	Supporting narrative
Affordable homes delivered (gross)	Quarterly	380 homes over three years (2023-2026)	271	Green	Slightly ahead of average delivery numbers for the year due to units being brought forward for End of Year.
Monitoring the number of households in temporary accommodation per 1,000 households.	Monthly	3.0	3.85	Red	This has been a very challenging aspect of CBH's work during 2023/24. The very high demand on temporary accommodation has been exacerbated by the impact locally on the housing of asylum seekers and families needing to be rehoused as the hotels were closed. The emphasis continues to be on prevention, however, this is a statutory function and there have been an increased number of households we have needed to accommodate compared to the measure of 3.0 per 1,000 households.
Average time to re-let council homes	Monthly	28 days	31.21 days	Red	The contractor responsible for works was changed during the year and a new contractor(s) introduced to speed up the clearance work for voids. This led to the target being achieved in each of the last 4 months of the year.
Repairs completed within target timescale	Monthly	95%	90.0% CBH 82.66% overall	Red	The CBH repairs team and Council's Call Centre staff have participated in workshops to review and streamline internal processes aiming to reduce unnecessary "waste" across the CBH repairs operation. An action plan has been developed and is being implemented to boost performance.
Percentage of homes that do not meet the decent homes standard	Annually	0%	0.52%	Green	This is the best performance by CBH with the lowest ever number of Council properties (31) at year end as non decent. Tolerance has been applied as the performance is within 1%, hence green rating.
Customer satisfaction with latest repair	Monthly	90.5%	94.67% CBH	Amber	Whilst this remains work in progress there is good progress, particularly with the satisfaction of the in-house

			86.19% overall		team at 94.87% (hence RAG rated amber). Customer satisfaction, including with contractors, increased to 86% at year end and a focus remains on increasing contractor satisfaction levels.
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Strategic Plan – Improve health, well-being, and happiness theme					
KPI Description	Frequency	Target	Year End Actual	Status	
Time to process housing benefit and local council tax support new claims and changes	Monthly	HB – 4 days LCTS – 5 days	HB – 3 days LCTS – 2.65 days	Green	The Benefits team assessed and distributed eligible benefit quickly and efficiently, consistently exceeding targets throughout the year.
Cost of living	Quarterly	DHP – £309,000 EHP – £37,000	DHP - £309,000 EHP - £37,000	Green	The Employment & Finance Support Team continue to award DHP & EHP's in a timely manner as part of their more holistic support to residents.
Disabled Facilities Grant (DFG)	Quarterly	Total DFG spend £1.1M  100 completed applications  <b>Approved amount</b> Approved applications spend £350,000 (Rolling amount)	Total DFG spent £1.14M  92 completed applications  <b>Approved amount</b> Approved applications spend £412,000 (Rolling amount)	Green	Team exceeded target to achieve highest ever spend figure in year. Stairlift Grant and Fast-Track Grant continue to support priority cases in terms of prevention and enabling prompt discharge from hospital / care setting. Service continues to develop to meet emerging need and support the wider system and Better Care Fund outcomes.

		35 applications approved (Rolling number)	43 approved applications (Rolling number)		
Sickness rate in working days	Monthly	Rolling 8 days	7.34 days	Green	Sickness absence levels fell consistently during the year with absence levels now below the target level. The updated sickness absence policy is now fully embedded, and this continues to produce more positive outcomes in relation to sickness levels. Sickness has reduced by 1.5 days per FTE over the course of the year and there were over 1,300 fewer working days lost to sickness in 2023/24 compared to 2022/23.

Strategic Plan – Grow our economy so everyone benefits theme					
KPI Description	Frequency	Target	Year End Actual	Status	Supporting narrative
Additional Homes	Quarterly	920 homes	1068	Green	The delivery was as forecast and largely supported with the completion of a substantial student accommodation complex at the University of Essex. The units in excess of the target counterbalance the shortfall from the previous 22/23 year (711).
Social value in procurement	Twice per year	70% of all (non-framework) contracts over £100k awarded to include social value benefits	65%	Red	For contracts where social value was not included, the main reasons were for very short-term building contracts, specialist consultancy and specialist election printing, whereby the benefits of social value would not be achieved in the local economy.



## Scrutiny Panel

9th July 2024

Item  
**12**

**Report of:** The Section 151 Officer

**Author:** **Andrew Small**  
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**Title:** Financial Planning Framework 2025-26 to 2029-30

**Wards affected:** Not applicable

### 1. Executive summary

1.1 This report invites the Panel to review and comment upon the draft Financial Planning Framework 2025/26 to 2029/30.

### 2. Action Required

2.1 The Panel is asked to review and comment upon the draft Financial Planning Framework 2025/26 to 2029/30, which is to be considered by the Cabinet on 10th July 2024.

2.2 Any comments or recommendations made by the Panel will be submitted to the Cabinet meeting for further consideration.

### 3. Reason for Scrutiny

3.1 The Panel may, at the request of the Cabinet, scrutinise decisions to be taken by the Cabinet and report any comments or concerns for further consideration by Cabinet prior to the decision being taken.

### Appendices:

**Appendix A – Financial Planning Framework 2025/26 to 2029/30**





**10th July 2024**

<b>Report of</b>	<b>The Section 151 Officer</b>	<b>Author</b>	<b>Andrew Small</b> ( <a href="mailto:Andrew.Small@Colchester.gov.uk">Andrew.Small@Colchester.gov.uk</a> ) <b>Chris Hartgrove</b> ( <a href="mailto:Chris.Hartgrove@Colchester.gov.uk">Chris.Hartgrove@Colchester.gov.uk</a> )
<b>Title</b>	<b>Financial Planning Framework 2025/26 to 2029/30</b>		
<b>Wards affected</b>	Not Applicable		

**1. Executive Summary**

- 1.1 There is substantial continued pressure on Local Government finances nationally; it is a situation echoed locally here at Colchester City Council.
- 1.2 This report sets out a proposed approach to Financial Planning for the next five years (2025/26 to 2029/30) in the light of internal and external financial pressures and the progress of the Council’s ‘Fit for the Future’ (FFTF) Programme, which is designed to deliver substantial savings and additional income to balance the books, in a sustainable way, being mindful of rising service demand.
- 1.3 The primary emphasis at this stage is the need to set a balanced budget for 2025/26. And to that end to ensure; where known, emerging financial challenges are highlighted. With a hint of potential scale where possible. This will help prepare Members, earlier than is usual, for the months ahead and what will be another challenging period of challenge, review, and change.
- 1.4 After recording a small surplus on General Fund revenue in 2022/23, the Council faced substantial financial pressure through 2023/24 with a series of overspends reported to Members throughout the financial year. With spending and demand pressures in key service areas such as Homelessness being a notable factor.
- 1.5 The Council’s reserve levels are relatively healthy at this stage, although they are a finite resource that can only be used once and must be protected to the extent required to manage financial risk in the future. However, they are likely to form a key part of the strategy in addressing the projected General Fund budget deficit of £1.991 million in 2025/26 (MTFF February 2024), thus providing a ‘bridge’ to the release of substantial savings (estimated at £2.675 million) in 2026/27 from the “Fit for the Future” Programme.
- 1.6 The Housing Revenue Account (HRA) is currently sound financially, with the balance on the HRA Reserve consistently above the required minimum of £1.6 million contained within the current 30-Year HRA Business Plan. However, it was recognised last year that circumstances have now changed. There a range of substantial financial challenges, and the Plan is consequently the subject of an ongoing detailed review. The updated Business Plan that will emerge from the review will ensure viability. By addressing the challenges of tougher regulation, the rising cost of repairs and maintenance and much higher interest rates, to ensure the long-term sustainability of the HRA.

- 1.7 The Council approved an overall Capital Programme of £263.074 million (including £205.365 million re HRA) for the five-year period 2024/25 through to 2028/29, which continues to reflect the Council's ambitions for Economic Growth and Housing especially. Increased external borrowing is an integral part of the financing strategy, especially on the HRA (although this is subject to review as noted above in Paragraph 1.5).
- 1.8 Given the usual pattern whereby the Local Government Finance Settlement is announced just before Christmas, definitive figures for 2025/26 may not be available until December 2024.
- 1.9 A tailored Financial Planning approach, which develops the 2025/26 Budget and updated Medium-Term Financial Forecast (MTFF) through to 2029/30 is therefore proposed, within a review and governance framework spanning over seven months; beginning with this report and culminating in full Council setting a balanced budget in February 2025.

## **2. Recommended Decisions**

- 2.1 To note the backdrop to the Financial Planning process for 2025/26 to 2029/30; and
- 2.2 To agree the proposed approach to Financial Planning for 2025/26 to 2029/30, including the reporting and governance timetable summarised in **Appendix A**.

