

Strategic Overview and Scrutiny Panel

Grand Jury Room, Town Hall
9 December 2009 at 6.00pm

Strategic Overview and Scrutiny Panel deals with reviewing corporate strategies within the Council's Strategic Plan, the Council's budgetary guidelines for the forthcoming year, scrutinising the Forward Plan, the performance of Portfolio Holders and scrutiny of Cabinet decisions or Cabinet Member decisions (with delegated power) 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, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services.

Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please pick up the leaflet called "Have Your Say" at Council offices and at www.colchester.gov.uk

Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or telephone (01206) 282222 or textphone 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.

Facilities

Toilets with lift access, if required, are located on each floor of the Town Hall. A vending machine selling hot and cold drinks is located on the first floor and ground floor.

Evacuation Procedures

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Terms of Reference

Strategic Overview and Scrutiny Panel

- To review corporate strategies.
- To ensure the actions of the Cabinet accord with the policies and budget of the Council.
- To monitor and scrutinise the financial performance of the Council, and make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions.
- To link the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic / Action Plans.
- To scrutinise executive decisions made by Cabinet, the East Essex Area Waste Management Joint Committee, the Colchester and Ipswich Joint Museums Committee and Cabinet Member decisions (with delegated authority taking a corporate / strategic decision) which have been made but not implemented, and referred to the Panel through call-in.
- To monitor the Council's operational performance in relation to the Strategic Plan, Local Area Agreement targets and National Indicators.
- To scrutinise the Cabinet's performance in relation to the Forward Plan and to scrutinise the performance of Portfolio Holders.
- At the request of the Cabinet, make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the running of Cabinet business or jeopardising the efficient running of Council business.
- The panel will be the appropriate route for any member to refer a 'local government matter' in the context of Councillor Call for Action.

Process for Councillor Call for Action

- Councillors have the ability to call for debate and discussion a topic of neighbourhood concern, limited to issues affecting a single ward, in an attempt to bring about specific solutions for local problems. This enables members to get things done without going through the Council's executive decision making process.
- Members may bring an action on any issue they choose, with exceptions, for example, if the issue is vexatious or deals with an individual complaint. Local Government matters specifically excluded from the regime are namely matters relating to a planning decision, a licensing decision or where a right of recourse to a review or right of appeal is already provided for in law.
- Poor service performance or increased anti-social behaviour are examples of where a member will bring an action to the panel's attention.
- The scrutiny panel may reject a request as not within the guidance, or the usual channels have not been exhausted, or accept that an investigation is the appropriate action.
- The panel may conduct an investigation in the usual scrutiny manner, seeking information from the Council and/or partners and inviting them to attend meetings.
- A report with recommendations will be compiled and brought to the Council and/or partners attention, with the Council and/or partners having a duty to respond.
- The panel will consider and publish the responses to their recommendations and feed back this information to the Councillor calling for the action.

**COLCHESTER BOROUGH COUNCIL
STRATEGIC OVERVIEW AND SCRUTINY PANEL
9 December 2009 at 6:00pm**

Members

Councillors

Councillor Christopher Arnold (Chairman)
Councillor Dennis Willetts (Deputy Chairman)
Councillor Kim Naish (Labour Group Spokesperson)
Councillor Nick Barlow
Councillor Mark Cory
Councillor Mike Hogg
Councillor Jackie Maclean
Councillor Gaye Pyman
Councillor Laura Sykes
Councillor Nick Taylor
Councillor Julie Young

AGENDA - Part A

(open to the public including the media)

Members of the public may wish to note that agenda items 1 to 5 are normally brief and agenda items 6 to 9 are standard items for which there may be no business to consider.

Pages

1. Welcome and Announcements

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

2. Substitutions

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

3. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

4. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

5. Minutes

1 - 8

To confirm as a correct record the minutes of the meeting held on 3 November 2009.

6. Have Your Say!

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been

noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

7. 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.

8. Referred items under the Call in Procedure 9 - 44

To consider any Portfolio Holder decisions, taken under the Call in Procedure.

The panel may a) confirm the decision, which may then be implemented immediately, b) confirm the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or c) refer the matter to full Council in the event that the panel considers the decision to be contrary to the Policy Framework of the Council or contrary to, or not wholly in accordance with the Budget.

9. Decisions taken under special urgency provisions

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

10. Growth and future development options in Colchester 45 - 64

See report from the Head of Strategic Policy and Regeneration

11. 2010-11 Budget - update 65 - 94

See report from the Head of Resource Management.

12. Half yearly performance report including progress on the Strategic Plan Action Plan 95 - 135

See report from the Head of Corporate Services.

13. Review of the work of the Leader, Portfolio Holder for Strategy 136 - 138

See report from the Scrutiny Officer.

14. Work Programme

139 - 141

See report from the Scrutiny Officer.

15. Exclusion of the public

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).

STRATEGIC OVERVIEW AND SCRUTINY PANEL

3 NOVEMBER 2009

Present: - Councillors Arnold, Barlow, Cory, Naish, Pyman, Sykes, Taylor, J Young and Willetts
Substitutions: - Councillor P Higgins for Councillor Hogg
Councillor Lewis for Councillor Maclean

26. Minutes

RESOLVED that the minute of the meeting held on 13 October 2009 was confirmed as a correct record.

27. Have Your Say

Mr. Andy Hamilton addressed the panel, saying he had received the Council's Allegations Sub Committee judgment in respect of the complaint submitted by him concerning his communications with Councillors about the proposed sale of 15 Queen Street that had followed previous communications with the Head of Resource Management. Mr. Hamilton said he has been enraged by the attitude of Councillors and the Allegations Sub Committee who had not treated his intention to purchase the lease on the building for charitable purposes seriously. Mr. Hamilton said he had been denied information concerning the proposed lease sale and subsequently, the Allegations Sub Committee had stated that he had merely expressed an opinion that the building should be used for mobility scooters.

Mr. Hamilton concluded by saying the Allegations Sub Committee had decided it was correct for information to be denied to him, and that he could not make a written offer for the sale was his own fault. Mr. Hamilton said there would be repercussions for Councillors due to their behaviour.

28. Decisions taken under special urgency provision

The Chairman, Councillor Arnold informed the panel that he had certified the Cabinet decision relating to the Investment in schools in Colchester that identified the need for further information to be obtained about the terms of the investment and for a Statutory Public Consultation to be undertaken. As a matter of urgency, the Cabinet was in a position to take an informed decision before the time limit on the funding expired.

Councillors Chapman and J Young (in respect of being members of the Colchester Borough Homes Board), Councillor Sykes (in respect of being a member of the Colchester Borough Homes Board and Stanway Parish Council, and Councillor Arnold (in respect of being a member of Great Horkesley Parish Council) all declared a personal interest in the following item.

29. Transforming Colchester's Housing Services

Councillor Beverley Oxford, Portfolio Holder for Neighbourhoods, Ms. Lindsay Barker, Head of Strategic Policy and Regeneration and Mr. Gareth Mitchell, Head of Life Opportunities attended the meeting for this item.

Councillor B Oxford introduced the Transforming Colchester's Housing Services review. Councillor Oxford recommended the detailed business case to the panel, saying it would ensure the Council achieves its aims of tackling homelessness through a new housing policy, enhanced and effective response and help to our customers, a decent home for all and safe homes especially for the elderly and vulnerable.

Ms. Barker and Mr. Mitchell introduced the report on Transforming Colchester's Housing Services, with a business case that addressed the strategic aim of ensuring that Colchester has the best possible arrangements for meeting the housing needs of residents.

The business case would require a redesigned front-end process for customers, the alignment of housing solutions for customers with other key drivers of improved life chances, a stronger focus on the Council's "strategic enabling" role in housing, greater collaboration between the Council and Colchester Borough Homes across the whole housing function and a new organisational structure with more flexible ways of working.

The review provided an emerging framework around the important balance between brokering solutions for customers, driving housing supply, increasing work to prevent homelessness and managing existing housing stock and tenants and effectively as possible. Fifteen themed workshops were organised, involving over seventy staff, plus internal and external stakeholder workshops, to address what we do now and how it could be improved, to provide insight into potential new ways of working and to validate the resulting opportunities for improvement, resulting in the development of the final business case.

The final opportunities included effective self service, multi-skilled staff, a collaborative approach between housing and benefits teams, education and cultural change, short term housing solutions and a Colchester Association of Social Landlords, a stronger Council / Colchester Borough Homes Partnership, returning more empty homes to use, supporting landlords to deliver more quality private rented accommodation and a professional support unit.

Officers spoke about the delivery process, the effectiveness of the new approach and the efficiencies emanating from the review.

Councillor Chapman addressed the panel saying he welcomed this review and thanked officers and all others involved in the review for carrying out such a thorough exercise. Councillor Chapman said the 'spaghetti junction' image shown in the presentation and highlighting what was found at the vision and outline design stage proved the review was long overdue.

Whilst Councillor Chapman was supportive of the effective self serve approach to delivery, still wanted assurances that 'face to face' contact would still be available for vulnerable people finding themselves in dire straits, that at times customers needed a human face to communicate with. Councillor Chapman was also thankful that the Borough's temporary accommodation was being addressed, because he was concerned that improvements were much needed without delay.

Councillor Chapman concluded by welcoming a stronger partnership between the Council and Colchester Borough Homes, and asked that the skills of officers within Colchester Borough Homes, often not recognised, are recognised and where possible fully utilised.

Ms. Barker confirmed to Councillor Chapman that whilst the customer insight review showed the profile of customers had changed, with many now wanting to communicate on-line, it was realistic to expect 'face to face' contact with customers and this would always remain.

Mr. Mitchell responded to Councillor Chapman by explaining that the temporary accommodation review had provided the impetus to implement new temporary accommodation arrangements sooner and it was recognised that other organisations are better equipped to deliver this service in the future, and this was to be proposed to the Cabinet tentatively confirmed as by the end of the calendar year.

Mr. Mitchell said Council officers welcomed a greater collaboration between the Council and Colchester Borough Homes, recognising absolutely the need to bring together the joint skills of both organisations.

Councillor J Young very much supported the principles highlighted within the review of 'letting go' of some services that had historically been done in-house, though the success will depend on how well the delivery partners deliver. Councillor Young remained concerned for vulnerable people, though she was pleased to see the Allocations service moving to Colchester Borough Homes. Mr. Mitchell clarified that whilst 'letting go' of some functions, this would not be an abdication of responsibility. There was an opportunity to gather partners more effectively around the table and find collective solutions, especially for vulnerable people, and reassured members that all acute cases would continue to be dealt with sympathetically and quickly, but more effectively.

Councillor Willetts expressed the wish for there to be a more detailed business case, showing clear objectives and how the different services would migrate to the new and better structure, and with a financial summary to support the business case, with a broad indication of how the potential reduction in staffing levels would be managed.

Ms. Barker explained that the report did state a twenty five per cent reduction in the current resources (not posts) and the business case did give detail on the expectant training, development and IT requirements, to be contained within the current costs through business re-engineering and the simplification of processes. Ms. Barker said the Implementation Plan would give more detail that was currently being worked up, but once agreed by Cabinet, could be shared more widely. Mr. Mitchell confirmed that the resource to implement the recommendations in the business case would be found within existing service budgets and there would be no additional costs.

Ms. Pam Donnelly, Executive Director, spoke to the panel to reassure members of the validity of the business case, which was available on-line and a link would be provided to members after this meeting. Ms. Donnelly stressed that the business case did support high level strategic options, that the implementation would start rigorously in January 2010 and with existing resources to support the organisational changes.

Councillor Smith, Portfolio Holder for Culture and Diversity (including the Housing Revenue Account), explained to the panel that the detailed financial information was not available yet as the split between the Housing Revenue Account and the General Fund had not been completed. Councillor Smith also said the precise details were sensitive in terms of the effects

of the implementation plan, though further information would be forthcoming following the December Cabinet decision.

Taking officers and members explanations into account, Councillor Willetts said he was disappointed that with regards to good practice, a simple financial statement with details of the implementation costs, but without identifying jobs, could not be produced, concluding that without this document the review was incomplete and short of a decent conclusion.

In response to Councillor Taylor, Ms. Barker said this was a long term review, for the present and the future, as there was no desire to go through this process again in five years time. Ms. Barker said the organisational change would ensure that new roles will provide far greater flexibility in staff roles and service provision. The new Professional Support Unit would have the ability to regularly monitor performance and customers comments, and manage solutions to ensure the people's needs are met. Mr. Mitchell said the scale of change for the service would be enormous, but the changes will allow greater flexibility. He also confirmed that a risk register for the review would be developed as part of the Implementation Plan. Mr. Mitchell confirmed that following the Cabinet decision, there would be regular staff involvement and consultation during the implementation stage, and any current vacant posts are on hold also pending the implementation.

Mr. Mitchell confirmed to Councillor Lewis that the review of Temporary Accommodation had made tangible progress in the last few months, and dialogue with 'able' partners was progressing, with external funding partners also supporting the proposals in principle.

RESOLVED that the panel;

- i) Thanked Ms. Barker and Mr. Mitchell for attending the meeting, giving a presentation on Transforming Colchester's Housing Services, and responding to questions from the panel.
- ii) Noted the report Transforming Colchester's Housing Services to be presented to the Cabinet on 2 December 2009, and asked Cabinet to consider the comments made by the panel

30. Climate Change and Carbon Management

Ms. Sam Preston, Climate Change Officer introduced the report on Climate Change and Carbon Management, providing an update on the report presented to the panel in November 2008. The report provided progress on the Strategy and Action Plan formally adopted by Cabinet in March 2009, under the four priorities, "reducing our own carbon footprint", "becoming a community leader", "delivering sustainable services" and "using our powers".

In response to Councillor Willetts, Ms Preston said that signing up to the Nottingham Declaration had provided the impetus to produce the Carbon Management Programme, and with the Self Assessment Framework in place, will further show Colchester's continual commitment to the declaration.

Councillor Willetts commented that he felt more work was needed to improve the procurement process when letting contracts in terms of the effect on the carbon footprint. For example, what would be the effect of giving the 'Analogue to Digital Conversion' contract to a company in Scotland, a round trip of 900 plus miles? Ms. Preston confirmed there is still a huge amount of work to be done to ensure good practice across all service areas and this included procurement. Councillor Arnold said it would be sound practice to ensure the carbon impact

between different potential contractors is considered.

Ms. Preston acknowledged Councillor Arnold's point that the Council would need to ensure positive engagement with local residents, private businesses and individuals about ways to reduce our carbon impact locally. Ms. Preston said the Council is involved in various different events and supporting community groups. Ms. Preston said there is now a mind change happening with people, and community groups and parish councils are contacting the Council for advice.

Mr. Chris Dowsing, Strategic Waste and Sustainability Manager responded to Councillor Arnold saying the work carried out by Councils and forming part of Council's accountability within the Government's National Indicators would in part provide the process for measuring the carbon impact to homes in the borough. Mr. Dowsing said there is an action plan in place that included carbon management working between the agencies and bodies within Colchester2020. Mr. Dowsing concluded by saying that Government officials and local officers are fully aware of the need to connect with all local groups and residents, and the Department of Energy and Climate Change are currently embarking on a national awareness campaign of signposting, branding and television advertising.

RESOLVED that the panel noted the report presented to the panel on Climate Change and Carbon Management, and thanked Ms. Preston and Mr. Dowsing for attending the meeting and responding to questions from the panel.

31. Street Care Strategy Review

Councillor Tim Young, Portfolio Holder for Street and Waste Services, Mr. Dave McManus, Street Care and Recycling Manager and Ms. Jolene Rogers, Street Care Development Officer attended the meeting for this and the following item.