## **3. Reason for Recommended Decision**

- 3.1 To set a framework within which the Council can develop and set a balanced budget for 2025/26 and update its Medium-Term Financial Forecast (MTFF) through to 2029/30, ensuring that corporate priorities continue to be delivered in a financially sustainable way.

## **4. Alternative Options**

- 4.1 The report sets out the Council's updated financial context and represents the beginning of the 2025/26 budget preparation process. The information disclosed – including financial statistics – is for illustrative purposes only and solely for noting.
- 4.2 Members have the option to accept the recommended approach to Financial Planning, including the reporting and governance timetable, or suggest amendments.

## **5. Background and Introduction**

- 5.1 There is substantial continued pressure on Local Government finances nationally as evidenced by the rising number of high-profile "Section 114 Notices" (effectively the local government equivalent of bankruptcy) being issued by Chief Financial (Section 151) Officers. Colchester City Council ('the Council') is not in that position. But *Financial Sustainability* is the 'watchword', with the Council operating in that same environment and facing its own financial pressures. Driven by a tough economic backdrop, triggered – to a significant extent – by a series of major external events. Compounded by rising demands, and a fall over many years in the real term value of Government support.
- 5.2 This report sets out a proposed approach to Financial Planning for the next five years (2025/26 to 2029/30) in the light of these circumstances. The primary emphasis at this stage is the need to set a balanced budget for 2025/26; where known, emerging financial challenges are highlighted to help prepare Members for the months ahead in what will be another challenging period.

## 6. GENERAL FUND REVENUE POSITION

- 6.1 The current financial position and prospects for the Council's General Fund has evolved in recent years, initially in the context of extreme volatility and uncertainty triggered by the pandemic, followed by a brief period of relative stability and more recently the emergence of spiralling budget demand due to high inflation and sharply increasing interest rates. Whilst causes and solutions are the subject of much debate, external worldwide events – well beyond the control of the Council – are undoubtedly a major factor.

### 2023/24 Outturn

- 6.2 After the General Fund recorded a small revenue surplus of £0.163 million in 2022/23, the 2023/24 financial year provided a sharp contrast; significant overspends were forecast throughout the year, peaking at £1.916 million at the Quarter 3 stage (the final – Quarter 4 – position is being finalised at the time of preparing this report). Inflation was a particular problem again in the year, especially on Staffing Costs, with the eventual Pay Award for 2023/24 exceeding the Council's budget provision by approximately £600,000 (this additional cost is now embedded in the base budget so must be funded in the future too). There was also a significant overspend (of £1.216 million) on Homelessness/Temporary Accommodation. This is part of a national trend; for example, an article released by *Shelter* on 29th February 2024 highlights Government statistics showing that "rough sleeping has increased by more than a quarter for two years in a row", with 109,000 households in temporary accommodation ("up 10% in a year"). Income also fell short of expectations with notable pressures experienced in the Planning and Bereavement Services.
- 6.3 The realisation of embedded savings targets within the 2023/24 revenue budget also proved very challenging, a notable example was a targeted recruitment freeze, with an assumed yield of £0.5 million.
- 6.4 However, one significant positive in 2023/24 (which significantly mitigated the pressures noted above within the Service budgets) was a substantial underspend (approaching £2.4 million) on Capital Financing costs, due to the combined impact of a continued increase in interest rates and the completion of an internal review of Capital Financing costs.

### 2024/25 Early Outlook

- 6.5 At the time of preparing this report, the Quarter 1 forecast for 2024/25 was in the early stages of preparation. It is therefore too early to make any meaningful judgements as to the forecast net General Fund revenue position for the year end. However – in the light of the unfolding overspend in 2023/24 – a range of mitigating features were purposely built into the 2024/25 budget (including the removal of unachievable savings targets), aimed at heading off financial pressures before they emerged in the first place. Whilst this will undoubtedly help the outturn for the financial year, pay demands for 2024/25 (from Unions) are already significantly more than the original budget assumption of 3.0%; there is therefore a risk to established budgets if a local settlement of a similar magnitude is reached in Colchester. However, on a brighter note, inflation does appear to be firmly under control, with the May 2024 CPI falling to 2.0%, matching the Bank of England's long-term strategy to contain inflation at that level. Lower inflation is expected to feed through to lower interest rates (possibly as early as August 2024), although both scenarios were foreseen in the updated MTFF adopted by the Council in February 2024.

### 2025/26 Budget (and beyond)

- 6.6 Members will recall the most recent Medium-Term Financial Plan (MTFF) (2024/25 to 2028/29) adopted by the Council on 21st February 2024. The MTFF highlighted a significant structural budget deficit of £2.771 million by 2028/29, with a pressure of £1.991 million in 2025/26 reflecting the immediacy of the problem (subject to comments in

Paragraph 6.8 below).

- 6.7 The “Fit for the Future” (FFTF) (transformation) Programme is key to resolving the Council’s ongoing revenue pressure. Within the current MTFF, the FFTF Programme is assumed to deliver £1.844 million in base budget savings in 2024/25, followed by £0.253 million in 2025/26, with a substantial step up (to £2.675 million) in 2026/27 (which includes assumed savings of £1.0 million from the Waste Strategy).
- 6.8 However, although more needs to be done (over and above FFTF), and the delivery of FTFF may yet lag on schedule, relatively healthy reserve levels (see Section 9 below), and a projected surplus (of £1.310 million) in the MTFF for 2026/27, does afford the Council a degree of flexibility and ‘buys time’ to allow the careful implementation of FFTF in a sustainable way.
- 6.9 The final Local Government Finance Settlement for 2024/25 (published on 5th February 2024), included a guaranteed additional increase for 2024/25 of 1.0% (from 3.0% to 4.0%) on “Core Spending Power” to all councils, including Colchester. The General Election scheduled for 4th July 2024 (result unknown at time of issuing this report) adds to the uncertainty as to what the Settlement will look like for 2025/26 and beyond. So far, it is cautiously assumed within the MTFF that the Council’s “Funding Guarantee Allocation” (FGA) will remain frozen at the 2024/25 level.
- 6.10 The Colchester City Council element of the Council Tax was increased in 2024/25 by 2.99% (£6.33 on a Band D property). Members will – yet again – have a difficult decision in setting the Council Tax for 2025/26. Raising it by a similar sum would help balance the books and protect local services.
- 6.11 The Government’s intended approach to Business Rates in 2025/26 appears stable for now following the implementation of the 2023 Revaluation. The Council continues to manage (and benefit from) the Business Rates Retention (BRR) system as a committed member of the Essex Business Rates Pool.

## **7. HOUSING REVENUE ACCOUNT POSITION**

- 7.1 The Housing Revenue Account (HRA) balance stood at £4.582 million on 31st March 2023 (compared to £4.555 million on 31st March 2022). The established 30-Year Business Plan assumes the maintenance of a minimum balance of £1.6 million.
- 7.2 Rising inflation (especially on Repairs and Maintenance) – as with the General Fund – has been a major challenge to the HRA in recent years, and potentially Council tenants too. In common with most housing authorities, the Council set the maximum allowable rent increase of 7.0% for 2023/24 in accordance with the Government Rent Cap (the established Rent Standard was suspended for 2023/24 due to exceptionally high levels of inflation experienced in 2022) and, although the Rent Standard was reinstated for 2024/25 (with the adopted Colchester rent increase being 7.7%), the sub-inflation increase adopted in 2023/24 resulted in a permanent resource reduction in the HRA.
- 7.3 The legal Rent Standard (April 2020) applies a formula of ‘September CPI+1.0%’; based on May 2024 CPI rate of 2.0% (latest available at time of preparing this report), which would result in a Rent Increase of 3.0%.
- 7.4 Members of course have the option of choosing a lower increase, but this would not help viability given rising staff costs and the increasing cost of Repairs and Maintenance, as well as the level of investment required to maintain the current Housing Investment Programme.

7.5 The prospect of higher rents also has wider implications. Locally, most tenants are protected to some extent (either through the receipt of Housing Benefit or Universal Credit), but conversely many are not, of course. This potentially displaces some of the cost burden to central Government.

7.6 See Section 8 below for a discussion on the HRA Capital Programme, which is interlinked with the revenue position; a new 30-Year HRA Business Plan in particular, as well as directly impacting on capital investment plans, could also lead to a range of changed revenue assumptions.

## **8. CAPITAL PROGRAMME (GENERAL FUND & HRA)**

8.1 The Capital Programme plays a vital part in delivering the Corporate Plan, since long-term investment plays an essential role in realising the Council's ambitions for the district. The cost of the Capital Programme is spread over the lifetime of investments, so does not have such an immediate impact on the revenue budget position. However, there are revenue consequences to the Capital Programme.