Other officers from the Street Care and Recycling team attended the meeting and Councillor T Young thanked them for attending, adding that their attendance showed the commitment of staff to achieving success with the Street Care Strategy. Councillor Young also added that he and officers are still awaiting the outcomes from the Night Time Economy Task and Finish Group which will be considered for the Street Care Strategy.

Mr. McManus presented the report on the Street Care Strategy, originally introduced in 2006 with the aim of clearly defining how Street Services would manage and improve the Street Scene. Mr. McManus spoke of the three main aims and achievements of the strategy, though saying there had been difficulties in providing a 'reader friendly' document. Mr. McManus went on to explain the needs within the 2009 review, including the update of priorities to reflect the Council's strategic aims and needs of the community, ensuring litter standards are consistently achieved and customer expectations are met, improve co-ordination and collaborative working, placing greater focus on education and enforcement and encouraging the public and local businesses to take more responsibility for the quality of the local environment, to comply with legislation and adopt consistent enforcement action, and the need for greater investment to meet standards expected including quicker and more effective enforcement.

Mr. McManus concluded by explaining the next stages of the process, public consultation, internal consultation, clear and defined procedures and a new look electronic strategy.

Ms. Rogers, with the use of screen and laptop, gave members a guided tour of the Council's on-line consultation facility providing links to all the appropriate councils and agencies and with the opportunity to carry out the process without the need to print documents, though it was

confirmed that a link to a printable version for manual completion would be available.

Councillor Naish congratulated the Street Care Team for all their hard work. There have been noticeable improvements across the borough, and for him, especially in the Berechurch Ward. In response to Councillor Naish, who felt more attention should be given to Town Centre cleaning at the end of nighttime business, Mr. McManus said legislation dictates that town centre should be regularly cleaned between 8.00 am and 8.00 pm, so there was a need to juggle resources outside these times to maximise efficiency and a strict regime of nighttime Street Litter Control Notices (SLCN) was having a positive effect. Mr. McManus said additional street cleaning was trialed last year for the 4-5 weekends leading up to Christmas. It was agreed at that time that making streets cleaner and emptying bins more regularly did give residents and visitors a feeling of greater safety.

In response to Councillor Barlow, Mr. McManus said officers are continually working with fast food outlets in regards to getting them to work within the Fast Food Code of Practice. It was said that between 2006-08 seminars were arranged for fast food premises, but with little success with businesses not bothering to attend. Business information packs are given to businesses and information inserts are given to businesses via their Business Rate billing. Mr. McManus said businesses are now positively responding to SLCN, but was happy to consider the suggestion that stronger legal representation was needed by the local authority to press the legal need for businesses to cooperate.

Councillor J Young complimented the Council for the provision of refurbished public toilets at Lion Walk and Wivenhoe. The refurbishments had been well received by all users.

Councillor Young said that all people, and especially the young, had to take greater responsibility in taking their waste home for recycling (disposal) and hoped the Council would do more to engage with young people on this issue.

Mr. McManus said the amount of footfall in areas generally dictated the number of waste bins installed in any area; therefore areas of heavy footfall required more waste bins. Where new bins are installed they now provide cigarette receptacles.

In response to Councillor Taylor, Mr. McManus said the Council is undertaking awareness campaigns. Officers are also revisiting previous campaigns for ideas, but thinking differently about the implementation. An education program for schools is being developed over the next year and a half. Mr. McManus said the Council now had membership of an Essex wide group where campaigns may have a bigger impact with a consistent message.

Councillor T Young confirmed to Councillor P Higgins that he had responded to Councillor T Higgins in reference to her Council question on the Old Heath toilets.

RESOLVED that the panel noted the report presented to the panel on the Street Care Strategy review, thanked all the Street Services officers for attending the meeting, and thanked Mr. McManus and Ms. Rogers for presenting the report and web tour and responding to questions from the panel.

32. Graffiti Policy and Procedures

Mr. McManus presented the report on the Graffiti Policy and Procedures. Mr. McManus described the current procedures for dealing with reporting of graffiti and statistical information in terms of the number of incidents, and the time taken to remove the graffiti. Photographic slides were presented to the panel showing contrasting pictures of areas before and after

graffiti were removed.

Mr. McManus spoke about the different approaches to cleaning graffiti and by way of comparison, the approach adopted by West Sussex, a pro-active approach, where ninety eight percent of graffiti is cleared within five working days, with an emergency weekend service.

Councillor Oxford said Highwoods suffered with a high level of graffiti, but unless local people themselves undertook to foot the bill for the removal of graffiti on their property or boundary wall it was never removed. Councillor Oxford was therefore supportive of a 'clean all' policy that did not differentiate between private and public dwellings. During the course of the ensuing debate Councillor's Lewis, Arnold, Higgins and Barlow all concurred with the comments of Councillor Oxford.

Councillor Arnold said he believed the current policy did not work, and the visual impact of the current policy on visitors to Colchester was powerful enough argument to adopt the West Sussex approach. Councillor Arnold also said there was a case to ask partners for funds to contribute towards the cost to the Council.

Councillor Higgins said it would be important that the persons employed to remove graffiti are proactive in their approach, that they have the incentive and initiative to tackle what they see, not just what they are told. Councillor Barlow said officers should be diligent at the planning stage to keep to a minimum the number of built surfaces that can potentially fall foul of graffiti (safety by design).

Councillor Cory was conscious that a 'clean all' policy could make cleaning costs escalate and that it was imperative that officers continue to push and promote community projects that empower local people, especially the young, to contribute to the work and spread awareness. Mr. McManus said research suggests that as successful as the 'Lucy Lane' project was, these types of projects as a rule do not reduce graffiti.

Councillor T Young said he was keen on the 'clean all' approach, that the image and perception of Colchester should be good and welcoming. Councillor Young hoped that should Colchester take a lead, the County Council and other agencies would follow and support. Councillor Young concluded by saying that he would be putting a growth bid into the 2010-11 budget and welcomed the support of the panel.

RESOLVED that the panel;

- i) Thanked the officers for attending the meeting, giving a presentation on the Graffiti policy and responding to questions from the panel.
- ii) Gave their consent to Street Services developing and implementing a 'clean all' graffiti strategy along the lines of that operated within West Sussex.

Given the length of the meeting due to the number of substantive agenda items, with the time being 9.08 p.m. the panel agreed to continue with the final two agenda items, without a break.

Councillor J Young (in respect of her spouse being the Portfolio Holder for Street and Waste Services) declared a personal interest in the following item.

33. Review of the Portfolio Holder for Street and Waste Services

Councillor T. Young gave a brief resume of the work and successes within his portfolio since the 2008 review.

In response to Councillor Naish, Councillor Young said the Council was working closely with the DVLA (Driver and Vehicle Licensing Agency) in respect of licensing matters, an improving and successful partnership

In response to Councillor Barlow, Councillor Young said the town centre market on a Friday and Saturday was well run and he believed was successful, and at this time he was not considering a new location. Councillor Young welcomed any suggestions that would make the market more accessible.

Councillor Young confirmed to Councillor Arnold that the Street Care Development Officer was working on the developing engagement with local shopkeepers at Dedham in respect of the Dedham Toilet Scheme, and was hoping to roll out fully over the next few months. In regards to the overall toilet strategy, Councillor Young said this was a discretionary service therefore not a high priority, though his expectation was to have all present toilets maintained to a high level of cleanliness.

RESOLVED that the panel thanked Councillor Young from attending the meeting and responding to member's questions.

34. 2009/10 Work Programme

Councillor Arnold confirmed that in regards to the item on the progress of the Greenways Care Home, provisionally scheduled for the 5 January 2010, he would share with the panel's group spokespersons the progress update given to him by the Essex County Council Portfolio Holder before taking a view on the provisional January review.

Councillor Arnold also confirmed that he had agreed with the Portfolio Holder for Performance and Partnerships to delay the review of CYPSP until 2010-11 allowing time for the new Joint Colchester / Tendring partnership to evolve.

RESOLVED that the panel considered and noted the 2009-10 Work Programme.

**COLCHESTER BOROUGH COUNCIL
STRATEGIC OVERVIEW AND SCRUTINY PANEL
9 December 2009 at 6pm**

Members

Chairman : Councillor Christopher Arnold
Deputy Chairman : Councillor Dennis Willetts
Councillors Nick Barlow, Mark Cory, Mike Hogg, Jackie Maclean, Kim Naish, Gaye Pyman, Laura Sykes, Nick Taylor and Julie Young

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

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

To inspect background papers (by prior arrangement) contact Robert Judd on 01206 282274.
PLEASE NOTE: Agenda items may be considered in a different order if appropriate.

8. Referred items under the Call in procedure

Request for transfer of land at Norman Way (see request and reason for call-in, page 1)

At the Cabinet meeting on the 2 December 2009, and in respect of the decision 'Request for transfer of land at Norman Way', the Cabinet had to determine to release part of the public open space situated at Norman Way for a new vehicular access to the Philip Morant School on terms to be agreed by the Head of Resource Management in consultation with the Portfolio Holder for Resources and Business.

The decision was considered by Cabinet at the meeting on the 2 December 2009. The Cabinet determined by a named vote, not to release part of the public open space situated at Norman Way for a new vehicular access to the Philip Morant School.

See draft minute of the decision taken by Cabinet on 2 December 2009 and the accompanying report 'Request for Transfer of Land at Norman Way' (page 3).

This Cabinet decision has been called in by Councillor Ford supported by four Councillors.

The panel may:-

- a) confirm the decision, which may then be implemented immediately,
- b) refer the decision back to the Cabinet for further consideration setting out in writing the nature of its concerns, or
- c) refer the matter to full Council in the event that the panel considers the decision to be contrary to the Policy Framework of the Council or contrary to, or not wholly in accordance with the Budget.

COLCHESTER BOROUGH COUNCIL

**REQUEST FOR CALL IN OF
DECISIONS TAKEN BY THE CABINET
OR UNDER DELEGATED POWERS**

Explanatory Note

This form may be used to request a call in of any decision (except urgent decisions) taken by the Cabinet or by a Cabinet Member acting under delegated powers or a Key Decision taken by an Officer under delegated powers.

This form must be signed by at least five Councillors (or by one Councillor and supported by four other Councillors via e-mail) and must be delivered to the Proper Officer within five working days of publication of the decision.

We, the undersigned, request that the following decision 'Request for transfer of land at Norman Way' be scrutinised by the Strategic Overview and Scrutiny Panel.

Reason for the call in:
See following page.

Signatures

Names in Capital Letters

- 1.
- 2.
- 3.
- 4.
- 5.

- Councillor G Oxford
- Councillor P Oxford
- Councillor J Young
- Councillor K Naish
- Councillor S Ford

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NB Councillor Ford will attend and present the case at the Panel meeting.

For Office Use:
Overview
09
Date and time of Receipt:

To be heard at the Strategic
and Scrutiny Panel meeting of 9-12-

1. The decision goes against the Council's strategic priority of 'Addressing Younger People's Needs' as refusal to release part of the public open space situated at Norman Way to allow an access road for Philip Morant School denies Colchester access to over £100m of 'Building Schools for the future (BSF) funding from the Government. This much needed investment will rebuild and expand state sector Colchester Secondary Schools providing current and future 11 – 16 year olds with a fit-for-purpose learning environment suitable for a modern curriculum, thus increasing the life opportunities of a generation of young people.
2. The decision does not reflect the overriding will of the Council. The motion that was approved and adopted at Full Council on 14 October 2009 stated that 'nothing should be done, or left undone, which would impede or hinder this investment (referring to the BSF funding) and that Colchester Borough Council should fully co-operate with Essex County Council to help secure this multi-million pound investment'. This motion was approved and adopted by 32 votes FOR and nil votes AGAINST.
3. The motion approved and adopted by Full Council on 14 October also stated 'Council supports the need of Philip Morant School' to improve the road access to its premises as part of the investment into that school.....these improvements should be expedited by means of the Cabinet co-operating fully with the appropriate authorities to enable the land to be made available for the building of the access road'. The Cabinet should be under a moral obligation to carry out the will of Full Council.
4. The decision made does not give due weight to all material considerations, particularly in relation to the £100m+ of investment in Colchester schools, in that it does not support Cabinet's previous approval and adoption of the same motion subject to two conditions, namely that 'written confirmation be sought and obtained from Essex County Council and DCSF about the status of the BSF funding if the new access road to Philip Morant School did not go ahead'. This confirmation was obtained by the Council in letters from ECC dated 28 October (from Lord Hanningfield) and 18 November (from Joanna Killian) and from the DCSF in a letter dated 23 November (from Christine Kane).

Considering all options available we believe that the decision made by Cabinet on 2 December 2009 is disproportionate to the desired outcome of Full Council made in point 2 above.

Extract from minutes of the Cabinet meeting on 2 December 2009

Councillors Turrell, Barton (in respect of their membership of Essex County Council) and T. Young (in respect of his spouse's membership of Essex County Council) declared their personal interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

Councillor Hunt and Cope (in respect of their long standing campaigning against the extension of Norman Way and the loss of open space that would result from such an extension) declared their personal interest that was also a prejudicial interest pursuant to the provisions of Meetings General Procedure Rule 7(10). Councillors Hunt and Cope made representations in accordance with paragraph 12(2) of the Code of Conduct for Members and then left the meeting during the Cabinet's consideration and determination of the item.

44. Request for Transfer of Land at Norman Way

The Monitoring Officer submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix A to these minutes in the Minute Book together with a letter from the Department of Children, Schools and Families dated 23 November 2009 and a letter dated 2 December 2009 from the Minister of State for Schools and Learners.

Essex County Councillor Stephen Castle addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). In the course of his comments and in response to questions from Cabinet members, he made the following points:-

- There had been a long and difficult process to reach this decision. In order to persuade the government to invest heavily in secondary education in Colchester it had been necessary to reorganise secondary school provision. There was now an opportunity to gain from this process. If this opportunity was lost, Colchester would suffer the worst of both worlds in that it would have undergone the reorganisation without receiving the investment to improve its secondary schools.
- Delaying a decision on the transfer of the land was potentially jeopardising the investment. In order to secure funding from Wave 6 of BSF a business case for Essex needed to be finalised quickly. Given the state of public finances it was unlikely that an incoming government would be able to proceed with Wave 7. Whilst the business case would not explicitly make reference to public opposition to the scheme, the Department for Children, Schools and Families would be aware of residents concerns.
- The concerns of local residents were understood but thousands of school children and their families would benefit in the long run, both at

- Philip Morant and also throughout the borough.
- It would be unreasonable to ask Philip Morant to take additional children without delivering an improved access.
 - He was willing to support ways of ensuring the remaining open space could be protected in perpetuity.
 - The issue had become overly politicised.
 - The access road to Philip Morant had already been given planning permission.

Mr Barrow addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) and explained that the proposals for the reorganisation of secondary education in Colchester had not taken into account EERA's proposals for substantial extra housing in Colchester to be delivered by 2031. There would no funding left for new schools to meet the demand resulting from the new housing. The access road should be refused. There should be an independent inquiry into the logistical problems that would arise from the future provision of secondary education.

John Loxley addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). The campaign to keep this area of open land was not political. He sought confirmation that Philip Morant had confirmed that it wanted this access road and that it was essential to its future plans. He believed that the first condition the Cabinet had set at its previous meeting had not been met. In respect of the second condition, 79% of respondents to the consultation had opposed the transfer and the outcome of the consultation should be respected.

David Kennedy of the Irvine Road Residents Association addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). The access road was not needed and other solutions to reduce congestion in the area should be explored. The Association was not political and supported the best possible education provision for local children. Essex County Council sought to minimise the importance of the land and portrayed any opposition as NIMBYism. The Cabinet should respect the views of local residents and refuse to transfer the land.