8.2 In February 2024, the Council approved an overall Capital Programme of £263.074 million (including £205.365 million re HRA) for the five-year period 2024/25 through to 2028/29, which continues to reflect the Council's ambitions for Economic Growth and Housing especially. It also reflects extended (5-year) commitments to 'rolling investment' in Assets and IT (with the Capital Programme now fully aligned with the MTFP).

8.3 As a Council that continues to retain its own Housing Stock, the Council took on significant (HRA) debt as part of the self-financing arrangements introduced (nationally) in 2012. As reported to full Council in February 2024, external borrowing is expected to grow with the General Fund and the HRA projected to take on a further £57.6 million and £135.7 million respectively over the period 2024/25 to 2028/29. Although Members are reminded that future HRA borrowing will, in practice, be determined by the updated 30-Year HRA Business Plan, which is being prepared in 2024/25; this is looking again at the detailed viability of currently planned schemes in the light of changing circumstances (including – most notably – significantly higher interest rates).

## **9. BALANCE SHEET RESERVES**

9.1 The Council maintains reserves as a safety net to allow for unforeseen circumstances and reserve levels are a key measure of financial sustainability over the medium-term. There is no statutory definition of the minimum level of reserves; the amount required is a matter of judgement and informed by the Section 151 Officer. But the Council now has (with effect from 2024/25) a formally established strategy to carry a minimum General Fund balance (contingency) of £3.0 million (adopted in February 2024).

9.2 The General Fund balance stood at £2.175 million on 31st March 2023 (compared to £2.161 million on 31st March 2022), although the Council has substantial other Earmarked Reserves (including some unallocated funds potentially available for transfer back to the General Fund balance). At the time of preparing this Financial Planning Framework, the detailed allocation and profiling of reserves is under review and will be reflected in the Council's closing Balance Sheet for 2023/24 (publication anticipated 31st July 2024). It is anticipated that sufficient available reserves will be available to bring the General Fund balance up to the minimum contingency level of £3.0 million as of 31st March 2024, but nevertheless a series of overspends (e.g. the forecast General Fund overspend for 2023/24 – at the Quarter 3 stage – was £1.916 million) is progressively putting a tighter squeeze on (finite) reserves.

## **10. PREPARING THE MEDIUM-TERM FINANCIAL FORECAST**

- 10.1 The next stage in the Financial Planning Framework (FPF) process for 2025/26 to 2029/30 is the preparation of an updated Medium-Term Financial Plan (MTFF) to Cabinet on 4th September 2024. This will provide more specific and numeric detail as to the financial position. It will provide a broad outline forecast through to 31st March 2030 and identify the budget deficit that the Council must address in achieving long-term financial sustainability. Moreover, the MTFF will reveal the estimated scale of the budget gap that needs to be addressed to set a balanced budget for 2025/26, allowing Cabinet to consider available options, and instruct officers, in preparing an initial draft balanced budget for Cabinet on 27th November 2024.

## **11. SUPPORTING STRATEGIES**

- 11.1 There are two other strategies that require updating as part of the 2025/26 Financial Planning cycle as follows:

- Capital Strategy – this is a requirement originally introduced by CIPFA’s Prudential Code in 2017. It is a rolling three-year strategy that gives a high-level overview of how Capital Expenditure, Capital Financing and Treasury Management activity contribute to the provision of local public services, along with an overview of how associated risk is managed and the implications for future financial sustainability. The Council’s most recent Capital Strategy was adopted by the Council in February 2022, alongside an updated 4-year Capital Programme (2022/23 to 2025/26). However – following the (one-off) decision not to adopt an updated Capital Programme in February 2023 (prior to the commencement of the 2023/24 financial year) – pending a detailed review and reset of the Capital Programme, it was not possible to prepare a reliable updated Capital Strategy for 2023/24. An updated (and overhauled) Capital Strategy (effective from 2024/25) will be presented to the Governance & Audit Committee in September 2024; although later in the cycle than recommended best practice, the new Strategy will be strengthened to include the full requirements of CIPFA’s updated Prudential Code released in late 2021 (including further detail on Asset Management, and Service and Commercial Investments). A ‘refreshed’ Capital Strategy for 2025/26 will be presented and adopted in February 2025; the required content is expected to remain unchanged at this stage (compared to 2024/25); and
- Treasury Management Strategy (TMS) – the Council has significant levels of borrowing and is therefore exposed to financial risks such as changing interest rates (particularly relevant following recent rate rises). The successful identification, monitoring and control of financial risk is therefore central to prudent financial management; the TMS is a key document, which helps to achieve that. The current – 2024/25 – TMS (presented to the Governance & Audit Committee on 18th June 2024) was prepared in accordance with CIPFA’s updated Treasury Management Code (2021 Edition) and an updated Investment Strategy (reflecting the final outturn for 2023/24) is to be presented to the Governance & Audit Committee in September 2024. The 2025/26 requirements are expected to remain unchanged at this stage (compared to 2024/25).

## **12. Equality, Diversity and Human Rights implications**

- 12.1 Consideration will be given to equality and diversity issues in respect of any budget changes that may emerge during the development of budget. This will be done in line with agreed policies and procedures including production of Equality Impact Assessments where appropriate.

### **13. Standard References**

13.1 There are no direct Publicity, Human Rights, Community Safety or Health and Safety implications because of this report.

### **14. Strategic Plan References**

14.1 The Budget proposals will be developed within the framework of the Council's ambitions, as set out within the agreed Strategic Plan. These are balanced against the Statutory requirement of presenting a balanced budget and delivering core Statutory Services. The Budget will be aimed at achieving the optimum combination of these factors.

### **15. Consultation**

15.1 The proposed Financial Planning Framework in this report will be presented to the Scrutiny Panel on 9th July 2024 for consideration and comment, prior to consideration by Cabinet on 10th July 2024. Furthermore, as the proposals are further developed, detailed consultation, both internally and externally, within the statutory Budget Setting framework are an in-built feature, reflecting the Council's continued commitment to engagement, openness, and transparency.

### **16. Publicity Considerations**

16.1 Decisions on local taxation and on the level of services provided will be set out within the Budget proposals for 2025/26 once developed; they are likely to have direct impact on most residents. Standard publicity media will be utilised to ensure that the impact of the eventually agreed Budget is widely communicated and the reasons for proposals are understood.

### **17. Financial implications**

17.1 As set out in the report.

17.2 No changes are necessary to the 2020 Financial Regulations. The eventual resource implications flowing from this report will be substantial, although not quantified in detail at this stage. The Council has a budget gap in its General Fund revenue account in the short and medium term. Further details – including detailed estimates – will be presented to Cabinet meeting on 4th September 2024. Net expenditure must be brought into line with available funding both in the short-term (to set a balanced budget for 2025/26) and the medium-term (to achieve financial sustainability).

### **18. Health, Wellbeing and Community Safety Implications**

18.1 Health, Wellbeing and Community Safety considerations will be explored and considered in respect of each key component part of the Budget as it is developed.

### **19. Health and Safety Implications**

19.1 None.

## **20. Risk Management Implications**

20.1 The consideration of risk will form an integral part of the development of the proposals in the report. In particular, the MTFF is based on a series of estimates and assumptions that are informed by varying forms of intelligence (some certain, some uncertain); that process, including any residual risk in the decision-making process will be clearly indicated.

## **21. Environmental and Sustainability Implications**

21.1 All budget measures are assessed for their environmental impact, reflecting the Council's commitment to be 'carbon neutral' by 2030. Environment and Climate Change is an essential cross-cutting theme in the Council's recovery planning and a core theme of the Strategic Plan.

## **Appendices**

- **Appendix A – Proposed Financial Planning Framework 2025/26 to 2029/30**

## **Background Papers**

None.



### Proposed Financial Planning Framework 2025/26 to 2029/30

The timetable below proposes a tailored approach to Financial Planning in challenging circumstances, including the required legal and governance arrangements, spanning a five-month period, beginning in mid-July 2024 with this report and culminating in late February 2025 with full Council adopting a balanced budget for 2025/26.

Date	Committee/ Audience	Report/Event	Purpose
9th July 2024	Scrutiny Panel	Financial Planning Framework 2025/26 to 2029/30 (including updated financial context).	Presents the context for the forthcoming budget development process, allowing Members to scrutinise the proposals for an updated Financial Planning Framework to be considered by Cabinet on 10th July 2024.
10th July 2024	Cabinet	Financial Planning Framework 2025/26 to 2029/30 (including updated financial context).	Presents the context for the forthcoming budget development process, allowing Cabinet to consider proposals for an updated Financial Planning Framework, taking account of the comments of the Scrutiny Panel held on 9th July 2024.
4th Sept. 2024	Cabinet	Updated MTFF 2025/26 to 2029/30 (General Fund & HRA) (including Budget Strategy 2025/26).	Cabinet to consider first iteration of updated MTFF for 2025/26 to 2029/30, including the embedded Budget Strategy.
		Capital Programme Update (General Fund & HRA) update 2024/25 to 2028/29.	Cabinet to consider <i>currently adopted</i> five-year Capital Programme and provide guidance on developing a revised Programme for 2025/26 to 2029/30.
17th Sept. 2024	Scrutiny Panel	Updated MTFF 2025/26 to 2029/30 (including Budget Strategy 2025/26).	Members to scrutinise updated MTFF (including Budget Strategy) and Capital Programme.
		Capital Programme Update (General Fund & HRA) update 2024/25 to 2028/29.	
Nov. 2024 (TBC)	All Members	All Member Budget Workshop (Part 1)	Member engagement session to share updated MTFF, and early messages and emerging proposals from the 2025/26 Budget development process (and take feedback).

Date	Committee/ Audience	Report/Event	Purpose
Nov. 2024 (TBC)	Leaders Alumni	Leaders Alumni	Focussed engagement session with senior politicians to share updated MTFF, and early messages and emerging proposals from the 2025/26 Budget development process (and take feedback).
27th Nov. 2024	Cabinet	Initial Draft Budget 2025/26 (balanced), and updated MTFF (2025/26 to 2029/30).	Cabinet to consider (initial) draft (Revenue and Capital) budget proposals for 2025/26, including Fees and Charges included therein.
		Initial Draft Capital Programme (GF & HRA) 2025/26 to 2029/30.	
		Draft Fees and Charges 2025/26.	
Dec. 2024 (TBC)	Council Taxpayers	Financial context and emerging Budget proposals 2025/26 presentation/event/survey (timing and format TBC).	Capturing the views of local Council Taxpayers in accordance with statutory requirements.
Dec. 2024 (TBC)	Business Ratepayers	Financial context and emerging Budget proposals 2025/26 presentation/event (timing and format TBC).	Capturing the views of local Business Ratepayers in accordance with statutory requirements.
28th Jan. 2025	Scrutiny Panel	Updated draft Budget proposals 2025/26, and updated MTFF (2025/26 to 2029/30).	Members to scrutinise draft (Revenue and Capital) Budget proposals 2025/26, providing feedback for Cabinet consideration.
		Updated draft Capital Programme (GF & HRA) 2025/26 to 2029/30.	
		Draft Fees and Charges 2024/25.	

Date	Committee/ Audience	Report/Event	Purpose
29th Jan. 2025	Cabinet	Final draft Budget proposals 2025/26, and updated MTFF (2025/26 to 2029/30).	Cabinet to review final Budget & MTFF proposals, making recommendation to full Council.
		Final draft Capital Programme proposals (GF & HRA) 2025/26 to 2029/30.	Cabinet to approve Fees and Charges proposals for year ahead.
		Final Fees and Charges 2025/26.	Decisions to take account of scrutiny feedback and public consultation.
Feb. 2025 (TBC)	All Members	All Member Budget Workshop (Part 2)	Member engagement session to share further updated MTFF and 2025/26 Budget proposals.
25th Feb. 2025	Governance & Audit Committee	Draft Capital Strategy 2025/26 to 2027/28.	Members to consider supporting strategies, making comments and recommendations to full Council.
		Draft Treasury Management Strategy 2025/26.	
26th Feb. 2025	Full Council	Budget Report 2025/26, including updated MTFF 2025/26 to 2029/30.	Full Council to consider and decide upon the Budget for 2025/26, and relevant linked and supporting strategies. Includes setting the Council Tax on behalf of all preceptors.
		Capital Programme (GF and HRA) 2025/26 to 2029/30.	
		Capital Strategy 2025/26 to 2027/28.	
		Treasury Management Strategy 2025/26.	
		Council Tax Setting Report 2025/26.	



9 July 2024

<b>Report of</b>	<b>Matt Sterling, Head of Economic Growth</b>	<b>Author</b>	<b>Karen Turnbull</b> ☎ 282915
<b>Title</b>	<b>Community use of Colchester City Council Assets and curating Colchester City Centre's Public Spaces</b>		
<b>Wards affected</b>	All Wards		

**1. Executive Summary**

1.1 This report updates Scrutiny Panel on the Council's approach and policy towards the use of the community assets which it owns following the discussions at their meetings in August 2023 and February 2024. It also provides information for the Panel about more recent work to programme and coordinate activity in public spaces.

**2. Action Required**

2.1 Scrutiny Panel is asked to consider the report and note the work in progress.

**3. Reason for Scrutiny**

3.1 At the meeting of the Scrutiny Panel on 9 August 2023 it was resolved that the Panel adds an item to its work programme to clarify the Council's approach and policy towards the use of community assets which it owns.

3.2 Such an update was given to Scrutiny Panel in February 2024. Since then, our work in this field has developed further to consider with partners how we support them to programme activity in the City Centre's public spaces.

## 4. Background Information

4.1 The Council has an extensive asset base which includes buildings and spaces. Some of these have multiple uses such as the Town Hall which is used for civic, operational, and commercial activity.

4.2 As was reported to Panel in February, many assets are used by Community Groups. The approach to the use of each asset needs to take account several criteria, including the cost of maintaining the asset, the needs of the use for support, the effect of the use on service provision and the suitability of the use for the asset.

4.3 For assets used for events and programmed by Colchester Events, the Council has an Events Policy which states:

“While registered charities and non-profit making community groups may be offered a “charitable hire rate”, costs will still be passed to the event organiser to ensure no additional burden on the Council (or CATL), although these costs will be kept as low as possible”.

4.4 In February it was noted the impracticality of having a blanket policy for free community use of all our assets as their fees and charges are needed to cover our costs and support budgets.

4.5 As part of the wider review of our assets, an asset plan will be developed to look across the estate for opportunities for individual assets. This work will also include improving the way we manage our assets and take into account our strategic priorities, budget challenges and operational considerations. This will include a refreshed governance framework and opportunities for cross party member engagement.

4.6 The Panel have expressed a particular interest in the Bandstand in Castle Park. Following their meeting in February we have clarified that:

- Engagement with stakeholders has taken place
- No charge is levied for use of the bandstand
- A booking system is operated to avoid clashes; ensure any equipment, seating or power needed is available; and to minimize disturbances
- The number of bandstand bookable slots has been increased to 20 and Officers have agreed dates with key community partners with consideration to the overall programming of the park.

4.7 Following the previous Panel discussions, Officers have started to engage partners to consider the best community use of other non-building assets such as existing public spaces and those being improved or introduced through our Town Deal programme. Initially this work is focussed on the City Centre.

4.8 This review is important as City Centres are undergoing intense change. Competition from online and out-of-town shopping are two of the factors driving this change. There is a need to:

- Animate the city centre in particular to create a place where people want to be

- Increase dwell time and therefore – hopefully - spend
- Enhance the image and reputation of Colchester as an even more desirable place to live, work, study, visit and do business
- Encourage repeat visits/trips to Colchester (loyalty to the place)
- Add value to the experience of the city centre
- Encourage more coordination and partnership working
- Realise Colchester's potential as a city once more

4.9 To progress this review Officers have held 1-to-1 meetings with a wide range of stakeholders including those who currently deliver events, those representing businesses, and those who regulate events. Officers have also engaged other local authorities Economic Development teams and national organisations such as the Association for Town & City Management and British Business Improvement Districts. As a result of these meetings a SWOT analysis has been prepared to understand what is and isn't working well at the moment and what opportunities exist. A review of locations has been conducted to ensure we understand the features, opportunities and limits of each site. Most recently an in-person workshop has been held with these stakeholders to consider the learning from the review so far and to start to agree a proposed draft new approach.

4.10 Historic England acknowledges that Colchester is a place of small public spaces rather than big plazas. There is competition for space: business operations (deliveries, waste), local people, visitors, blue light services, maintenance services, local people, lobby groups all need access to this urban space for different reasons at different times.

4.11 There are trends in how urban spaces are being developed, mainly by Business Improvement Districts such as the Our Colchester BID. This is seeing urban centres fast becoming 'experiential' rather than simply 'transactional'. These trends were prevalent pre-Pandemic and appear to be sustaining and accelerating.

4.12 With city centre regeneration now underway there is an opportunity to review what is happening in order to realise the potential of the city centre.