Richard Pettit of the Painters Corner Residents Association addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) in opposition to the loss of open space. The consultation had revealed overwhelming opposition to the loss of the open space. It was inconceivable that Essex County Council would jeopardise the investment by requiring the access road to be built, but if the investment were lost, the fault would lie with Essex County Council. Colchester Borough Council should adhere to borough policies to protect open space.

Paula Whitney addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) to indicate her support for the retention of the open space. Not only were there sound environmental reasons for retaining the open space, she also supported smaller and more sustainable schools. If the land was transferred, this would be contrary to the results of the

consultation.

Nigel Hildreth, the Chair of the Governors at the Gilbert School, addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). Philip Morant had made it clear since the start of the reorganisation process that that if it were to expand, it would need better access arrangements. The current access was dangerous. Whilst he would prefer smaller more sustainable schools, this would not happen and the Council had to deal with the realities of the situation. It would be illogical to block the investment in Colchester's schools.

Tim Oxtan addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). The closure of the secondary schools in south Colchester was not irreversible. If the proposals for reorganisation went through, Philip Morant would be so large as to be unmanageable. The investment promised was for buildings and good schools were made by teachers, rather than buildings. The Cabinet should hold firm to its principles and respect public opinion as revealed by the public consultation.

Martin Hunt addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He expressed concern that Philip Morant had never explained why it wanted the access road. It would not address the problem of congestion or make access to the school safer, because parents would not be able to use it. The proposed access would be for teachers, delivery, construction and emergency vehicles only. Once the school had expanded congestion would be even worse. The correspondence from Essex County Council showed that a deal about the road had been agreed between Essex County Council and Philip Morant without consulting the Borough Council, who owned the land. A summit meeting should be held between officials of Colchester Borough Council, Essex County Council, Philip Morant School and representatives of the two residents association to see if another solution to the issues of access could be found.

Nick Cope addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). If the land was transferred for the construction of the access road this would be contrary to the Council's own policies on the protection of open space. As a ward councillor, no constituent had ever approached him in support of the access road. There was no point consulting residents if their views were then ignored. The bullying approach of the County Council should be resisted.

Councillor Cook attended and addressed the Cabinet. The access road would not relieve congestion on local roads. Essex County Council was putting the investment in jeopardy by tying the investment to the access road. The Cabinet should not ignore the results of the public consultation. If the investment was not forthcoming at his point, further investment would be made later.

Councillor Gerard Oxford attended and addressed the Cabinet. A motion in support of the investment and access road had been passed by full Council.

The conditions set by Cabinet previously had been met. Refusing the request to transfer the land would harm the life opportunities of school children in the borough.

In discussion members of the Cabinet made the following points:-

- Those members who opposed the road wanted to secure the investment in secondary investment in Colchester: the issue was whether the access road was necessary to secure the investment.
- The whole approach to the schools reorganisation was flawed. It was not too late to reverse the school closures and to seek a solution based on a federation model.
- It was inconceivable that the options were all or none of the investment. If the land was not transferred and the access road not built, then some elements of the reorganisation would still be funded.
- The funding for the rebuild of Charles Lucas was secure no matter what the outcome of the issue about the transfer of the land.
- The access road would not address the congestion issue.
- If the consultation was to be meaningful then the outcome must not be ignored.
- Other solutions to the access problems for Philip Morant existed and should be investigated further by a summit meeting of the interested parties.
- This was an opportunity to improve the life chances of a generation of school children. The concerns of residents were acknowledged but had to be balanced against the benefits for thousands of schoolchildren.
- There had been no objection or appeal against the decisions to close schools by their governing bodies.
- This was the last chance to secure this investment.
- Other secondary schools in the borough badly needed the investment and the opportunity to expand.
- It was appreciated that the investment would be in buildings and facilities rather than teachers. However the provision of new buildings in schools would help provide a better education for school children and would provide an environment in which good teachers would thrive.
- No councillors had voted against the motion at Council and thirty two councillors, representing thousands of residents, had supported the motion

It was *PROPOSED* that part of the public open space situated at Norman Way be released for a new vehicular access to the Philip Morant School subject to the following conditions:-

- (i) No work to commence on the access road until the Wave 6 funding was received by Essex County Council;
- (ii) A land swap should be pursued as the first option, and the sale or lease of the land should only be proceed if a satisfactory land swap could not

be achieved;

- (iii) All the remaining open space to be protected in perpetuity from any construction or building work;
- (iv) The boundary of the road be protected by means of bunding, fence or other such measure;
- (v) A 20mph speed limit on the access road should be sought.

On being put to the vote, the proposal was *LOST* (three voted for, four voted against).

A named vote having been requested pursuant to the provisions of Meetings General Procedure Rule 15(3) the voting was as follows:

Those who voted *FOR* were:

Councillors Dopson, B Oxford and T. Young

Those who voted *AGAINST* were:-

Councillors Barton, Offen, Smith and Turrell

RESOLVED that:-

- (i) The Council should invite representatives of Essex County Council, Philip Morant School and Painters Corner and Irvine Road residents associations to a meeting to consider alternative methods to improve access to Philip Morant School without building the access road.
- (ii) Colchester Borough Council and Essex County Council to be represented at the meeting by officers only.
- (iii) The meeting to be held before the meeting of the Strategic Overview and Scrutiny Panel on 9 December 2009;

REASONS

A Motion was passed by Council at its meeting on 14 October 2009 that requested that the decision (to consider disposing of the land to the School) be made as "expeditiously as possible.

In the light of the responses received from Essex County Council and the Department for Children, Schools and Families and the outcome of the statutory public consultation it was not necessary to release part of the public open space for a new vehicular access to Philip Morant School.

ALTERNATIVE OPTIONS

An alternative option would be to approve the transfer of the land, not to make a decision and to put in place further series of actions to obtain additional information to inform a decision to be made at a later date.



Cabinet

2 December 2009

Item

Report of	Monitoring Officer	Author	Andrew Weavers
Title	Request for Transfer of Land at Norman Way		
Wards affected	Prettygate and Christ Church		

This report concerns the request to release of a piece of public open space to allow a new vehicular access to Philip Morant School

1. Decision(s) Required

1.1 To determine whether

(a) in light of the responses received from Essex County Council and the Department for Children, Schools and Families; and

(b) following the outcome of the statutory public consultation,

to release part of the public open space situated at Norman Way for a new vehicular access to the Philip Morant School on terms to be agreed by the Head of Resource Management in consultation with the Portfolio Holder for Resources and Business.

2. Reasons for Decision(s)

2.1 A Motion was passed by Council at its meeting on 14 October 2009 that requested that the decision (to consider disposing of the land to the School) be made as "expeditiously as possible". The Motion also stated that "Council believes nothing should be done, or left undone, which would impede or hinder this investment".

3. Alternative Options

3.1 An alternative option would be not to make a decision and to put in place further series of actions to obtain additional information to inform a decision to be made at a later date.

4. Supporting Information

4.1 Building Schools for the Future is a government funded programme to support secondary school improvement across an area. In relation to Colchester, it is Essex County Council's responsibility to set out in the form of a business case how government investment will improve provision for pupils across the Borough. The Department for Children, Schools and Families (DCSF) has devolved responsibility for managing the programme to Partnership for Schools (PFS). This is an independent agency that works with County Councils so that viable proposals can be taken to the Minister to consider. Once PFS is content with the business case, a final decision to release funds is taken by

DCSF Ministers.

- 4.2 On 14 October 2009 a Motion was put to Council about the schools investment programme in Colchester.
- 4.3 Following the debate by Council, the Motion was voted upon and carried with 32 votes for and 22 abstentions. The Motion was then referred to Cabinet (Extract of minute 29 of the 14 October 2009 Council meeting is attached at Appendix 1).
- 4.4 The Motion said:

“Council welcomes and supports the £130 million Government investment into education in Colchester, which will benefit all school children throughout the Borough. The “Building Schools for the Future” funding will enable an extensive refurbishment and rebuild programme in order to provide a modern learning environment for our young people.

Council believes that nothing should be done, or left undone, which would impede or hinder this investment and that Colchester Borough Council should fully cooperate with Essex County Council to help secure this multi million pound investment.

Council supports the need of Philip Morant School to improve the road access to its premises as part of the investment into that school, for which planning permission has already been granted by this Council. These improvements should be expedited by means of the Cabinet cooperating fully with the appropriate authorities to enable the land to be made available for the building of the access road.

This to be agreed by Cabinet at its next meeting on 21 October 2009 and be carried out as expeditiously as possible.”

- 4.5 As requested by Council, the Motion was discussed by Cabinet at its meeting on 21 October 2009 which resolved that the Motion should be approved and adopted subject to:-
- (i) the Council seeking and obtaining written confirmation from Essex County Council and the Department for Children, Schools and Families about the status of the Building Schools for the Future funding if the new access road to Philip Morant school did not go ahead;
 - (ii) the outcome of the Statutory Public Consultation on the public open space which is being commenced immediately.

- 4.6 The reasons for the decision were stated as:

The Cabinet did not wish to ignore the wishes of the majority of full Council. However, Cabinet needed to ascertain the full facts and the Council had a statutory duty to undertake a public consultation when considering the disposal of public open space.

An extract of minute 38 of the Cabinet meeting of 21 October 2009 is attached at Appendix 2

- 4.7 As a result of the Cabinet decision, two actions were subsequently taken:
- 4.7.1 Letters were written to Essex County Council and the Department for Children Schools and Families. Copies of these letters are attached at Appendices 3 and 4 respectively.

- 4.7.2 A statutory public consultation was undertaken. The results of this are outlined at section 7 below.
- 4.8 The replies received from Essex County Council dated 28 October 2009 and Department for Children, Schools and Families dated 9 November 2009 are attached at Appendices 5 and 6 respectively.
- 4.9 A further letter from Essex County Council dated 18 November 2009 has been received in response to the letter from Department for Children, Schools and Families and this is attached at Appendix 10.

5. Strategic Plan References

- 5.1 The transfer of land in itself is not a significant strategic issue. However, the link to the possibility of the schools reorganisation could be considered as addressing younger people's needs.

6. Consultation

- 6.1 A statutory public consultation was required by the Local Government Act 1972 as the matter concerned the possibility of the disposal by the Council of land used as public open space. Accordingly, a Public Notice was placed in a local newspaper circulating in the Borough for two consecutive weeks. A copy of the Notice is attached at Appendix 7. It is confirmed that the Council has complied with its statutory duty in this regard.
- 6.2 The Local Government Act 1972 requires the Council to consider any objections that are received.
- 6.3 The Council received a total of 1,490 responses to the consultation. These comprise of responses from individuals and two petitions.
- 6.4 There were 314 individual responses. Of these 258 responses were against the proposed disposal and 52 were in favour. There were 4 responses that saw both sides.
- 6.5 In addition, 2 petitions were received. Within the petitions, 918 signatures were against the proposed disposal (there were some duplicates with the individual responses) and 258 were in favour.
- 6.6 In addition to the consideration of the numbers of people responding to the consultation, the information contained in the responses has been analysed to consider the range of issues raised by respondents. A breakdown of this information is contained in Appendix 9.

7. Publicity Considerations

- 7.1 This is an issue that has generated a significant amount of public interest and there is a continuing requirement for as much information to be made available as possible.

8. Financial implications

- 8.1 There are no direct financial implications for the Council in relation to this issue. However, one of the issues that Cabinet resolved to clarify was whether the £130m Building Schools for the Future funding was dependent on the access road.

9. Equality, Diversity and Human Rights implications

- 9.1 At this stage there are no direct equality and diversity and human rights implications. Further consideration will need to be taken dependent on the decisions made.

10. Community Safety Implications

- 10.1 Some of the issues raised by respondents to the public consultation have been around community safety issues. To some extent these were considered in the conditions contained in the Planning Decision obtained by The Philip Morant School for the construction of a new access road dated 30 June 2005. A copy of which is attached at Appendix 8.

11. Health and Safety Implications

- 11.1 N/A.

12. Risk Management Implications

- 12.1 N/A

Appendices

Appendix 1 - Extract from minutes of Council Meeting 14 October

Appendix 2 – Extract from minutes of Cabinet Meeting 21 October

Appendix 3 - Letter to Essex County Council

Appendix 4 - Letter to and Department of Children Schools and Families

Appendix 5 - Response from Essex County Council

Appendix 6 - Response from Department of Children Schools and Families

Appendix 7 - Advertisement for Statutory Consultation

Appendix 8 - Planning Decision 30 June 2005

Appendix 9 – Consultation analysis

Appendix 10 – Letter from Essex County Council in response to letter from DCSF

Background Papers

Petitions – available to view

COUNCIL MEETING 14 OCTOBER 2009

29. Notice of Motion // Resolution informing Cabinet of the view of Council on the Schools Investment Programme

Essex County Councillor Jeremy Lucas addressed the Council pursuant to the provisions of Council Procedure Rule 6(2). He argued that for the sake of current infant and junior school pupils in Colchester, nothing should be done to compromise the promised funding. He was working behind the scenes to try and secure secondary education provision in South Colchester and it was likely that a vocational college would be established in South Colchester. He did not understand why such a major project should be so dependent on a local issue. The proposed road would not solve the problems of traffic and parking during the school day and the open land in question did add to the quality of life in the area. However, after considerable thought he had concluded that the road should be allowed as the remaining green space would be donated to Fields in Trust; the road verges would be planted with semi-mature trees which would give it an "avenue feel" and because recently an ambulance had had difficulty accessing the Philip Morant site which highlighted the need for a better road access.

Mr Loxley addressed the Council pursuant to the provisions of Council Procedure Rule 6(2). He presented the results of a survey undertaken by the Liberal Democrats in Prettygate which had shown that those who were in favour of the new road access, only supported it because of the proposed expansion of the school, which the majority opposed in any case. 96% of the responses to Essex County Council's consultation had opposed the expansion and the County Council should be invited to reconsider its decision. The Council should not tie itself to any decision which would result in the loss of valuable green space. There was no justification for a new access road on the basis of access for emergency vehicles. This was an issue about obstruction of existing roads which could be resolved in other ways.

Mr Quince addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) and stated that the £130 million investment in schools in Colchester must be welcomed. It would play a huge part in rebuilding schools and ensure the best opportunities for the children of Colchester. He was shocked that anything might be done to hinder this investment. The decision to close Thomas Lord Audley and Alderman Blaxill schools had been taken and it was misleading to suggest that they would not close if the road did not go ahead.

Mr Kennedy, Chair of the Irvine Road Area Residents Association addressed the Council pursuant to the provisions of Council Procedure Rule 6(2). This was a non-political organisation who were working to improve the environmental amenity of the area. The road would be built on part of a designated open space which was part of a safe access route to three schools. It was a valuable amenity area for local residents and was particularly heavily used by dog walkers. It also provided safe routes for local wildlife. The provision of the road was not pivotal to the success of the schools reorganisation. It was being used to deflect other arguments against the reorganisation. Philip Morant had been able to expand and develop in the past without such a road and the solution was to reduce traffic to the school.

Councillor Cope addressed the Council in accordance with Paragraph 12(2) of the Code of Conduct for Members. He expressed his frustration that campaigning for local residents had compromised his ability to represent those views in Council. He explained that the new road

access to Philip Morant was opposed by residents in Irvine Road. It was also opposed by the Poets Corner Residents Association and he had also received a petition from residents in Audley Road against the road. If proceeded with, the new access would lead to a loss of open space, increased pollution and traffic congestion on local roads and the loss of safe routes to local schools.