4.13 Colchester is very fortunate to have the multi-award winning Castle Park located in the city centre just off the High Street and so there is an opportunity to explore the relationship between the park and city centre public spaces.

4.14 A set of objectives has been established for this project which are to:

- Take advantage of the opportunity of new public spaces coming forward with the regeneration of St Nicholas and Trinity Squares
- Understand the nature of these public spaces and the constraints and opportunities which each have
- Add value to events taking place across the city
- Provide clarity around roles and responsibilities
- Make recommendations for future coordination and management of events

4.15 The next steps for this review are to:

- Consider the outputs from the stakeholder workshop (July 2024)

- Prepare a draft proposal for a new whole-system approach including roles and responsibilities for partners (July 24)
- Convene a small working group of key partners to refine and complete this proposal (August 24)
- Share this proposal with Officers and stakeholders for consultation (September 24)
- Bring the proposal to Senior Management for consideration (October 24)
- Ensure the appropriate Member or Member Panel approves the approach depending on its form. This may depend on whether it constitutes a new working practice or a new policy (November 24)

## 5.0 Conclusions to date

5.1 The conclusions so far are that:

- This review is timely
- There is increasing competition for space in the city centre and so better coordination is welcome
- Partners welcome a positive balance between the Council's regulatory functions and our desire to support the vibrancy of the Centre
- We have an agreed way forward

## 6 Equality, Diversity and Human Rights implications

6.1 The Events policy seeks to ensure a fair and transparent approach to community use of the Council's assets. Our review of activity in public spaces seeks to ensure all Colchester's communities benefit and any decision will include an equality impact assessment.

6.2 The Council's Economic Strategy 2023-25 considers equality, diversity and human rights implications through its [Equality Impact Statement](#).

## 7 Standard References

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

## 8 Strategic Plan References

8.1 The programme of curation of public spaces is driven by the Council's [Strategic Plan 2020-23](#) objectives:

- Growing our economy so that everyone benefits
- Respond to the climate emergency
- Delivering modern services for a modern city
- Improving health, well-being and happiness



# Scrutiny Panel

Item

28 June 2024

<b>Report of</b>	<b>Head of Sustainability</b>	<b>Author</b>	<b>Fiona Shipp</b>
<b>Title</b>	<b>Middle Mill Weir Collapse – Update Briefing- including consultation feedback.</b>		
<b>Wards affected</b>	<b>Castle</b>		
			<b>☎ 589250</b>

## 1. Executive Summary

- 1.1 This briefing sets out the current position at Middle Mill following the collapse of the weir in December 2023.
- 1.2 Middle Mill Weir is a structure that is owned by Colchester City Council (CCC), located on the River Colne next to Castle Park and consists of three flow channels. The northern and southern channels have flow control sluice gates, and the central channel is uncontrolled over the weir. The northern and middle flows, pass under a footbridge and the southern end passes under two brick arch culverts with a replica water mill wheel between the culvert sections.
- 1.3 A collapse of a section of the weir in December also led to the closing of the adjoining bridge over the River Colne. This bridge is owned and managed by Essex Highways (EH). The bridge itself had shown cracking in its abutments and is potentially at risk of being hit by any further collapse of the weir structures.

## 2. Action Required

- 2.1 For the Scrutiny Panel to be informed of the current situation and to note the work being undertaken to remedy in the short term, and start to consider options for a longer-term solution.
- 2.2 To consider and note the feedback from the consultation.

## 3. Reason for Scrutiny

- 3.1 The situation has gained on-going media and local interest and the Scrutiny Panel has requested an update.
- 3.2 When all options regarding longer term solutions have been fully researched and costed, they will be presented to cabinet for a decision.

## 4. Background Information

4.1 The Environment Agency (E.A.) used to operate the sluice, but this operation was handed back in approx. 2015. This was the case with many E.A. operated sluices around this time. Since then, the Castle Park Rangers have taken over operation of the sluices to reduce flood risk upstream at times of high rainfall/high water levels.

4.2 In relation to the bridge at Middle Mill, we believe the ownership, responsibility and maintenance lies with Essex Highways from when they became the Highway Authority (Bridge Asset number 2007).

### 4.3 Timeline Summary of Key Events/Actions:

July to Nov 2023 – leaks had been noted by the sluice and Officers believed that some debris had got caught in the sluice gate causing a visible bubbling of the water next to the sluice, which needed a clear out. It's common for this to happen at this time of year when the sluice is being operated often.

30<sup>th</sup> October 2023 – email from Colchester Canoe Club concerned about cracks in abutments of Essex Highways owned bridge next to Middle Mill Weir. Reported to Essex Highways for inspection. They responded that there had been no change since 2017 and did not take any further action.

Week beginning 4<sup>th</sup> December 2023 – Park Ranger noted on inspection that part of the weir had been undermined by water erosion causing a significant sudden drop in water levels in the river. The Environment Agency were informed. Cracks noted in brickwork.

10<sup>th</sup> December 2023 – Park Ranger reported collapse of part of the weir structure. Bridge was then closed, initially by CCC staff as a temporary measure, then Essex Highways did this more formally later the same day.

20<sup>th</sup> December 2023 – 30 x Tonne bags of ballast installed in river around part of the collapsed structure to try and prevent further erosion of the remains of the structure.

8<sup>th</sup> January 2024 – Middle Mill Weir Working Group established and first meeting held. Meeting now held fortnightly.

February 2024- Consultation responses received from user groups and professional organisations. Requested quote from 1<sup>st</sup> engineers for further survey works to structures. Lack of response meant a 2<sup>nd</sup> company was then approached to quote for the works later that month.

March 2024 – Contact made with Cricket Club regarding potential access over Cricket Club bridge and Risk Assessment of this potential diversion route. Met with Canoe Club to discuss concerns and interim options for operation. Riverside residents consulted with. Met with Essex Highways twice re bridge and diversion. Heritage Statement commissioned and received.

April 2024 – Munitions found on riverbank. Controlled explosion carried out in Castle Park.

Timescales given for survey were too long to proceed with second structural engineering company. A third was contacted to request a quote and timescales. Temporary bridge options investigated. Risk Assessment drafted for Cricket Club bridge access. New diversion route and signs agreed with Essex Highways.

May 2024 – 1<sup>st</sup> quote received for new upgraded security fencing at weir. New diversion signs purchased. Discussion with developer regarding opening up access for residents to access North Station Rd. by avoiding the steps.

June 2024 – New diversion signs installed. Further quotes received for new security fencing and ordered. 1<sup>st</sup> digital survey undertaken of structures.

#### Current

The electronic digital land survey has been underway. These surveys will be provided to our structural engineer who will use this to consider where further investigations are then required. This will then trigger quotes being obtained for those further investigations.

### 4.4 Options

There are further surveys currently being carried out to enable us to provide the specification for removal of the damaged and washed-out sections of the weir, including the last pillar that remains. This will need to happen sooner rather than later. The initial structural report confirmed that some sections should be removed, and that further investigation is required on others. This work needs to happen to make it all safe long term, even if the weir is not replaced.

Some sections of the old structure may be salvageable. If so, a decision would need to be made around any salvageable structures.

**Going forward there are 3 main options to be considered:**

- i. Replacement of the weir with a smaller weir structure to hold water levels slightly higher upstream. Environment Agency (EA) confirmed this would also need to include a fish pass structure.
- ii. Replacement of the weir structure similar to the original but meeting current laws/guidelines and EA requirements. Would need to include a fish pass.
- iii. Removal of the structure and allow river to re-naturalise.

For the first 2 options, planning permission and EA permitting would be required. (planning 12 weeks from submission and EA permitting 8 weeks)

A potential add-on option if the weir is not replaced, is to enhance the riverbed for wildlife by for example installing gravel bars and adding meanders. However, much of this process will happen naturally within the first few years. This would be a positive project to implement, considering the current climate emergency and residents' concerns regarding the 'look' of the river with less water in it.

### 4.5 Key Areas of Further Work (identified so far)

- Further survey work to inform specifications for works to remove the damaged structures safely.
- Apply for EA permit for removal works
- Continue to Liaise with Essex Highways representatives regarding the bridge and opportunities/requirements for joint works and sharing of information regarding surveys.
- Tender any works required for removal of damaged structures
- Provide options paper for formal approval of longer-term decision regarding the weir

- Apply for planning permission (depending on option chosen)
- Tender any works required for chosen option
- Ongoing management of Media, weekly updates and Councillor enquiries.

## **5. Equality, Diversity and Human Rights implications**

- 5.1 The diversion that was in place Dec 23 – May 24 caused concern with residents who had to take a long detour, which is not a smooth surface for its full length. This was physically disadvantaging elderly residents, wheelchair users, parents with children and prams and for cyclists. These issues and concerns were highlighted to Essex Highways and working together an alternative diversion route was agreed, while slightly longer uses better surfaces and avoids steps. CCC then implemented this with new signage.
- 5.2 The diversion is the responsibility of the bridge owner Essex Highways, and the route of the new diversion is partly owned and managed by Essex Highways and partly Colchester City Council.

## **6. Standard References**

Shown below in paragraphs 7-13.

## **7. Strategic Plan References**

- 7.1 Moving forward this project will highlight a choice of options which are currently being researched. Consideration will then need to be given to their links to the Strategic Plan regarding the heritage nature of the structure and the opportunities for environmental enhancement of the river. In particular:

### Celebrating our Heritage and Culture

- Enhance and promote our heritage by better revealing our assets by supporting projects and initiatives to increase public awareness and access to their heritage in daily life.

### Tackling the climate challenge and leading sustainability

- Minimise the environmental impact of our activities.
- Enhance environments to create more space for nature to grow and thrive through natural seeding and greening.

## **8. Consultation**

Contact was made with formal bodies who have an interest in the weir. They were asked for their formal opinion on the 3 broad options we are currently investigating. Those bodies are; The Environment Agency, Natural England, Anglian Water, Essex and Suffolk Rivers Trust, Essex Wildlife Trust, and Historic England.

Local community-based groups who are potentially affected by or who have local interest in the weir were also consulted. These include Colchester Canoe Club, The Civic Society, Colchester Natural History Society, CO1 North Residents

Association, Friends of Castle Park, Riverside Residents Association and Riverside Place (Residents)

Summarised below are the key points from each group, highlighting, where provided their preferred choice and key concerns. Full consultation responses are available in the Confidential Background Document however please note that permission has not been granted to share these publicly.

## **Formal Bodies**

### **The Environment Agency (EA)**

They didn't give a preferred option however pointed out the following:  
The benefits ecologically of removing artificial structures that prevent fish passage and cause siltation of riverbeds.

The old weir structure didn't provide any flood risk benefit and there is no increase in flood risk because of the structure failure or its full removal if that option was chosen in future.

If the weir is not rebuilt, aesthetically the river will be very different from previously, with lower levels especially in the summer.

They were happy to consider a rebuild in some format and this would be considered fully by their permitting department as part of the mandatory Flood Risk Environmental Permit that would be needed to demonstrate no increase to flood risk from the proposal and that a fish pass had been incorporated.

They were happy for their responses specifically regarding [flood risk](#) and [environmental effects](#) to be shared publicly.

### **Natural England**

No strong feeling on any one option and felt the Environment Agency were better qualified to comment on this. They noted however that there is land upstream of this area that is priority coastal and flood plain grazing marsh. It is not designated but should be considered regarding the impact of any new schemes.

### **Anglian Water (and Ardleigh Reservoir Committee)**

Their preferred choice was a rebuild as close as possible to the original design to ensure that they had a continued water supply with no change in the hydrology of the river, and that fluvial processes return back to a similar state. They had significant concerns over the potential impacts on security of water resources and abstraction assets.

They asked for themselves and the Environment Agency to be consulted on with any new design. This was to be able to assess impacts on water quality, level and any flood risk.

Their main concerns however were around any engineering and construction remediation works that could impact on water flows and quality.

### **Essex Wildlife Trust**

They were keen that no river impoundment was reinstated to allow the river to re-naturalise for the wildlife benefit and enhancement.

The weir is a major blockage to fish passage, and it is a priority for them to try and remove or bypass redundant river structures.

They provided a local example of a mill gate failure in Halstead where they were able to work with local volunteers to successfully create a more natural meandering river.

The collapse in Colchester provides a positive opportunity to enhance the river and consequently the town by improving the ecology, desilting the riverbed, allowing unhindered fish passage and allowing fish to find deeper pools in times of hot weather when oxygen levels can be low.

They provided this [video](#) to help explain some of the benefits.

### **Essex and Suffolk Rivers Trust**

Their favoured option was the removal of the weir and allowing river and banks to naturalise.

They work with Essex Wildlife Trust and the Environment Agency to promote healthier rivers across Essex and this includes rectifying historic issues from past riverside activities such as barrier to fish migration.

They felt that impoundment acts as a barrier to wildlife connectivity for aquatic fauna and disrupts natural processes such as sediment movement, bed formation, and in some instances degradation of water quality.

They did acknowledge however that some structures have historical importance and that there are other benefits of them for other water users.

### **Historic England**

They stated that the weir was not on their 'at risk' register but as a structure of local interest that we should ensure we work with the Planning Conservation Officer and also the County Archaeologist. They are best placed to assess the heritage significance of what is left and offer detailed advice on management.

### **Community Groups**

#### **Colchester Canoe Club**

Would like to see the weir replaced and suggested a consultant engineer to work with to ensure that any new weir design holds the water high as previously and has a capacity to create a wave for use for white water/play boat training.

Higher water levels are essential for longevity of paddling year-round on the river for the club whose club house is upstream of the weir. Without this they felt it would be the end of the club and the accessibility they provide to water sports in Colchester.

They also requested some additional access facilities/pontoons either side of any new weir.

They also pointed out the good work they do environmentally through water quality monitoring and litter clearance.

### **The Civic Society**

Their consensus was in favour of a rebuild of the weir and that they would like to see an Archimedes screw incorporated into it as well as a fish ladder.

They would like the weir replaced due to its historical connections to the considerable history of the mills on the site which is relevant to residents and visitors and gives geography of the area, meaning and context.

### **Colchester Natural History Society**

They were keen that the weir was removed to allow the river to re-naturalise for the wildlife benefit and enhancement. They echoed the response from Essex Wildlife Trust.

They also suggested monitoring the ecological changes over time if the river was allowed to re-naturalise.

### **CO1 North Residents Association**

Their favoured option was for the weir to be rebuilt as close to original design as possible and that financial implications should not outweigh other implications such as environmental and cultural/heritage ones. They also noted that although the weir is not a listed monument it is in a conservation area and as such comes with special considerations and stipulations for upkeep and preservation.

They felt that naturalisation of the riverbed was a cheap option rather than environmentally driven. They also had concern over potential further erosion of riverbanks. They also felt this would reduce the picturesque part of the river to an eyesore.

They felt that the decision needs to make financial sense but also needs to be for prosperity and amenity of the area and community that rely on weir and bridge.

They also considered an option of an alternative version of the weir and bridge that could satisfy all requirements of access over it, watersports use and a fish pass.

They emphasised the importance of the long-established right of way via the Middle Mill footbridge.

They would also like all the options to be openly discussed with other consultees and that dialogue between Essex Highways, and CCC regarding the bridge should be full and open and timely.

### **Friends of Castle Park**

They felt that removing the weir was the best of the options presented.

Their caveat was that this should not increase flood risk for residents or adversely affect the function of the river as a wildlife corridor.

They also stressed the importance of the footbridge as a well-used route and also in connection with events in Castle Park.

### **Riverside Residents Association**

Their preferred choice was a rebuild as close as possible to the original design to protect residents from flooding, and to maintain the pre-failure diversity / popularity / enjoyment of the flora and fauna along the length of the river as it passes through the City. They felt the two-weir system for up and downstream from the failed weir has been a proven and tested method for achieving this over some 70+ years. Any new rebuild would have to take into consideration potential increased flooding due to global warming.

They felt that a large number of their residents were vulnerable to flooding and required more data from the Environment Agency (EA) on flood risk. (*This has since been provided and is linked to this document*) EA's document includes some technical-speak and the residents subsequently would like to meet with EA Officers in order to have it explained. They feel that removal of the weir is gambling with the lives of their residents and could have financial impacts of their insurance.

They also had concerns about the aesthetic effects of the raised water level downstream from the failed weir, and the disappearing water flow upstream from it, the lower water level upstream has exposed rubbish, and resulted in drying out and cracking and loss of riverbank and erosion, evidence the number of mature trees falling into the river as their roots in the riverbank are undermined. They also felt that there had been a loss in birdlife in the area already. They are of the opinion that the stretch of the river pre-failure of the weir between it and the bridge in North Station Rd was a jewel-in-the-crown of what is an area of the City which is sorely in need of a: "Jewel".

They emphasised that the River Colne along this stretch – most importantly featuring North Bridge – forms an important visual aspect within this Planning Conservation Area.

### **Riverside Place (Residents)**

They agree with the comments and concerns as laid out above by the Riverside Residents Association.