Councillor Hunt addressed the Council in accordance with Paragraph 12(2) of the Code of Conduct for Members. He was pleased to note that Philip Morant had now applied to the Council to have the land transferred to them as this meant this was no longer an abstract debate. He questioned whether the road was needed and whilst he noted that it was now claimed that the school reorganisation was dependent on the road, it was not mentioned in the consultation paper and this was contrary to comments made by Lord Hanningfield in public meetings. The motion that Council was being invited to approve was being introduced at the bidding of Lord Hanningfield.

It was PROPOSED by Councillor Bentley that:-

“Council welcomes and supports the £130 million Government investment into education in Colchester, which will benefit all school children throughout the Borough. The “Building Schools for the Future” funding will enable an extensive refurbishment and rebuild programme in order to provide a modern learning environment for our young people.

Council believes that nothing should be done, or left undone, which would impede or hinder this investment and that Colchester Borough Council should fully cooperate with Essex County Council to help secure this multi million pound investment.

Council supports the need of Philip Morant School to improve the road access to its premises as part of the investment into that school, for which planning permission has already been granted by this Council. These improvements should be expedited by means of the Cabinet cooperating fully with the appropriate authorities to enable the land to be made available for the building of the access road.

This to be agreed by Cabinet at its next meeting on 21 October 2009 and be carried out as expeditiously as possible.”

A MAIN AMENDMENT was moved by Councillor Barton, subject to an alteration, as follows:-

“The Motion concerning the view of Council on the schools investment programme be approved and adopted subject to the following amendments:-

(i) In paragraph 1:-

- In the first sentence the deletion of the words “£130 million” and their replacement with the words “possible substantial”; the deletion of the word “will” and its replacement with the word “should”; the deletion of the word “all” and its replacement with the word “most” and the following additional words to be inserted at the end of sentence:

“and in order for this benefit to be felt fully urges Essex County Council’s Cabinet, even at this late stage, to change its decision to close Thomas Lord Audley and Alderman Blaxill schools, both of which are on an improving curve.”

- In the second sentence the insertion of the words “ This Council recognises that” at the start of the sentence; the insertion of the words “to take place at schools who choose to be included” between the words “refurbishment programme” and the words “in order to provide” and the following additional words to be inserted at the end of the sentence:-

“such as the facilities which will be offered at the newly built school on the Charles Lucas site which council fully supports.”

(ii) In paragraph 2:-

- The insertion of the words “subject to legal, administrative and financial requirements” between the words “believes that” and the words “nothing should be done” and the insertion of the words “on matters over which Essex County Council has control” between the words “Essex County Council” and “to help secure”.

(iii) The deletion of the wording at paragraph 3 and its replacement with the following wording:-

“Having received a formal request for a lease or purchase of Colchester Borough Council open space, the council will in the normal way of conducting council business, assess whether there is a need for Philip Morant School to improve the road access to its premises by enacting the planning permission which has rested with the governing board of that school for the last 10 years; will discuss and reach financial terms with the school governors for a possible lease to be offered; and will carry out the public consultation required by law when disposing of public open space should such disposal be contemplated. “

(iv) The deletion of the word “agreed” and its replacement with the word “discussed” and the deletion of the words after the word “Cabinet” and the insertion of the following words “next Wednesday” “

The MAIN AMENDMENT was LOST (TWENTY ONE voted FOR, TWENTY EIGHT voted AGAINST and SIX ABSTAINED from voting).

A named vote having been requested pursuant to the provisions of Council Procedure Rule 15(2), the voting was as follows:-

Those who voted FOR were:-

Councillors Barlow, Barton, Blandon, Chuah, Cook, Cory, Gamble, Goss, Hall, Harris, P. Higgins, T. Higgins, Hogg, Knight, Manning, Naish, Offen, Scott-Boutell, Smith, Sykes and Turrell.

Those who voted AGAINST were

Councillors Arnold, Bentley, Blundell, Bouckley, Chapman, Chillingworth, Davidson, Davies, Ellis, Fairley-Crowe, Foster, Garnett, Hardy, Hazell, Jowers, Kimberley, Lissimore, Maclean, Martin, B. Oxford, G. Oxford, P. Oxford, Quarrie, Sutton, Taylor. Tod, Willetts and the Deputy Mayor (Councillor Lewis).

Those who ABSTAINED from voting were:-

The Mayor (Councillor Spyvee), Councillors Dopson, Ford, Lilley, J. Young and T. Young.

Councillor Scott-Boutell left the meeting at this point.

The MOTION was thereupon put and CARRIED (THIRTY TWO voted FOR and TWENTY-TWO ABSTAINED from voting).

A named vote having been requested pursuant to the provisions of Council Procedure Rule 15(2), the voting was as follows:-

Those who voted FOR were:-

Councillors Arnold, Bentley, Blundell, Bouckley, Chapman, Chillingworth, Davidson, Davies, Dopson, Ellis, Fairley-Crowe, Ford, Foster, Garnett, Hardy, Hazell, Jowers, Kimberley, Lilley, Lissimore, Maclean, Martin, B. Oxford, G. Oxford, P. Oxford, Quarrie, Sutton, Taylor, Tod, Willetts, J. Young and T. Young.

Those who ABSTAINED from voting were:-

The Mayor (Councillor Spyvee), The Deputy Mayor (Councillor Lewis), Councillors Barlow, Barton, Blandon, Chuah, Cook, Cory, Gamble, Goss, Hall, Harris, P. Higgins, T. Higgins, Hogg, Knight, Manning, Naish, Offen, Smith, Sykes and Turrell.

**CABINET
21 October 2009**

Present:- Councillor Turrell (Chairman)
Councillors Dopson, Hunt, Offen, B. Oxford, Smith and
T. Young

37. Petitions, Public Statements and Questions etc

Councillors Turrell, Bentley (in respect of their membership of Essex County Council), T. Young (in respect of his spouse's membership of Essex County Council) and Dopson (in respect of her employment by Essex County Council) declared their personal interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

Councillor Hunt (in respect of his long standing campaigning against the extension of Norman Way and the loss of open space that would result from such an extension) declared his personal interest that was also a prejudicial interest pursuant to the provisions of Meetings General Procedure Rule 7(10). Councillor Hunt made representations in accordance with Paragraph 12(2) of the Code of Conduct for Members and then left the meeting during the Cabinet's consideration and determination of the item.

The Chairman had agreed pursuant to the provisions of Section 100B(4)(b) of the Local Government Act 1972 to consider the following item at this meeting as a matter of urgency following its referral to Cabinet at the Council meeting held on 14 October 2009

38. Motion informing Cabinet of the view of Council on the School's Investment Programme

The following motion was referred to the Cabinet by Council at its meeting on 14 October 2009:-

"Council welcomes and supports the £130 million Government investment into education in Colchester, which will benefit all school children throughout the Borough. The "Building Schools for the Future" funding will enable an extensive refurbishment and rebuild programme in order to provide a modern learning environment for our young people.

Council believes that nothing should be done, or left undone, which would impede or hinder this investment and that Colchester Borough Council should fully cooperate with Essex County Council to help secure this multi million pound investment.

Council supports the need of Philip Morant School to improve the road access to its premises as part of the investment into that school, for which planning permission has already been granted by this Council. These improvements should be expedited by means of the Cabinet cooperating fully with the appropriate authorities to enable the land to be made available for the building of the access road.

This to be agreed by Cabinet at its next meeting on 21 October 2009 and be carried out as expeditiously as possible.”

Mr Darcy-Jones addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He confirmed that he was speaking in a private capacity, rather than in his professional capacity as a journalist. As a local resident he wanted to see the area remain as an open space. He did not understand why the issue of the development of this public open space had become linked to the wider issue of the schools reorganisation. There was no need for the proposed new access road. Philip Morant had been able to build a new sixth form block using the existing access. The existing access had worked satisfactorily for twenty-five years. Colchester was losing too many open spaces and was becoming too built up.

Mr Kennedy, Chairman of the Irvine Road Residents Association addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He expressed dismay that the issue of the access road was being used by politicians to attack each other and that as a result it was difficult for residents to find out exactly what the position was. Philip Morant was attempting to coerce the Council into leasing them the land in order to over-ride local opposition. He queried why Philip Morant had taken so long to seek to build the road. He expressed concern that in the current economic and political climate, the funding for schools reorganisation may be withdrawn, leaving no benefit despite the construction of the road. The road would also be a waste of funding which could be used for a better purpose.

Mr Richards addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He did not believe the new access road would solve the existing problems of access and congestion. The new road would only be available for the use of staff, deliveries, construction traffic and emergency vehicles. Parents bringing pupils to school would still use the roads that suffered congestion now. The open land was used daily by residents for recreation and dog walking. There was no need for the new access as Philip Morant had coped with the existing situation for a long time.

Mr Barrow addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). The proposed new access road would dissect a valuable open space. It would need to be fenced and guarded and would promote the further development of the remaining open space in the area. Little effort had been put into finding alternative solutions to the traffic problems in the area. The approved plans for the new access road did not deal with detailed issues such as maintenance of footpaths. The borough council should resist this bullying from Essex County Council and seek a covenant to exclude any development on this land to protect it in perpetuity.

Paula Whitney addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). Representing Friends of the Earth she stressed the importance of preserving open spaces. In a private capacity she expressed her dislike of massive schools and stressed that smaller, local schools were preferable. The issues that had arisen showed the need for a unitary authority which would prevent conflict between different tiers of local government.

Richard Pettit, Chair of the Painters Corner Residents Association addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He endorsed the comments made by previous speakers. It was Council policy to protect public open spaces. He stressed that, contrary to claims made at the Council meeting, Philip Morant did not own most of the land that was needed to construct the new access and that the access road could not be built without losing much open space. There needed to be full public consultation on any proposed loss of public open space. Even if the access road were built it would not alleviate the traffic problems as parents would not be allowed to use it. They would continue to use the

roads surrounding the existing access. A traffic impact assessment should be undertaken before any final decision to build the road was taken.

Tim Oxtan addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) and explained that this had been open land with public access for at least eighty years. After the next elections there would be massive cuts in public spending so there could be no guarantee that the funding for the schools would be received.

Councillor Hunt addressed the Cabinet in accordance with Paragraph 12(2) of the Code of Conduct for Members. He explained that he had campaigned against the development of this open space for at least fifteen years. In all that period he had never received any evidence that led him to believe that the road was necessary. This was demonstrated by the fact that Philip Morant had never previously sought to implement their planning permission and that Lord Hanningfield had twice said in public debates that the new access road was not needed as part of the reorganisation.

Councillor Lissimore attended and addressed the Cabinet. She drew the Cabinet's attention to the results of a survey of local opinions in Prettygate on the construction of the new access road. This had revealed a small majority of those expressing a view favouring the access road. Those nearer Philip Morant were more likely to oppose it. If the road were to go ahead she would seek to lessen its impact and would ensure that the planning permission conditions were closely monitored. If were not to proceed she would seek to improve the roads and footpaths and would work with Philip Morant and feeder schools to lessen car journeys to the School. If the road were to be built it must not become a catalyst for further development of the remaining open space.

Councillor Bentley attended and addressed the Cabinet. He stressed that the decision on the school closures had already been taken and could not be reversed even if the construction of the new access road were not to go ahead. He hoped that a vocational college would be built in South Colchester and he was seeking to secure provision for years seven and eight as part of this. In reaching its decision to sign up to the reorganisation, Philip Morant had decided it needed to implement the planning permission for the new access road in order for it to expand. If this was not allowed to proceed this could put in jeopardy the investment that schools in Colchester so badly needed. This funding needed to be accepted whilst it remained on offer. The remaining open space would be protected.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, stressed that Full Council had supported the motion to release the land to Philip Morant and Cabinet could not ignore the majority wishes of the Council. However, it was important that the Cabinet had the full facts. If the Council was minded to dispose of any public open space it had a statutory duty to carry out a public consultation consisting of two weeks of advert in a newspaper and three weeks response time. It was proposed that the motion from Council be endorsed subject to this statutory public consultation and to confirmation being sought from Essex County Council and the Department for Children, Schools and Families about the status of the funding should the road not proceed.

Councillor Young, Portfolio Holder for Street and Waste Services, Councillor Offen, Portfolio Holder for Resources and Business, Councillor Smith, Portfolio Holder for Culture and Diversity and Councillor Dopson, Portfolio Holder for Performances and Partnerships, expressed their support for this proposal.

RESOLVED that the motion referred by Council to Cabinet at its meeting on 14 October 2009 be approved and adopted subject to:-

- (i) the Council seeking and obtaining written confirmation from Essex County Council and

the Department for Children, Schools and Families about the status of the Building Schools for the Future funding if the new access road to Philip Morant school did not go ahead;

(ii) the outcome of the Statutory Public Consultation on the public open space which is being commenced immediately.

REASONS FOR DECISION

The Cabinet did not wish to ignore the wishes of the majority of full Council. However, Cabinet needed to ascertain the full facts and the Council had a statutory duty to undertake a public consultation when considering the disposal of public open space.

ALTERNATIVE OPTIONS

To decline to adopt the motion or to adopt the motion without conditions or restrictions.

APPENDIX 3

Colchester Borough Council

PO Box 884, Town Hall, Colchester, CO1 1FR
Telephone (01206) 282222 DX 729040 Colchester 15
*Textphone users dial 18001 followed by the full number that
you wish to call*

Councillor Anne Turrell Leader of the Council

Joanna Killian and Lord Hanningfield
Chief Executive and Leader
Essex County Council
County Hall
CHELMSFORD
CM1 1LX

Contact Councillor Anne Turrell
Phone (01206) 282244
E-mail cilr.anne.turrell@colchester.gov.uk
Your ref
Our ref AT
Date 22 October 2009

Dear Joanna and Lord Hanningfield

Re: Philip Morant Access Road

Colchester Borough Council voted on a motion at its full Council meeting last week stating that "nothing should be done, or left undone, which would impede or hinder this investment and that Colchester Borough Council should fully cooperate with Essex County Council to help secure the investment". The motion was passed by a majority of Council and referred back to Cabinet for a decision.

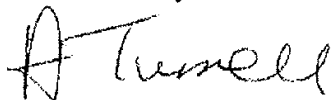
The Cabinet have now considered what they need to do to progress this matter in order to fulfil the wishes of members at its meeting on 21 October.

The Cabinet has resolved that if confirmation is received that the funding will not be made available if the land is not provided, and subject to the results of any statutory public consultation, they are minded to support the application from Philip Morant School.

We are trying to establish if the access road is fundamental to the agreement to the funding. Cabinet have indicated that they need to be clear that without this road the funding will not be provided. This has been indicated verbally on a number of occasions and Cabinet would like to have this confirmed in writing.

We look forward to your prompt response.

Yours sincerely



Councillor Anne Turrell
Leader of the Council

APPENDIX 4

Colchester Borough Council

PO Box 884, Town Hall, Colchester, CO1 1FR
Telephone (01206) 282222 DX 729040 Colchester 15
*Textphone users dial 18001 followed by the full number that
you wish to call*

Councillor Anne Turrell Leader of the Council

Department Children Schools and
Families
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Contact Councillor Anne Turrell
Phone (01206) 282244
E-mail cllr.anne.turrell@colchester.gov.uk
Our ref AT
Date 22 October 2009

Dear Mr Coaker

Re: Building Schools for the Future Funding in Essex

As you may be aware Essex County Council are bidding for money through the Building Schools for the Future programme. Colchester Borough Council welcomes the potential investment into education in Colchester and the positive impact this would have.