### **Summary of Key Points Raised**

- There should be no increased flooding risk of the local area as a result of the option that was chosen.
- A more naturalised riverbed and enhanced ecological value was preferred by some groups and opportunities for this should be explored.
- Impact on upstream habitats should be considered.
- Consideration should be made of the old weir structure as a local heritage feature.
- Removal of the weir would potentially close the Colchester Canoe Club due to lack of water in the river for paddling year-round. Any new weir should also incorporate a facility to create a wave for training purposes. Additional potage points would also be helpful either side of the weir.
- A water supply should be maintained for the Anglian Water abstraction to Ardleigh Reservoir.



- Concerns had also been raised regarding the potential drying out of riverbanks and impact on local properties directly adjacent to the river.
- Consideration should be given to the fact the river itself had been changed and reengineered over time since the weir was built.
- The bridge next to the weir was an important structure for access in this area and needed to be retained.
- Consideration to the Planning Conservation Area should be made.

Work has already been undertaken to consider some of these issues.

A [Heritage Statement](#) has been commissioned and produced by ECC Place Services to look at the Heritage value of the old weir structure. In this it was described as a non-designated heritage asset, with regard to the National Planning Policy Framework (NPPF). The significance of the weir predominantly derives from its archaeological and historic interest. The feature also enhances our understanding of this historic route over the River Colne and its long association with the settlement of Colchester. The weirs formal statement of significance was graded as low for all areas (Archaeological Interest, Architectural and Artistic Interest and Historic Interest).

In its summary it was recommended that a desk based archaeological assessment (DBA) is carried out for any future proposed works to the weir. This will outline any significant impact that the engineering works might have on potential archaeological deposits.

If any rebuild is undertaken it was recommended to retain;

- All historic iron fixtures, gates and the wheel. Even if only retained in situ;
- Any historic watercourses below the weir; and
- The east elevation with brick arches, although this will be subject to the wider design.

Any new weir structure would be subject to a strict Environment Agency permitting process. This would involve a fresh flood risk assessment.

Any new structure would require Planning Permission and Historic England have asked to be a consultee on this.

Structural Engineers have been contracted to look into whether there are any risks to adjacent properties as a result of the lower water levels.

The possibility of the incorporation of an Archimedes screw into any new weir design has been investigated and discounted as a possibility as this would not be financially viable.

## **9. Publicity Considerations**

- 9.1 A site meeting took place to address concerns from local community groups and Councillors.

- 9.2 As a result of that meeting, a weekly update was introduced to keep these specific groups up to date with progress. This group is limited to those specific groups with a direct interest in the works.
- 9.3 Any significant actions are being published via a press release from the CCC Communications team who are being kept up to date on progress.
- 9.4 The portfolio holder is being kept up to date on progress
- 9.5 This paper forms the 2<sup>nd</sup> update paper to the Scrutiny Committee.

## **10. Financial implications**

Initial high levels costs for removal of the structure and installation of the new weir structure have been received. These are included in the Confidential Background Document. The company were not able to formally quote for the replacement option at this stage, until they know what work we planned to do around removal first. This will determine the required work and the price. Currently we are awaiting the results of the surveys which will start to enable designs to be drawn up, from which we hope to be able to draw up specifications for works to be able to tender.

On discussion with the EA, it has been advised that a fish pass would be required for any new structure, and this could cost up to £100k potentially (dependant on design) on top of costs already quoted.

Funds have already been spent or committed on the following items;

- Structural engineer initial surveys
- Contractor works to place protective bags of ballast
- Structural Engineer to advise on required survey works and to tender for contractors to carry out subsequent surveys. They will also produce the required reports to make recommendations and help us understand the results.
- Purchase and installation of new security fencing.
- Design and production of new diversion route signs.

## **11. Health, Wellbeing and Community Safety Implications**

- 11.1 The lower water levels have exposed the riverbanks and this has led to 'mudlarking' activities. This resulted in finding unexploded munitions and the exposure of rubbish.
- 11.2 Park Staff have written a risk assessment to allow them to continue to remove rubbish where accessible and are awaiting UXO training and will be carrying out a thorough survey of the riverbanks with help from the MOD.
- 11.3 Concerns have been raised regarding the new 'look' of the river with the lower water levels that are currently considered to be visually unappealing. If left, the river will naturally regenerate and the banks will quickly revegetate so this is a temporary situation, however it will look different to previously if the weir is not replaced or in the short term while a decision is made and implemented.

## **12. Health and Safety Implications**

- 12.1 The current health and safety issue for the public lies around the bridge closure which the public are regularly trying to breach rather than take the longer diversion route. The responsibility of this closure and diversion ultimately lies with Essex Highways however we are working together on this due to the integrated nature of the structures.
- 12.2 CCC Park Rangers are doing a daily check on the fencing to help with monitoring this and reporting of any issues. They are also monitoring the remains of the weir structure for any further deterioration of which there has been some since the initial collapse.
- 12.3 The safety herras fencing that was installed to stop access to the bridge and the weir structure has been heavily abused over the last few months and is near the end of its serviceable life. Quotes have been received for a more substantial and taller fence which has now been ordered and this is due to be installed over the coming weeks. This will also improve the temporary look of the area which there have been concerns about.
- 12.4 CCC Health & Safety Officer is fully informed of the situation and forms part of the Working Group to ensure this is considered in all aspects of the work.
- 12.5 Essex County Fire and Rescue Service were informed after the initial collapse.

### **13. Risk Management Implications**

#### Corporate Risk

There is a financial risk of further collapse causing damage to the Essex Highways owned bridge immediately downstream and integral to the structure. This risk is lessened during the summer months with lower water flows.

Any change in river flow raises concerns from the public regarding potential flooding.

Concerns have been raised regarding longer term structural effects of lower water levels on the riverbanks and questions have been asked about the knock-on effect for structures next to the river.

With lower water levels we will not be able to refill the boating lake at Castle Park during the summer months or after any clearing out. We are considering the immediate and longer-term implications of this with the current lease holders.

#### Community Aspect

In approx. 1993 Colchester Canoe Club started use of the weir for white water practice, training thousands of canoeists over the years. For the last 3 years it has particularly benefitted their freestyle team with a member becoming junior European champion. The junior section of freestyle is very successful with 3 members undertaking initial training with the British junior team. The canoe club are keen to have the weir replaced with a wave creation facility and to have improved canoe access (portage) either side of the weir (effectively platforms for getting in and out of a boat).

There are concerns about the exposed riverbed mud looking unsightly and being smelly with frequently exposed rubbish.

There are concerns regarding loss of access over the Middle Mill bridge and the effects of this for locals and visitors to the area.

#### Property

The estates team have checked ownership. The weir is owned by Colchester City Council and the bridge is owned and maintained by Essex Highways.

#### Flood Risk Aspect

An initial meeting was held with Environment Agency representatives on 22 Jan 2024 and they confirmed that there is no increased flood risk resulting from the loss of the weir. A formal response has also since been provided in writing and shared with the weekly updates.

#### Heritage Aspect

The structure is old and had good aesthetic value. It had some repairs particularly to the water wheel which was removed and repaired in approx. 2000/2001 along with brickwork repairs in the chamber. Historic England have been asked for their opinion and confirm that the asset is not designated, and as it is not on their 'At Risk' Register, it would likely not be eligible for their grant assistance programmes unless the weir serves a purpose in protecting other nearby designated heritage assets from river water damage.

#### Water Quality

Anglian Water have been consulted and there is the need to continue to inform them of any works causing disturbance which may cause siltation of the water or add any other debris to it. This directly effects their abstraction point upstream of East Bay Weir. (downstream of Middle Mill).

### **14. Environmental and Sustainability Implications**

#### 14.1 Opinion has been sought from the following key bodies:

Environment Agency, Natural England, Essex and Suffolk Rivers Trust, and Essex Wildlife Trust. Consultation feedback suggests that the complete removal of the weir structure could have positive longer term environmental benefits.

#### 14.2 There are other examples of where weirs have been removed successfully for the benefit of wildlife such as at Halstead.

### **15. Background documents**

Confidential background document: full consultation results, and cost details.





9 July 2024

<b>Report of</b>	<b>Chief Operating Officer</b>	<b>Author</b>	<b>Owen Howell</b> ☎ 282518
<b>Title</b>	<b>Work Programme 2024-25</b>		
<b>Wards affected</b>	Not applicable		

## 1. Executive Summary

- 1.1 The following summary is taken from the revised (April 2024) Statutory Guidance for Overview and Scrutiny Committees:
- 1.2 *Overview and scrutiny committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of a local authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.*
- 1.3 *Overview and scrutiny committees have statutory powers to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and scrutiny committees can also play a valuable role in developing policy.*
- 1.4 *Effective overview and scrutiny should:*
- *provide constructive ‘critical friend’ challenge.*
  - *amplify the voices and concerns of the public.*
  - *be led by independent people who take responsibility for their role.*
  - *drive improvement in public services and strategic decision-making.*

*Authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly add value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority.*

- 1.5 To achieve its aims the workplan of scrutiny committee is important. The guidance also tells us that *we need to take steps to ensure scrutiny has a clear role and focus i.e. a niche within which it can clearly add value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority.*

- 1.6 With that in mind this report invites the panel to consider both the current Work Programme for 2024-2025 for the Scrutiny Panel and any changes or additions to that programme.