Colchester Borough Council voted on a motion at its full Council meeting last week stating that "nothing should be done, or left undone, which would impede or hinder this investment and that Colchester Borough Council should fully cooperate with Essex County Council to help secure the investment". The motion was passed by a majority of Council and referred back to Cabinet for a decision.

The Cabinet have now considered what they need to do to progress this matter in order to fulfil the wishes of members at its meeting on 21 October.

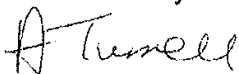
There is an outstanding issue that needs to be resolved and this revolves around a piece of open space that Colchester Borough Council is being told is essential for the success of the programme. It is a strip of land owned by the Council that is required for a new access road to Philip Morant School.

The Cabinet has resolved that if confirmation is received that the funding will not be made available if the land is not provided, and subject to the results of any statutory public consultation, they are minded to support the application from Philip Morant School.

We are trying to establish if the access road is fundamental to the agreement to the funding. Cabinet have indicated that they need to be clear that without this road the funding will not be provided. This has been indicated verbally on a number of occasions and Cabinet would like to have this confirmed in writing.

We look forward to your prompt response.

Yours sincerely



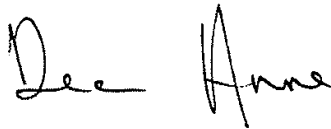
Councillor Anne Turrell
Leader of the Council

Essex County Council
Cabinet, Leader and Chief Executive's Office
PO BOX 11, County Hall
Chelmsford
Essex CM1 1LX

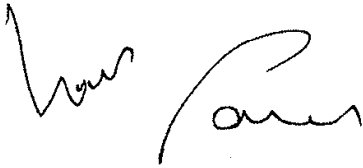


Councillor Anne Turrell, Leader
Colchester Borough Council
PO Box 884
Town Hall
Colchester
Essex
CO1 1FR

Our Ref: LH/kw/tu2810
Date: 28th October 2009



In response to your letter dated 22nd October, I write to confirm that the approximately £130 million of BSF funding for the transformation of secondary schooling in Colchester's programme would not be made available without the new access road for Philip Morant because of commitments entered into with Philip Morant by Essex County Council during the planning and consultation phase of the proposals.



Lord Hanningfield
Leader of the Council

Telephone: 01245 430670



EssexWorks.
For a better quality of life




2009/0089865POVC

Vernon Coaker MP
Minister of State for Schools and Learners

Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT
tel: 0870 0012345 dcsf.ministers@dcsf.gsi.gov.uk

Councillor Anne Turrell
Colchester Borough Council
Legal Services
PO Box 884
COLCHESTER
CO1 1FR

Your ref: AT

 November 2009

Dear Councillor Turrell,

Thank you for your letter of 22 October about Building Schools for the Future (BSF) in Essex.

Partnerships for Schools (PFS) has not yet had any formal discussions with Essex County Council about its plans for the Colchester schools in Wave 6 of BSF, nor received any proposals from the County. At this stage PFS does not have any detailed information on the schools to be included and has not therefore set any conditions of funding related to access to the Philip Morant School.

The first meeting between PFS and Essex County Council on its Wave 6 project, the pre remit meeting, is set to be held on 19 November. At this meeting discussions will cover the areas on which PFS would like Essex to focus as part of its remit for the project. PFS will also be asking questions about the deliverability of schemes and wanting assurance that the County has a suitable strategy for land assembly, where needed.

Yours sincerely,

Vernon Coaker

VERNON COAKER



department for
children, schools and families

COLCHESTER BOROUGH COUNCIL

**Notice under Section 123 (2A) of the
Local Government Act 1972**

Notice is hereby given of the intention of Colchester Borough Council to dispose of a parcel of land containing 0.7 acres or thereabouts within the area known as "The Green", Irvine Road open space, at Norman Way, Colchester in the Prettygate Ward, to the Governing Body of the Philip Morant School on the basis of a long lease.

This land is to be used to provide a new vehicular access to the Philip Morant School, provided that confirmation is received that the Building Schools for the Future funding will not be made available if the land is not provided. A copy of the plan indicating the land is available for inspection at the Council's Customer Service Centre and on the Council's website at www.colchester.gov.uk

Any objections or representations relating to this proposal must be made in writing and must specify the grounds on which they are made.



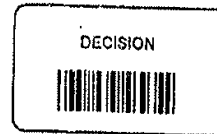
All correspondence must be addressed to:
Colchester Borough Council,
PO BOX 5215, Town Hall, High Street,
Colchester, Essex CO1 1GG

marked for the attention of Miss M Rutherford
or by email to marie.rutherford@colchester.gov.uk
by 13 November 2009.



Colchester Borough Council

Planning & Protection



Lexden Grange
127 Lexden Road
Colchester
Essex CO3 3RJ

Notice of Planning Decision

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER
1995

In pursuance of the powers exercised by it as District Planning Authority this Council, having considered your application to carry out the development detailed below in accordance with the plan(s) accompanying the said application, DOES HEREBY GIVE NOTICE of its decision to GRANT PERMISSION for the said development subject to any additional condition(s) set out below.

APPLICATION NO: F/COL/04/2217 **APPLICATION DATE:** 26th November 2004

PROPOSAL: New access road to Philip Morant School and Sixth Form College. Internal road for dropping off/collection and additional car parking - Renewal of application F/COL/97/0155

LOCATION: Grassed area of land north of Norman Way and grassed area within the school boundary

APPLICANT: Philip Morant School And Sixth Form College Rembrandt Way Colchester Essex CO3 4QS

subject to compliance with the following condition(s) :-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990.
2. Before any works commence on site, details of all existing trees with a stem diameter of 100mm or greater, shall be submitted to and agreed in writing by the Local Planning Authority and shall include the following information:
 - a) Individual tree location, species, reference number, girth or stem diameter and accurately planned crown spread.
 - b) A numbered tree condition schedule with proposals for removal, surgery or other works, where applicable.
 - c) Existing ground levels at the base of trees shall be given where nearby changes in level or excavations are proposed.
 Reason: To enable proper attention to be given to the impact of the proposed development on existing trees.



IMPORTANT – ATTENTION IS DRAWN TO THE NOTES ATTACHED

DC100MW 02/02

PD 437



Colchester Borough Council

Planning & Protection

Lexden Grange
127 Lexden Road
Colchester
Essex CO3 3RJ

Notice of Planning Decision

3. No burning or storage of materials shall take place where damage could be caused to any tree, shrub or other natural feature to be retained on the site or on adjoining land (see guidance notes).
Reason: To protect the health of trees, shrubs and other natural features to be retained in the interest of amenity.
4. All existing trees and hedgerows shall be retained, unless shown to be removed on the approved drawing. All trees and hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on site, to the satisfaction of the Local Planning Authority in accordance with its guidance notes and the relevant British Standard. All existing trees shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that any trees and/or hedgerows die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the Local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.
Reason: To safeguard the continuity of amenity afforded by existing trees and hedgerows.
5. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority (see BS 1192: part 4). These details shall include, as appropriate:
- Existing and proposed finished contours and levels
 - Means of enclosure
 - Car parking layout
 - Other vehicle and pedestrian access and circulation areas
 - Hard surfacing materials
 - Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signage, lighting)
 - Proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines, etc. indicating lines, manholes supports etc.)
 - Retained historic landscape features and proposals for restoration
- Soft landscaping details shall include:
- Planting plans
 - Written specifications (including cultivation and other operations associated with plant and grass establishment)
 - Schedules of plants, noting species, plant size and proposed numbers/densities
 - Implementation timetables
- Reason: To safeguard the provision of amenity afforded by appropriate landscape design.



IMPORTANT – ATTENTION IS DRAWN TO THE NOTES ATTACHED

DC100MW 02/02

PD 437



Colchester Borough Council

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Notice of Planning Decision

6. All approved hard and soft landscape works shall be carried out in accordance with the programme agreed with the Local Planning Authority and in accordance with the relevant recommendations of the appropriate British Standards. All trees and plants shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that trees and/or plants die, are removed, destroyed, or in the opinion of the Local Planning Authority fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the Local Planning Authority.
Reason: To ensure the provision and implementation of a reasonable standard of landscape in accordance with the approved design.
7. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to any occupation of the development (or any relevant phase of the development) for its permitted use.
Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by the landscape.
8. No development shall take place until full details of the surfacing materials and other treatment, including barriers or gateways, of the connection between the proposed access road and Norman Way, and of the crossings of the defined footpath No. 206 and of the informal footpath leading to St. Benedict's Catholic Secondary School and the Colchester County High School, have been submitted to and approved by the Local Planning Authority, and those works shall be carried out as approved.
Reason: In the interests of highway safety.
9. The Local Planning Authority shall be notified not less than 48 hours before the commencement of any work on site and the developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow him to observe the excavations and record items of interest and finds.
Reason: To ensure that any remains of archaeological importance are properly recorded.
10. The access road and internal road hereby permitted shall not be brought into use until replacement cycle sheds have been provided within the grounds of the school, in accordance with a scheme that has been approved by the Local Planning Authority.
Reason: In the interests of highway safety.
11. The access road hereby permitted shall not be brought into use until traffic calming measures have been provided in accordance with a scheme that has been approved by the Local Planning Authority.
Reason: In the interests of highway safety.
12. Following the bringing into use of the access road and internal road hereby permitted, the existing access from Rembrandt Way shall not be used for vehicular access other than by emergency vehicles.
Reason: In the interests of highway safety.



IMPORTANT – ATTENTION IS DRAWN TO THE NOTES ATTACHED

DC100MW 02/02

PD 437



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Lexden Grange
127 Lexden Road
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Essex CO3 3RJ

Notice of Planning Decision

13. The access road hereby permitted shall not be used other than to provide access to and from the Philip Morant School and Sixth Form College.
Reason: In the interests of highway safety.
14. The access road hereby permitted shall be gated and closed outside the hours of use of the school premises.
Reason: In the interests of highway safety.
15. The details of the connection with Norman Way shall be the subject of further plans to be agreed in writing with the Local Planning Authority. The Local Highway Authority intend that there should be a return footway over the end of the existing highway and that a boundary fence and wall be erected where, locally, pedestrians were separated from cycles and motor vehicles. The latter would enter the gateway via a dropped crossing retaining pedestrian priority.
Reason: In the interests of highway safety.
16. The details of the surfacing materials and other treatment at the crossroads between the new track and the Capel Road - Lexden Dyke path shall be the subject of further plans to be agreed with the Local Planning Authority.
Reason: In the interests of highway safety.
17. The Public's right of way and ease of passage across all public footpaths affected by the development hereby permitted shall remain uninterrupted at all times.
Reason: In order to ensure that the development does not adversely impact on public footpaths.
18. No development shall take place until full details of any impact of the access road (including any ancillary works) hereby permitted on footpath No. 204 have been submitted to and agreed in writing by the Local Planning Authority.
Reason: The application as submitted contains insufficient information regarding this point and proper consideration of the proposals will be necessary in order to protect the integrity of this footpath.

NOTE: In relation to Condition 09 the watching brief shall be commissioned by the applicant from an approved, professional archaeological contractor. The line of the Lexden Dyke (south) is presumed to traverse the site. The presumption needs to be confirmed or otherwise in the field.

Date: 30th June 2005

Signed:

Nicola George, Head of Planning and Protection



IMPORTANT – ATTENTION IS DRAWN TO THE NOTES ATTACHED

DC100MW 02/02

PD 437



Colchester Borough Council

Planning & Protection

Lexden Grange
127 Lexden Road
Colchester
Essex CO3 3RJ

Notice of Planning Decision

In determining this application the Council has taken into account the following policies:

Adopted Review Colchester Borough Local Plan – March 2004

DC1 - General Development Control criteria

UEA14 - Greenlinks

L3 - Protection of existing public open space

L14 - Protecting public rights of way

Reasons for granting permission

- (1) The Planning Committee having considered the recommendation contained in the officer's report was of the opinion that the proposal does comply with the relevant policies in the Statutory Development Plan.
- (2) Having had regard to all material planning considerations the Council is of the opinion that the proposal will not cause any harm to interests of acknowledged importance.



IMPORTANT – ATTENTION IS DRAWN TO THE NOTES ATTACHED

DC100MW 02/02

PD 437

CBL 784/2217

CONTRACTOR'S SIGNATURE
DATE: 10/10/2017
PROJECT: COLLEGE PARK
DRAWN BY: J. SMITH
SCALE: 1:1000

LOADED
-18C-98

THE SCHOOL WILL CONTINUE TO WORK WITH THE LOCAL AUTHORITY TO IMPROVE THE PROVISION OF FACILITIES FOR CHILDREN.