## **2. Action Required**

- 2.1 The Panel is asked to consider and approve the contents of the Work Programme for 2024-2025, or request amendments, additions and/or deletions.
- 2.2 The Panel is asked to identify any additional specific issues, matters or areas of Council operations which it wishes to scrutinise during the 2024-25 municipal year, and to provisionally schedule these items, subject to feedback from relevant officers on any issues which may affect reporting timescales.

## **3. Background Information**

- 3.1 The Panel's work programme evolves as the Municipal Year progresses and items of business are commenced and concluded. At each meeting the opportunity is taken for the work programme to be reviewed and, if necessary, amended according to current circumstances. The draft work programme for 2024-25 is appended to this report. This contains the items which are reviewed each year by the Panel.
- 3.2 The Forward Plan of Key Decisions is included as part of the work programme for the Scrutiny Panel, and this is included an **Appendix A**.

## **4. Standard References**

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

## **5. Strategic Plan References**

- 5.1 Scrutiny and challenge is integral to the delivery of the Strategic Plan 2023-2026 priorities and direction for the area as set out under the strategic themes of:
- Respond to the climate emergency;
  - Deliver modern services for a modern city;
  - Improve health, wellbeing and happiness;
  - Deliver homes for those most in need;
  - Grow our economy so everyone benefits;
  - Celebrate our City, heritage and culture.
- 5.2 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self-governance provides a clear and demonstrable lead. Effective governance underpins the implementation and application of all aspects of the Council's work.

## **Appendices**

Appendix A – Scrutiny Panel Work Programme, 2024-25

Appendix B – Forward Plan of Key Decisions - 1 July 2024 – 31 October 2024



**Work Programme for 2024-25**

<b>Scrutiny Panel meeting – 4 June 2024</b>
<b>Scrutiny Panel Chairman’s briefing – 30 May 2024</b>
1. Work Programme 2024-25
<b>Scrutiny Panel meeting – 9 July 2024</b>
<b>Scrutiny Panel Chairman’s briefing – 8 July 2024</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Waste, Neighbourhood Services and Leisure]</li> <li>2. Year End 2023/24 Performance Report and Strategic Plan Action Plan</li> <li>3. Financial Planning Framework 2025/26 to 2029/30</li> <li>4. Middle Mill Weir – Update or pre-decision scrutiny, depending on information available.</li> <li>5. Community use of Colchester City Council Assets and curating Colchester City Centre’s Public Spaces .</li> <li>6. Work Programme 2024-25</li> </ol>
<b>Scrutiny Panel (Crime and Disorder Committee) - 17 September 2024</b>
<b>Scrutiny Panel Chairman’s briefing – 12 September 2024</b>
1. Safer Colchester Partnership (Crime and Disorder Committee)
<b>Scrutiny Panel – 8 October 2024</b>
<b>Scrutiny Panel Chairman’s Briefing – 3 October 2024</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Housing]</li> <li>2. Housing Revenue Account Review</li> <li>3. New Waste Strategy for Colchester</li> <li>4. Community 360 [To be confirmed]</li> <li>5. Work Programme 2024-25</li> </ol>
<b>Scrutiny Panel meeting - 12 November 2024</b>
<b>Scrutiny Panel Chairman’s briefing – 7 November 2024</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Leader of the Council/Strategy]</li> <li>2. Portfolio Holder Briefing [Economic Growth and Transformation]</li> <li>3. Climate Emergency</li> <li>4. Work Programme 2024-25</li> </ol>
<b>Scrutiny Panel meeting - 10 December 2024</b>
<b>Scrutiny Panel Chairman’s briefing – 4 December 2024</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Planning, Environment and Sustainability]</li> <li>2. Half Year 2024-25 Performance Report</li> <li>3. Key Performance Indicators Benchmarking Report</li> <li>4. Strategic Plan Action Plan progress</li> <li>5. Work Programme 2024-25</li> </ol>

<b>Scrutiny Panel meeting - 28 January 2025</b>
<b>Scrutiny Panel Chairman's briefing – 23 January 2025</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Resources]</li> <li>2. 2025-26 Revenue Budget, Capital Programme, Medium Term Financial Forecast, Treasury Management Investment Strategy, Housing Revenue Accounts Estimate and Housing Investment Programme</li> <li>3. Work Programme 2024-25</li> </ol>
<b>Scrutiny Panel - 11 February 2025</b>
<b>Scrutiny Panel Chairman's briefing – 6 February 2025</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Communities, Heritage and Public Protection]</li> <li>2. Corporate Key Performance Indicator Targets for 2024-25.</li> <li>3. Update on progress of Town Deal and Levelling Up Funding delivery</li> <li>4. Work Programme 2024-25</li> </ol>
<b>Scrutiny Panel (Crime and Disorder Committee) – 11 March 2025</b>
<b>Scrutiny Panel Chairman's briefing – 6 March 2025</b>
<ol style="list-style-type: none"> <li>1. Safer Colchester Partnership (Crime and Disorder Committee)</li> </ol>

**Items still to schedule, when possible:**

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

# COLCHESTER CITY COUNCIL

## FORWARD PLAN OF KEY DECISIONS 1 July 2024 – 31 October 2024

During the period from 1 July 2024 – 31 October 2024\* Colchester City Council intends to take 'Key Decisions' on the issues set out in the following pages. Key Decisions relate to those executive decisions which are likely to either:

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

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

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the documents listed on the Plan and any other documents relevant to each decision which may be submitted to the decision taker can be viewed free of charge although there will be a postage and photocopying charge for any copies made. *All decisions will be available for inspection on the Council's website, [www.colchester.gov.uk](http://www.colchester.gov.uk)*

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

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

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

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

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

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Award of Contract for the Installation of Loft and Cavity Wall Insulation in the HRA portfolio</b>	No	June 2024	<p>Portfolio Holder for Housing, Councillor Paul Smith</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Portfolio Holder report	<p>Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488</p>
<b>Colchester Community Stadium Lease Arrangements</b>	Yes	5 June 2024	<p>Cabinet (Cllrs King, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report	<p>Elizabeth Simpson Head of Estates <a href="mailto:Elizabeth.simpson@colchester.gov.uk">Elizabeth.simpson@colchester.gov.uk</a> 07966 238918</p>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Appointment of Main Contractor for totality of Fieldgate Quay repair and development.</b>	No	5 June 2024	Cabinet (Cllrs King, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Lucie Breadman Strategic Director <a href="mailto:lucie.breadman@colchester.gov.uk">lucie.breadman@colchester.gov.uk</a> (01206) 282726
<b>Fleet Transition Strategy</b>	No	5 June 2024	Cabinet (Cllrs King, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Recommendation from the Environment and Sustainability Panel at its meeting on 21 March 2024 Cabinet report	Robert Doran Fleet and Depot Contract Manager <a href="mailto:Robert.doran@colchester.gov.uk">Robert.doran@colchester.gov.uk</a> 01206 282612

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Council Productivity Plan</b>	No	5 June 2024	Cabinet (Cllrs King, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Richard Block Chief Operating Officer <a href="mailto:richard.block@colchester.gov.uk">richard.block@colchester.gov.uk</a> 01206 506825
<b>Award of contract for the upgrade of thermal elements and deck areas to flats at Trinity Square</b>	No	June 2024	Portfolio Holder for Housing, Councillor Paul Smith  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488

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<b>Award of Contract for the Installation of Communal Doors in the HRA portfolio</b>	No	July 2024	Portfolio Holder for Housing, Councillor Paul Smith  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488
<b>Waste Strategy for Essex Adoption</b>  Adoption of the Essex Waste Partnership Waste Strategy for Essex (2024-2054)	No	10 July 2024	Cabinet (Cllrs King, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Rosa Tanfield Head of Neighbourhood Services <a href="mailto:Rosa.tanfield@colchester.gov.uk">Rosa.tanfield@colchester.gov.uk</a> T: 0330 053 8047

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<b>Award of Garage Refurbishment Contract</b>	No	July 2024	<p>Portfolio Holder for Housing, Councillor Paul Smith</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Portfolio Holder report	<p>Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488</p>



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