PROPOSED ROAD WIDTHS TO BE AGREED WITH LOCAL AUTHORITY

TRAFFIC CALMING MEASURES TO BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE HIGHWAY AUTHORITY

EXISTING FOOTWAYS PROVIDING PERSONAL ACCESS TO THE SCHOOL

EXISTING CROSSING WITH LOCAL AUTHORITY

BUS TURNING AREA

EXISTING PLAY AREA

EXISTING PLAYING AREA

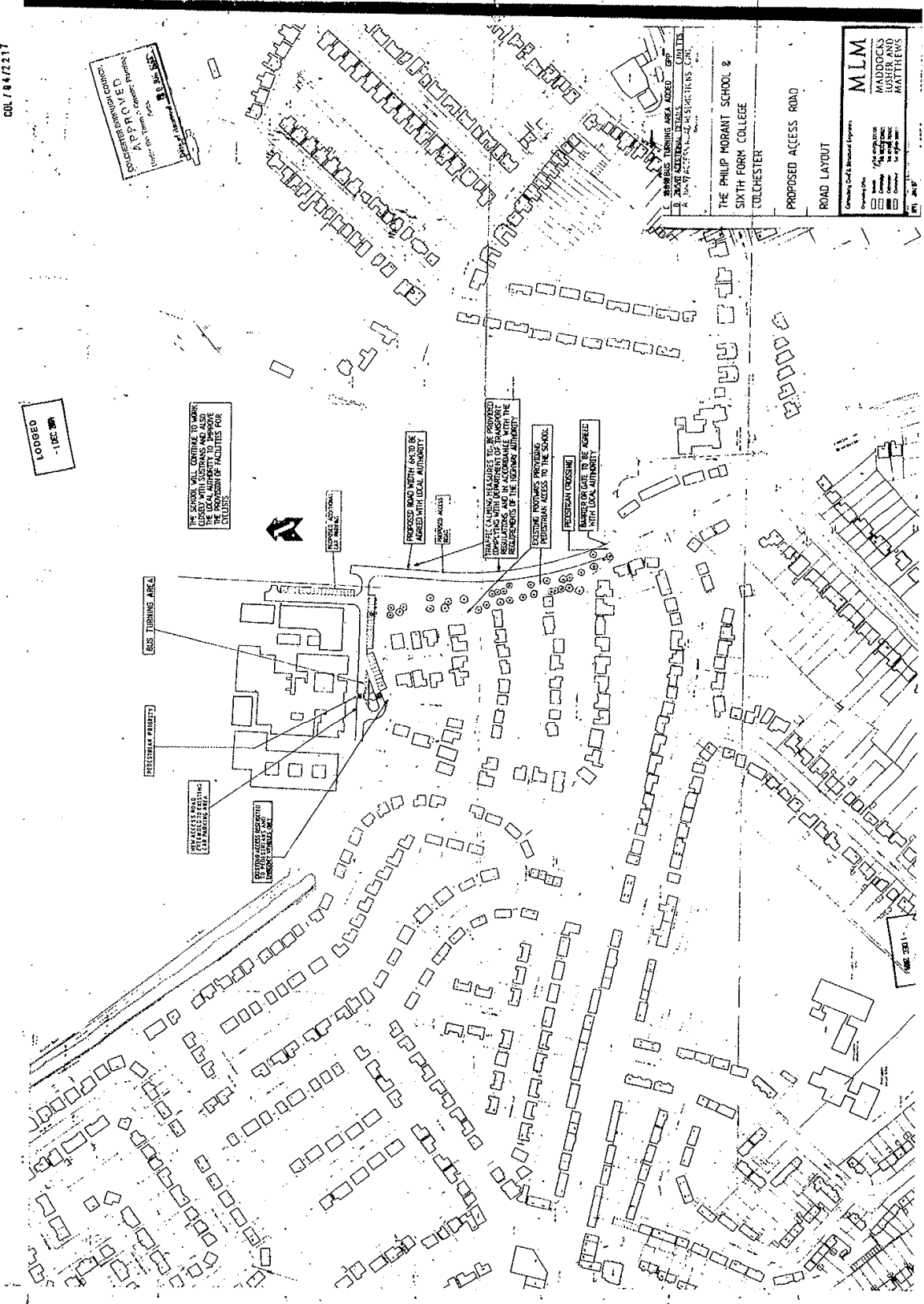
EXISTING PLAYING AREA

THE PHILIP MORANT SCHOOL & SIXTH FORM COLLEGE COLCHESTER

PROPOSED ACCESS ROAD ROAD LAYOUT

MLM
MADDOCKS
MADDOCKS
MADDOCKS

Consultants: 1000
Architects: 1000
Engineers: 1000
Surveyors: 1000
Quantity Surveyors: 1000
Interior Designers: 1000
Landscape Architects: 1000
Planning Consultants: 1000
Historic Buildings Consultants: 1000
Archeologists: 1000
Ecologists: 1000
Hydrologists: 1000
Geotechnical Engineers: 1000
Structural Engineers: 1000
Civil Engineers: 1000
Mechanical Engineers: 1000
Electrical Engineers: 1000
Chemical Engineers: 1000
Environmental Engineers: 1000
Transport Engineers: 1000
Agricultural Engineers: 1000
Mining Engineers: 1000
Petroleum Engineers: 1000
Aerospace Engineers: 1000
Naval Architects: 1000
Aeronautical Engineers: 1000
Marine Engineers: 1000
Automotive Engineers: 1000
Aerospace Engineers: 1000
Aeronautical Engineers: 1000
Marine Engineers: 1000
Automotive Engineers: 1000



Appendix 9

Philip Morant – consultation analysis

Introduction

An initial analysis has been undertaken presenting the information in two ways:

1. Overall numbers
2. An analysis of the issues raised in the letters and emails received to show which issues are of greatest concern.

1. Overall numbers

314 written responses received:

- 258 against the proposals
- 52 for the proposals
- 4 seeing both sides

2 petitions:

- 918 signatures against the proposals
- 258 signatures in favour of the proposals

Summary of numbers

1,176 against the proposals

310 for the proposals

4 seeing both sides

Total responses 1,490

2. Analysis of issues raised

The analysis below shows the issues highlighted in these responses and the approximate number of people mentioning each of the broad issues. Many responses contained more than one issue.

In addition a spreadsheet is attached showing the geographical distribution of the responses, where this information is available. As many responses were by email, addresses were not always included.

Issues raised by those against the release of the land

	Issue	Number commenting
	Loss of open space and the amenity that provides	166
	The Green provides a safe route to Philip Morant and other schools that would be undermined by the road	84
	Traffic problems in the area will not be improved; congestion will increase	66
	That there is no evidence that the BSF money of £130m is dependent on the access road and there is a risk that the money will not be made available, that the funding is a separate issue	42

Against the closure of two other schools and the schools reorganisation	40
Negative impact on the environment; pollution, increase traffic, loss of natural habitat	35
There is a risk of further development, houses and of joining up Norman Way	33
There is no justification for the road; the school operates effectively at the moment and there are no proven safety issues	33
Designation of the space in the local plan and emerging LDF	29
The school will become too big and the access road allows it to grow even more	26
That the changes will discourage healthy living	19
Access for construction traffic has been achieved before	18
Essex County Council are applying political pressure	13
General objection	11
The new road would create a safety risk, encouraging more traffic	11
A number of trees will be lost	7
House is close to the new road and will impact on quality of life	4
That the plan undermines sustainable transport, encourages greater car use, less cycle routes	3

Issues raised by those for the release of the land

There are increasing traffic volumes through the existing route that is making it increasingly difficult to access houses along the route and present a safety risk. It is difficult now and should the school expand, will become even more so. An alternative route is needed for increasing numbers	41
The release of the £130m is needed	16
Emergency access to the school needs to be improved	10
General support	10
Additional green space has been provided (Westlands Country Park). Land lost is small compared to the gain	3
Opposition is politically motivated	3
Would help to address anti social behaviour on the Green	2

Notes

- If a joint reply was received this was counted as 2-responses but one reply
- People who wrote in separately from the same address were each counted as 1-response
- Group replies were counted as 1-response

- An initial analysis suggests that there are some duplications between the individual responses and the signatures on the petition. A full assessment is being carried out.

Petition statements:

In favour of the proposals

A petition in favour with 258 signatures supporting the statement:

“We support the new access road to Philip Morant School as it will release £130 million of investment into Colchester’s secondary schools including a new Academy to be built on the site of Sir Charles Lucas Arts College.”

Against the proposals

A petition against with 918 signatures supporting the statement:

“We appeal to you to reconsider your plan to build a road across The Green at Painters’ Corner and The Irvine Road Field. These areas should remain as Public Open Space, as designated in the Borough’s Local Plan for the following reasons:

- This land provided a safe, traffic free route for the hundreds of children who attend the three local secondary schools and is used extensively by local residents of all ages for informal recreation
- The road would disrupt safe pedestrian and cycle access from Maldon Road, Lexden, Prettygate and Shrub End, destroy green link land and deprive local residents and children of this important amenity.”

Essex County Council
Cabinet, Leader & Chief Executive's Office
PO Box 11, County Hall
Chelmsford
Essex CM1 1LX



Adrian Pritchard
Chief Executive
Colchester Borough Council
Town Hall
COLCHESTER
Essex CO1 1LZ

Date: 18 November 2009
Our Ref: JK/rn

Dear Adrian

Building Schools for the Future

It may help if I clarify the position from our point of view. I hope you will then be able to advise your Cabinet accordingly – I am concerned about any erroneous interpretation of the situation that may have gained currency.

Building Schools for the Future (BSF) is a government funded programme to support secondary school improvement across an area. It is Essex County Council's responsibility to set out in the form of a business case how government investment will improve provision for pupils across an area. The DCSF has devolved the responsibility for managing the programme to *Partnerships for Schools* (Pfs). This is an independent agency that works with ECC so that viable proposals can be taken to Ministers to consider. Once Pfs is content with the business case, the final decision to release the funds is taken by DCSF Ministers.

The DCSF is aware of the proposed BSF plans which include the need to expand four schools including Philip Morant School. It is for ECC to confirm that all the necessary agreements are in place for their business case to be submitted for approval. At present we are not yet ready to submit our proposals, principally because the land issues you have referred to are not resolved.

When the land issues are agreed with your Council, and with any other relevant parties, we will submit our scheme for approval immediately.

Should the land issues not be agreed, for whatever reason, we will need to bring forward alternative BSF proposals that will meet the business case criteria set out by Pfs. We do not believe that it is possible for the County to bring forward new proposals for Colchester which are supported and fully viable in all respects in a timeframe that can have these accepted before the General Election.

A further critical issue for ECC, Pfs and the DCSF is that delay may undermine the business case to proceed. In this case, Wave 6 funding is likely to be reallocated elsewhere.



Cont'd/....
EssexWorks.
For a better quality of life

We know from *informal* discussions the DCSF and PFS are most anxious to receive a viable business case for the Colchester area at the earliest possible opportunity and we had hoped to do this at the *formal* pre-remit meeting on 19 November.

If the BSF scheme is to progress for Colchester, with its estimated £130 million investment in schools, the Philip Morant access road needs to be agreed. This will enable ECC to give PFS the assurance it needs about deliverability and necessary land assembly – as the letter from Vernon Coaker to Councillor Turrell makes clear. Frustrating the access puts the investment in very substantial jeopardy – so Lord Hanningfield was quite correct in writing to Councillor Turrell that “...*the approximately £130 million of BSF funding for the transformation of secondary schooling in Colchester's programme would not be made available without the new access road for Philip Morant...*”.

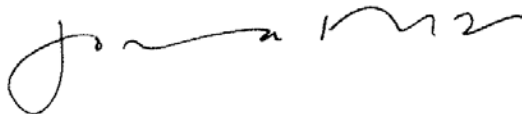
It has been suggested to me that there may be some misguided belief that failure to secure the BSF funding could in some way save schools from closure. That is not the case. If the land deal is frustrated, the County Council would have to find another way to implement the decision that has already been taken (and the process for which is now exhausted). Without the BSF funding in place, the alternative will quite simply be drastically inferior (or “the worst of both worlds”, as one Colchester councillor has described it).

The significance of obtaining BSF funding for Colchester lies not just in the securing of investment in the fabric of school buildings and thereby providing state of the art buildings, technology and facilities (including sports facilities) but also in the opportunity to secure usage synergies and cost savings across various property portfolios, including potentially the Borough Council's. But, of course, the most important gain will be the catalyst for school improvement: the opportunity to invigorate the vision, ethos and operation of schools, including the pursuance of personalised learning for all young learners in Colchester, and the drive to raise aspiration and achievement through strong leadership, excellent teaching and the ability to offer a diverse curriculum and an extensive range of learning opportunities in the expanded schools.

All of the above is at risk for this small piece of land.

I understand from Councillor Turrell's letter to myself and Lord Hanningfield dated 22 October 2009 that Colchester Borough Council voted in favour of a motion that “nothing should be done, or left undone, which would impede or hinder this investment and that Colchester Borough Council should fully cooperate with Essex County Council to help secure the investment”. I remain hopeful that the will of the Council prevails.

Yours sincerely



Joanna Killian
Chief Executive

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Strategic Overview and Scrutiny Panel

Item
10

9 December 2009

Report of	Head of Strategic Policy and Regeneration	Author	James Firth ☎ 508639
Title	Growth and future development options in Colchester		
Wards affected	All		

The Panel is invited to note for information an update on growth and future development options in Colchester and progress with the Council's Local Development Framework

1. Action required

- 1.1 The panel is asked to note the attached paper which provides an update on growth and future development options in Colchester and progress with the Council's Local Development Framework.

2. Reason for scrutiny

- 2.1 Growth in Colchester is an important strategic issue and the Review of the Regional Spatial Strategy is underway.

3. Background information

- 3.1 This report is intended to provide an update to the Strategic Overview and Scrutiny Panel on recent and future growth in Colchester, and progress with Colchester's Local Development Framework.
- 3.2 A briefing note has been prepared which provides information on growth and development pressures in Colchester. The report sets out the background evidence and trends behind growth in Colchester and the region, the current requirements of the East of England Plan, progress with Colchester's Local Development Framework and recent housing completions. The later part of the report covers future changes such as the review of the East of England Plan to extend it's coverage up to 2031.
- 3.3 The Local Development Framework Committee considered the proposed scenarios on the 12 November and are recommending that subject to important caveats, the maximum level of growth that can be supported by Colchester is Scenario 1 (840 new homes per year). Colchester's response has been provisionally submitted to EERA and will need to be ratified by full Council on 10 December. Full details are provided in the attached briefing note. The LDF Committee report and response are attached for information.

5. Strategic Plan references

- 5.1 Growth in Colchester will have particular impact on the delivery of the Council's Homes for All and Enabling Job Creation priorities.

6. Consultation

- 6.1 A Statement of Community Involvement (SCI) has been produced and adopted by the Council as part of the Local Development Framework. The SCI sets out how the Council will consult on all planning decisions related to the LDF and growth in Colchester.
- 6.2 The East of England Regional Assembly (EERA) has published a consultation on scenarios for housing and economic growth in the East of England up to 2031. These scenarios will be the basis for the revision of the policies within the East of England plan and cover the period 2011-2031, replacing the current 2001 - 2021 plan. The consultation commenced on the 2 September 2009 and runs for 12 weeks until 24 November 2009. The full EERA consultation document "East of England Plan > 2031, Scenarios for housing and economic growth, Consultation September 2009", a Haven Gateway sub-regional commentary, and an integrated sustainability appraisal are all available on the EERA website www.eera.gov.uk

7. Publicity considerations

- 7.1 There are no publicity considerations regarding the invitation to note the update on growth in Colchester for information.

8. Financial implications

- 8.1 None

9. Equality, Diversity and Human Rights implications

- 9.1 A link to the Equality Impact Assessment for the Local Development Framework is provided on the LDF Committee webpage.

10. Community Safety implications

- 10.1 None

11. Health and Safety implications

- 11.1 None

12. Risk Management implications

- 12.1 Noting the update on growth in Colchester for information will assist by highlighting the key considerations regarding growth in the borough both at present and in the future.

Background Papers

EERA Consultation documents and supporting evidence as set out in the report.

Growth and future development options in Colchester Briefing Note

The purpose of this report is to provide an update to the Strategic Overview and Scrutiny Panel on recent and future growth in Colchester, and progress with Colchester's Local Development Framework.

Where we are now

The supporting evidence for both the East of England Plan and Colchester's Local Development Framework (LDF) indicates there is a need for new housing in the Borough and in the region more widely. The Strategic Housing Market Assessment (SHMA) in particular provides detailed evidence on trends and requirements for housing. Migration patterns in the region tend to run north-east which the SHMA suggests may be due to people searching for better affordability of accommodation and a better quality of life. Changing population demographics, lifestyles, and the number of people living alone or in smaller households all mean that there is a considerable need for new homes. There is also a lack of availability of affordable housing and a significant gap between resident's average incomes and what is affordable in terms of house prices.

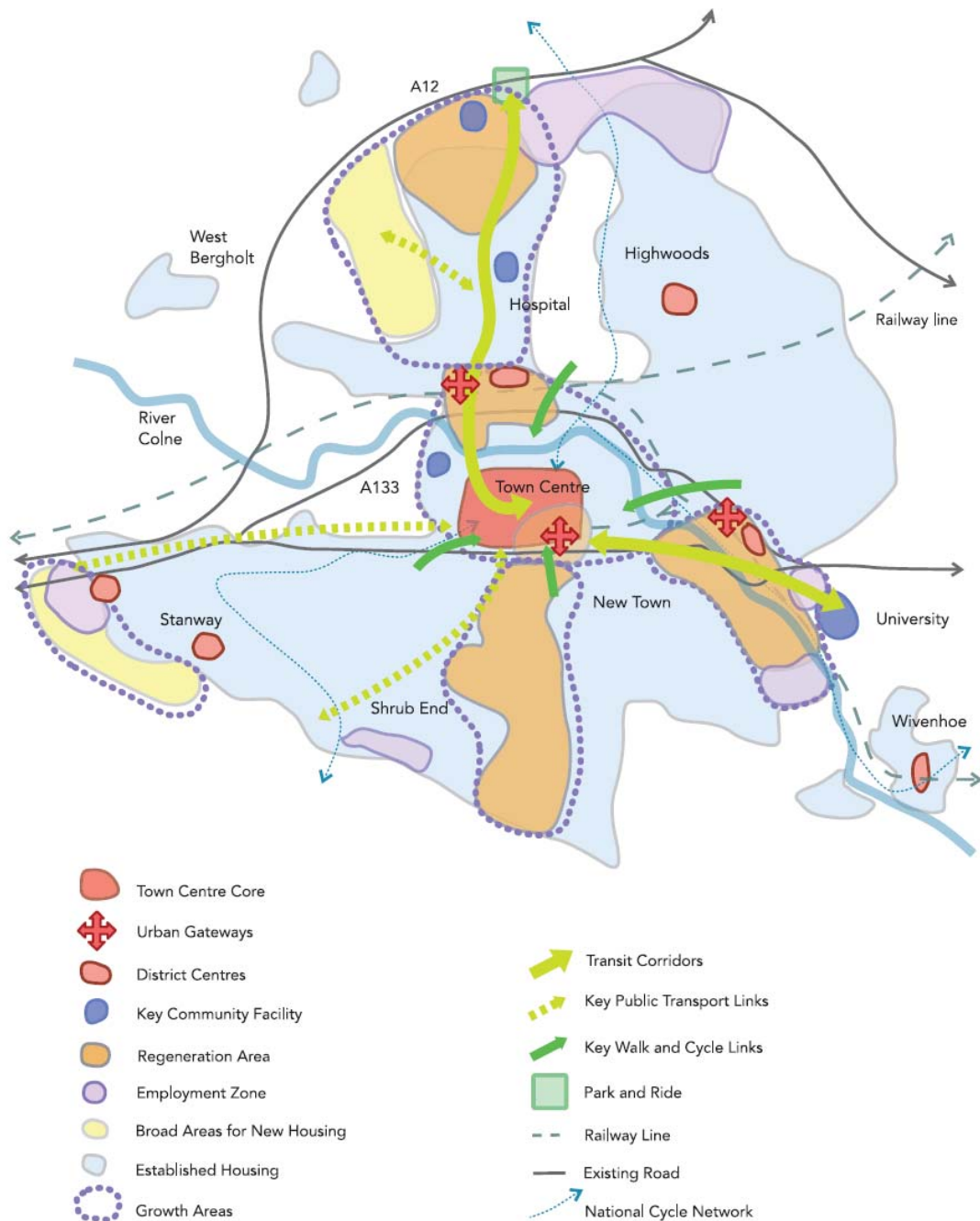
The current East of England Plan attempts to address this need in a sustainable manner by focusing growth around a number of Key Centres for Development and Change (KCDC). Colchester is identified as one such KCDC. Colchester is also part of the Haven Gateway Growth Point which seeks to capitalise the assets of the Haven Gateway to deliver growth sustainably. Growth is focused on Colchester and Ipswich, as well as in Felixstowe and Harwich where the ports have potential to provide significant employment and support the local economy. The current East of England Plan covers the period 2001 to 2021 and sets the following targets for Colchester:

- 17,100 new homes (855 per annum)
- 20,000 new jobs in the Essex Haven Gateway (Colchester and Tendring)

Colchester's Local Development Framework (LDF) and in particular the adopted Core Strategy set out how Colchester will develop over the next 15 years and how this growth can be delivered sustainably.

The Core Strategy promotes sustainable development and regeneration in a number of key growth areas. The strategy emphasises high quality design with a focus on enhancing the character and quality of the Town Centre, Regeneration Areas, and key Urban Gateways to Colchester.

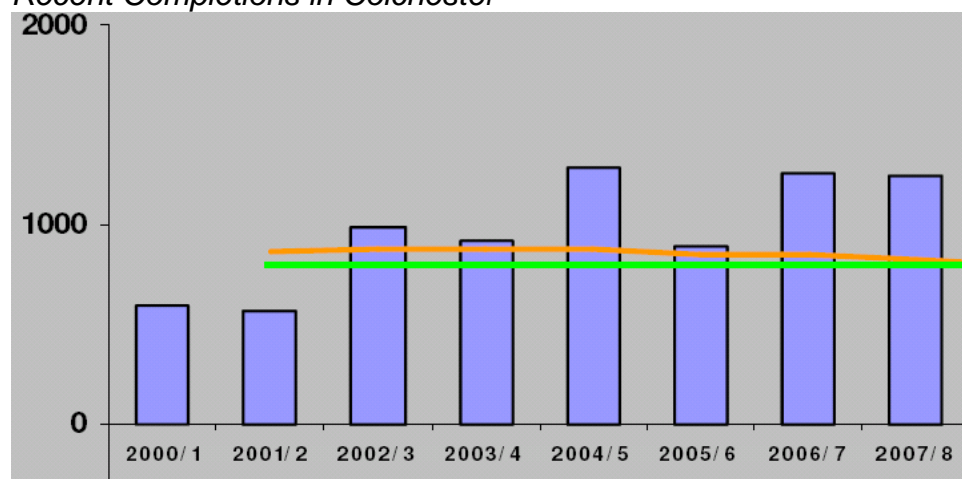
Core Strategy Key Diagram



In addition to identifying a strategy and areas for growth, the Core Strategy also identifies key facilities and infrastructure that will be required to support growth. Funding for these is secured through a number of sources including planning obligations and section 106 contributions on development; standard charges; the Community Infrastructure Fund; Growth Area Funding and Haven Gateway Growth Point funding; and Local Transport Plan funds. There is concern that in recent years the availability of Government funding for supporting infrastructure has not been sufficient to deliver growth in the most sustainable manner. The fear is that this situation will get worse over the next few years. The delivery of growth is monitored annually through Colchester's Annual Monitoring Report (AMR).

Colchester's Annual Monitoring Report provides evidence on growth in the Borough. In recent years completions have been above the annual rate required by the current East of England Plan although maintaining this level of growth into the future is likely to prove more difficult given the current economic conditions and also that many of the more deliverable brownfield sites will have already been developed.

Recent Completions in Colchester



Green line indicates the current East of England Plan annual requirement
 Orange line indicates the annual requirement taking into account past completions

Moving forward

The AMR also includes evidence from the Strategic Housing Land Availability Assessment (SHLAA) and Housing Trajectory which looks to identify suitable sites, and when they are likely to come forward. This information is regularly updated as part of the LDF. The information shows the following;

Completions to date (2001/2 – 2008/9) = 8169
 RSS requirement for 2001/2 – 2008/9 = 6640.

Work is also progressing on Colchester's Site Allocations and Development Policies documents. These will form part of the Local Development Framework and set out how the overall approach of the Core Strategy will be achieved at a more detailed level. The Site Allocations document identifies land in the Borough that is suitable for different purposes such as housing or open space, and the Development Policies document sets detailed policies against which planning applications will be assessed. A number of Supplementary Planning Documents are also under preparation to provide more detail on particular issues or on areas of the Borough that will be subject to change.

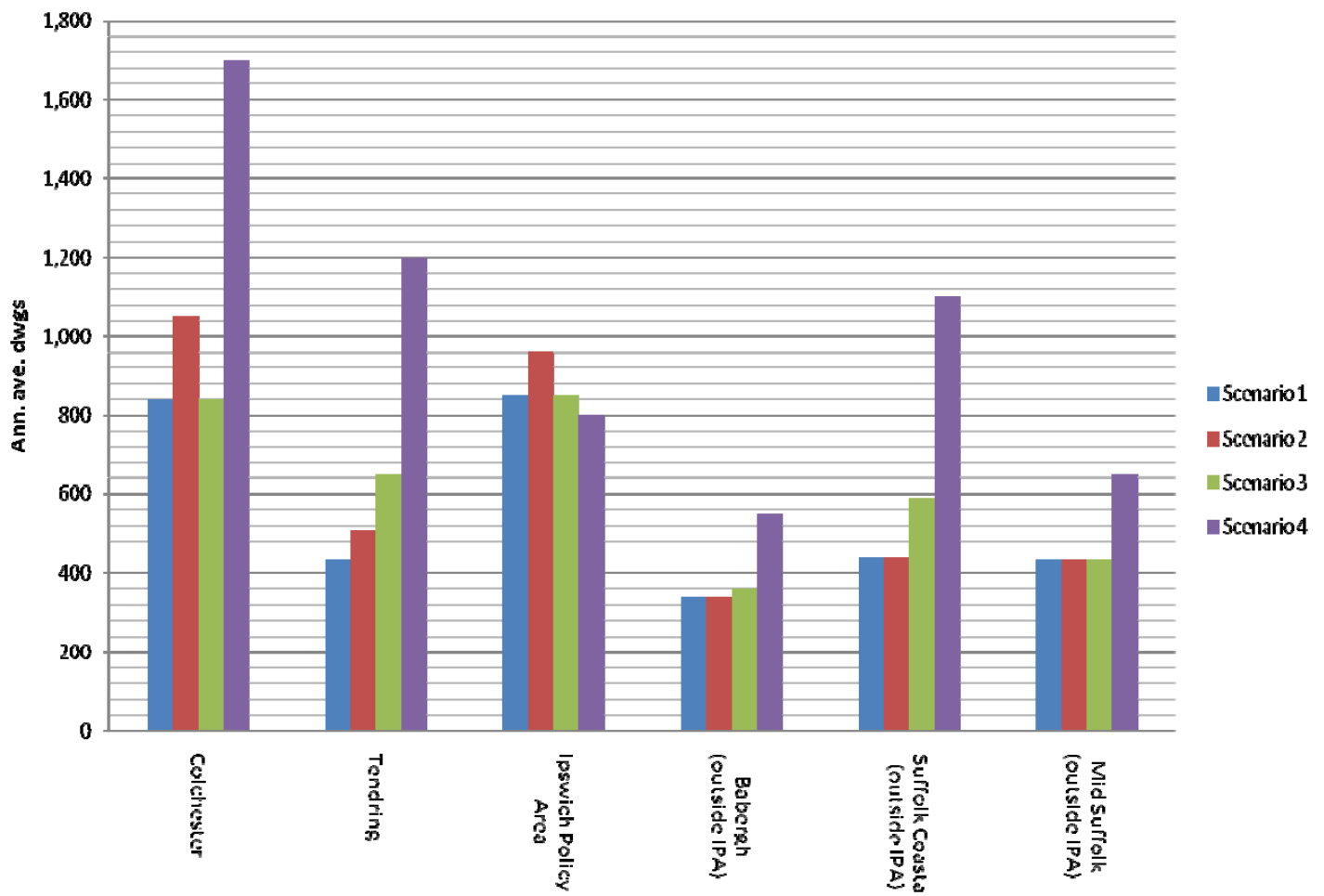
The East of England Plan (RSS) is being reviewed to extend it to cover the period 2011-2031, rather than 2001-2021 as is the case with the current plan. The East of England Regional Assembly (EERA) is currently consulting on a number of scenarios for housing and economic growth. The review uses

Government information from the National Housing and Planning Advice Unit (NHPAU) and the Office of National Statistics on population growth, future house prices and the likely performance of the economy. The four different scenarios presented in the consultation are summarised in the table below.

Implications of growth scenarios for Colchester

	Annual New Homes	Total New Homes 2011-2031	% of the regional total
Scenario 1: Roll forward of the existing plan	840	16,800	3.22
Scenario 2: National housing advice and regional new settlements	1,050	21,000	3.49
Scenario 3: National housing advice and Regional economic forecasts	840	16,800	2.80
Scenario 4: National household projections	1,700	34,000	5.05

Growth scenarios – comparison of Haven Gateway districts



The Local Development Framework Committee considered the proposed scenarios on the 12 November and are recommending that subject to important caveats, the maximum level of growth that can be supported by Colchester is Scenario 1 (840 new homes per year). Key issues raised in the response include that the current rate of growth is unlikely to be achievable over a longer period, the need to avoid a significant imbalance between homes and employment, and concern over the absence of any certainty over infrastructure provision. Colchester's response has been provisionally submitted to EERA and will need to be ratified by full Council on 10 December. The LDF Committee report and response are attached as an appendix for information.

It is also intended that a joint response will be submitted on behalf of Essex Local Authorities, the Haven Gateway Partnership, and Regional Cities East.



Local Development Framework Committee

Item

12 November 2009

Report of	Head of Strategic Policy and Regeneration	Author	James Firth 01206 508639
Title	East of England Plan Review to 2031 Consultation – Colchester Borough Council Response		
Wards affected	All		

The Local Development Framework Committee is asked to agree a consultation response to the East of England Plan Review to 2031

1. Decision(s) Required

- 1.1 To agree that the attached consultation response be provisionally submitted to the East of England Regional Assembly by the consultation deadline on 24 November 2009. The consultation response will then be reported to Strategic Overview and Scrutiny Panel on the 9 December and Full Council on the 10 December. The provisional response will then be confirmed.

2. Reasons for Decision(s)

- 2.1 The East of England Plan Review to 2031 (scenarios for housing and economic growth) will have significant implications for future growth in the Borough and for Colchester's Local Development Framework.

3. Alternative Options

- 3.1 The Council could decide not to submit a response to the consultation. The views of the Council would therefore not be taken into account in the preparation of the revised East of England plan and the Council would risk being required to provide for an unsustainable and undeliverable level of growth. If the Council wishes to make representations at the future examination of the East of England plan it is important that it can be demonstrated that the issues were raised at the earliest possible stage in the plan's preparation.

4. Supporting Information

- 4.1 The East of England Regional Assembly (EERA) has published a consultation on scenarios for housing and economic growth in the East of England up to 2031. These scenarios will be the basis for the revision of the policies within the East of England plan and cover the period 2011-2031, replacing the current 2001 - 2021 plan.
- 4.2 The consultation commenced on the 2 September 2009 and will run for 12 weeks until 24 November 2009.

4.3 The full EERA consultation document “East of England Plan > 2031, Scenarios for housing and economic growth, Consultation September 2009”, a Haven Gateway sub-regional commentary, and an integrated sustainability appraisal are all available on the EERA website www.eera.gov.uk

4.4 A consultation response has now been prepared and is attached.

4.5 Consultation responses will also be submitted on behalf of the Haven Gateway Partnership, Regional Cities East, and Essex County Council, all of which will comment to some degree on Colchester’s future.

5. Proposals

5.1 The consultation response proposes that the appropriate level of growth that Colchester Borough Council can support is that set out by Scenario 1. This Scenario is based on a continuation of the rates of growth required by the current East of England Plan and would require Colchester to provide 16,800 new homes between 2011 and 2031 (840 per year). The response makes clear that investment in infrastructure will be essential if the current rates of growth are to be rolled forward.

6. Strategic Plan References

6.1 Although the current consultation focuses upon scenarios for housing and economic growth, the review of the East of England Plan will cover a number of regional planning policies. The review will therefore affect all aspects of the Strategic Plan. The scenarios for housing and economic growth will have particular impact on the delivery of the Council’s Homes for All and Enabling Job Creation priorities. Ensuring that the level of growth that the Council is required to deliver is sustainable and deliverable will also be important to facilitate the delivery of the other priorities.

7. Consultation

7.1 The timings and methods of the East of England Plan consultation have been determined by EERA. The consultation period will run for 12 weeks from the 2 September until the 24 November 2009.

7.2 EERA will be holding a series of public consultation events around the region as part of the consultation. An additional public consultation event was held in Colchester on the 2 November 2009.

7.3 Any responses received will be used by the regional assembly, along with other policy work, to develop a revised draft regional planning policy by March 2010. There will be a further public consultation on the draft plan before an examination in public in summer 2010. It is anticipated that the Secretary of State for Communities and Local Government will finalise the revised East of England Plan in 2011.

8. Publicity Considerations

8.1 The review of the East of England Plan will have significant implications for the future growth of Colchester. Colchester’s response to the consultation may therefore generate some local publicity.

9. Financial Implications

- 9.1 The award of funding such as Housing and Planning Delivery Grant may be dependent on the ability to meet growth targets set in the East of England Plan.
- 9.2 Growth Area Funding and other such funding streams are likely to be directed to the areas of the region where infrastructure needs have been identified in order to deliver growth.
- 9.3 Ensuring that funding for necessary infrastructure remains available if growth is to be deliverable and sustainable is an important issue which is raised in the proposed consultation response.

10. Equality, Diversity and Human Rights Implications

- 10.1 The EERA consultation included a number of consultation events and sought to include all members of the community.
- 10.2 Submitting a response to the consultation will give the Council an opportunity to contribute to the preparation of the revised East of England Plan. The review of the East of England Plan will have significant implications for Colchester's Local Development Framework. A link to the Equality Impact Assessment for the Local Development Framework is provided on the LDF Committee webpage.

11. Community Safety Implications

- 11.1 None

12. Health and Safety Implications

- 12.1 None

13. Risk Management Implications

- 13.1 Submitting a response to this consultation will ensure the Council's views are considered as part of the East of England Plan review.
- 13.2 A decision not to submit a response to the consultation would mean the Council's views are not taken into account in the East of England Plan review. This risks Colchester being required to deliver a level of growth that is inappropriate, unsustainable or undeliverable.
- 13.3 The proposed consultation response attempts to identify the key challenges and barriers to delivering growth in the Borough and the importance of investment in infrastructure to support this growth. Submitting a response raising these issues should help minimise the risk of the Council being required to provide growth without the necessary supporting infrastructure.

Background Papers

Consultation documents and supporting evidence as set out in the report.

East of England Plan Review to 2031
Consultation on possible growth scenarios for the East of England region

Colchester Borough Council Response

Summary

Subject to important caveats, particularly around the provision of infrastructure, Colchester Borough Council can support Scenario 1 (Roll forward of the existing plan). In recent years Colchester has been successful in achieving a rate of home building above that required by the existing East of England Plan policy. This rate of building, however, will not be achievable through times of economic recession or may not be achieved in the longer term given that many available sites, particularly those on brownfield land, have already come forward for development. The maximum rate of growth that is likely to be achievable and sustainable over the 20 year plan period is therefore estimated to be similar to Scenario 1 (840 new homes per year).

It is essential that both housing and job targets are set at a level that is achievable to avoid a significant imbalance between homes and employment.

There is a major concern over future delivery of infrastructure. There is a clear absence of certainty over infrastructure provision. It should be noted that even for a roll forward of the existing plan rates (Scenario 1) to be achievable and sustainable there will be a need for significant investment in infrastructure to support this growth.

The growth scenarios

The growth scenarios focus on housing and the consultation document itself lacks information on many other key considerations such as the economy and jobs, impacts on transport networks, infrastructure capacity to support growth, and environmental impacts. Scenarios 2 (based on national housing advice) and specifically Scenario 4 (based on household projections) are not realistic, appropriate, deliverable, or sustainable in either Colchester or in the region more widely. Existing infrastructure deficits, the supply of available and deliverable sites, the likely level of future job growth, and the impacts of severe economic recession, all indicate that these high levels of growth will be unacceptable and undeliverable.

Scenario 1: Roll forward of the existing plan

The rate of delivery of new homes that could be achievable for Colchester over the plan period is considered to be that set out under this scenario (840 per annum).

Colchester's completions in recent years have met or exceeded the level of growth required by this scenario. These levels of completions, however, are not expected to be sustainable through economic recession and are unlikely as an average rate over any long period. In the immediate future constraints on the market are expected to impact on delivery and lower the annual rate of growth. In line with Colchester's adopted Core Strategy, much of the recent growth in the Borough has also been focused on the existing urban area and particularly on brownfield land in identified regeneration areas. There is, however, clearly a limited supply of developable sites in such areas. It is expected that in seeking to meet any further growth required by the revised East of England plan there will be a lack of available and developable brownfield sites. Growth will therefore need to occur on more problematic brownfield sites where delivery is likely to be challenging and much slower, or on greenfield sites. More complex brownfield sites will also have higher costs associated with development such as contamination and site assembly problems. The resulting lack of viability will impact on the amount of planning obligation that can be secured from such sites and could lead to necessary infrastructure and mitigation measures not being provided.

Investment in improvements to infrastructure will be essential if this level of growth is to be deliverable. The rates of building set out in the current East of England Plan are ambitious and if this growth is to be rolled forward into the future this is likely to result in a significant cumulative need for new infrastructure. Infrastructure will be required on a regional, sub-regional, and local scale. In areas such as Colchester where there has already been significant growth, funding for infrastructure may be required before further development can occur given that existing infrastructure deficits can present barriers to delivery. If this scenario is to be deliverable and sustainable, regional infrastructure will need to be identified and funded to support the overall level of growth, and investment commitments will need to be made to support sub-regional and local infrastructure provision.

Colchester Borough Council is only able to support scenario 1 subject to significant investment in the infrastructure that is required to support this level of growth. It is not enough to rely on the Community Infrastructure Levy or Section 106 contributions, particularly at times when market influences mean that site viability is already low and, in any case, these contributions only present a small percentage of the mitigating costs of new housing. Additionally it is essential that any funding allocated for infrastructure provision in the region is not withdrawn and remains available throughout the plan period. Regional partners have indicated that the level of public funding currently allocated to the region is insufficient to deliver the targets set out in the current East of England Plan. Increased funding is therefore vital if the plan is to be deliverable even at the current rates.

It is accepted in the EERA supporting documentation that forecasts, visions and reality should feed into the final job target figures. The East of England Forecasting Model (EEFM) sets out that scenario 1 (RSS Continuation) would result in a job growth of 15,246 jobs in Colchester between 2011 and 2031 (*please see Appendix 1*). Currently, Colchester is on course to deliver at least 21,000 net additional employee jobs for the period 2001-2021 (*see Appendix 2 for details*) against an RSS target of 14,200. Consequently, it is highly likely that with continued housing growth at scenario 1 level for 2011-2031, a higher job figure than dwelling unit figure will result; in other words, the EEFM estimate of 15,246 jobs appears achievable.

The Haven Gateway Sub-Region aims to capitalise on the key location of the Gateway, realising its potential for significant sustainable growth and addressing specific needs for economic regeneration. Employment growth in the Haven Gateway does therefore have the potential to provide additional jobs. In the absence of certainty over the provision of additional jobs over the longer term (the period 2021-2031), it is essential that both housing and jobs targets are set at a level to ensure that housing growth balances what is achievable in terms of employment. Consequently, a total housing growth figure of 8,400 dwellings for the period 2021 to 2031 allows for levels of in-commuting to Colchester, policy interventions to reduce worklessness in the local population and, the Borough becoming increasingly a 'central place' within Greater Essex and the Region, potentially attracting further investment (private and public) to facilitate sustainable growth.

Scenario 2: National housing advice and regional new settlements

The level of growth required by Scenario 2 (National housing advice and regional new settlements) is higher than that under Scenario 1 and is considered to be unlikely to be deliverable in Colchester. Although growth under this option is mainly focused around potential new settlements identified in the Regional Scale Settlement Study, the scenario also directs an increased level of growth to the Haven Gateway district's of Colchester and Tendring. The required annual target of 1,050 homes is considered to be unachievable over the 20 year plan period. As with Scenario 1, market influences, site supply, and a lack of certainty over infrastructure provision all mean that sustaining growth at this level is unachievable. A distribution of growth based on the findings of the Regional Scale Settlement Study is also

inappropriate as the study does not provide an adequate evidence base, technical analysis, or policy justification to support its proposals for growth.

As with all of the scenarios any distribution of growth based on the findings of the Regional Scale Settlement Study will need to be supported by significant investment in infrastructure. This infrastructure will be required not only to address local need but must also include improvements to strategic infrastructure to provide links between Colchester and other areas of growth. Whilst it is expected that large scale investment in sustainable transport infrastructure will need to be the norm, investment in key parts of the strategic road network will also be necessary to support growth. This will also be important if any form of new settlement is proposed in the Colchester/ Braintree area where significant improvements to the A120 trunk road and the A12 would be needed to improve links between this area, Colchester and the rest of the region.

The East of England Forecasting Model (EEFM) sets out that scenario 2 would result in a growth of 18,547 jobs in Colchester between 2011 and 2031. This level of employment growth would be difficult to achieve and would require prior Government commitment to enable transport blockages to be addressed through significant investments. The level of housing growth proposed by scenario 2 is considered excessive and could result in significant levels of out-commuting or long term unemployment.

Colchester Borough Council does not support Scenario 2 on the basis of existing evidence and likely levels of infrastructure provision.

Scenario 3: National housing advice and regional economic forecasts

The number of homes required for Colchester under this scenario would be the same as Scenario 1 (840 per annum). The number of jobs as forecast by the East of England Forecasting Model (EEFM) would also remain approximately the same (15,323). This is the level of growth that is considered to be sustainable or deliverable for the reasons set out under Scenario 1 above.

Although Scenario 3 does not increase the number of homes required for Colchester above that in Scenario 1, it does result in an increased requirement for Tendring district. This may have impacts on the Colchester and Essex Haven Gateway region. This is particularly likely if constraints within Tendring mean that growth needs to be accommodated in the west of the district / east of Colchester. For this reason Colchester Borough Council does not support Scenario 3.

Scenario 4: National household projections

The EERA consultation indicated that a scenario based on national household projections was included to show the level of growth that would be required based on demographic and migration trends, and to assist in comparisons of options in the plan making process. This scenario results in a very high requirement for new homes, particularly in Colchester where 34,000 new homes would be required over the plan period (1,700 per annum).

As the migration projections on which this scenario is based are influenced by past trends the recent growth and development in Colchester may have had significant influence on these figures. The high requirement for Colchester may therefore not accurately represent the true longer term migration trends.

Regardless of the accuracy of these projections, the level of new homes required for Colchester is far in excess of what could be considered deliverable or sustainable. Such a level of growth would be completely unacceptable having regard to job growth, infrastructure capacity and delivery, transport considerations, and environmental constraints. Providing employment opportunities in particular would be unachievable due to the very high rate of economic growth

which would be required. The investment in infrastructure required alongside such growth would also be extremely high and major improvement schemes may face deliverability issues due to physical or environmental constraints.

Colchester Borough Council strongly objects to this scenario. The scenario requirement is also undeliverable at a regional level and the consultation document would have been better to present another more realistic alternative with a lower level of overall growth. A scenario based on the long-term capacity of the region's transport, community and other infrastructure to accommodate growth, for example, would have been much more appropriate.

Impacts of the growth scenarios

A key impact of the growth scenarios is the need for additional regional, sub-regional and local infrastructure.

The additional demand for strategic infrastructure in the region as a result of continued growth should be tackled at the regional level and solutions identified in the East of England plan to ensure the plan is deliverable and the most appropriate for the circumstances. The cumulative impact of growth across the region will result in the additional need for this infrastructure and this is therefore an issue best addressed at the regional level. The importance of addressing the need for regional infrastructure is set out in the Essex Chief Executives Association's Economic and Housing 'Essex Issues Paper' (August 2009) which makes clear that unless these issues are addressed effectively, delivery of housing and economic growth to 2021 will in itself represent a major challenge rendering projections beyond 2021 as potentially unachievable and unsustainable.

In addition to the regional scale strategic infrastructure that is crucial if growth is to be deliverable or sustainable, investment in sub-regional infrastructure is also essential for Colchester to continue to meet future (RSS Continuation) delivery ambitions. In this respect, recognition achieved by the Haven Gateway Partnership over recent years within central Government of the need for key infrastructure funding augurs well for support of the "Growth Area" in which the Borough is located.

No less important is the provision of local infrastructure. This will be vital if Colchester is to continue to deliver growth at a similar level to that currently required by the existing East of England Plan. A particular priority in supporting both housing and economic growth should be the provision of improved transport infrastructure. The 2007 Colchester Business Survey identified that congestion was a major issue affecting local businesses and that improvements to transport infrastructure should be a priority. In accordance with Colchester's adopted Core Strategy, the Council is seeking to bring forward a number of schemes such as the Eastern Rapid Transport Corridor but in order to continue to deliver growth, further investment in both road transport infrastructure and sustainable alternatives will be essential. Improvements to strategic infrastructure such as the A12, A120, and key rail and public transport links in and around Colchester will also be essential not only for the region but also in allowing Colchester to deliver growth locally.

Sustainable alternatives already achieving attention at the local level are the many initiatives to achieve modal shift within the Borough, continuing activity to achieve 'next generation' wireless broadband across the rural and urban areas and progressive approaches towards delivering sustainable rural economic development. These initiatives and approaches should help to manage traffic congestion within the urban area.

Minimising the effect of growth on Climate change and seeking to ensure new development is as resilient as possible to its impacts should be a key priority. The impact of Climate change is likely to become even more significant towards the later part of the plan period. The uncertainty

related to this issue means that it is difficult to assess the scenarios with any reasonable degree of confidence. The challenges associated with climate change are, however, likely to be significant as they will require investment which is largely not currently levied. Significant funding will need to be allocated to help address many issues including flooding and flood risk, energy efficiency and zero carbon development (both residential and non-residential), and green infrastructure. The Integrated Sustainability Appraisal indicates that there will be particular need to focus on flood risk as part of climate change adaptation measures. It also indicates that scenarios 2 and 3 would have high potential for commuting and that scenario 4 would result in an increase in car dependency, traffic and CO2 emissions from transport. The summary states that scenarios 2 and 3 are not ideal from a climate change mitigation perspective and scenario 4 performs the worst as this would result in a dispersed pattern of growth.

The Integrated Sustainability Appraisal acknowledges that biodiversity implications will be greatest in Colchester under scenario 2 and that under scenario 4 there would be biodiversity implications as a result of increased recreational pressure, water quality and water resources.

Water resources and quality are likely to be key issues over the plan period. Information on water utilities can be difficult to obtain with any certainty and existing studies such as the Haven Gateway Water Cycle Study only consider the need for water infrastructure up to 2021. Close working between utility providers and sub regions / local authorities will be important if future growth is to be delivered. Water resources and sustainable waste management are likely to be less achievable under higher levels of growth as acknowledged by the Integrated Sustainability Appraisal.

A focused review of the plan

Carrying forward the overall vision and objectives of the current East of England plan is supported, as is the recognition of the regional importance of the Haven Gateway and Colchester. To ensure the vision and objectives remain appropriate, investment in supporting regional infrastructure will be essential.

The consultation document indicates that Policy H3 (Provision for Gypsies and Travellers) will not be reviewed. Although this policy was only recently published, new evidence on need from Gypsy and Traveller Accommodation Assessments (GTAA) is rapidly emerging. The Essex GTAA in particular is nearing completion and indicates the need for pitches in Colchester is very low. A timely review of the Gypsy and Traveller policies to take account of this additional evidence would be beneficial. In accordance with paragraph 5.20 of 'Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England; A Revision to the Regional Spatial Strategy for the East of England' (July 2009) a review of Policies H3 and H4 should be carried out in, or as soon as possible, after 2011. If Policies H3 and H4 are not to form part of the current RSS review, the review document should make clear how they will be reviewed in accordance with these timescales.

Supporting Information

Haven Gateway Sub-Area Profile

The provision of a Haven Gateway Sub-Area Profile is supported. It is intended that a consultation response will also be submitted on behalf of the Haven Gateway Partnership which recommends some revisions to the existing chapter.

The use of collated targets for employment and housing in the Southern Haven Gateway, such as is the case for jobs targets in the current East of England plan, would be useful to assist with joint-working and cross-boundary issues. In fact it is difficult to see how the levels of growth (even in Scenario 1) can be accommodated within Colchester Borough alone without

significantly restricting the options for site allocation. It is recommended that a joint North Essex housing 'target' is identified at the regional level.

Integrated Sustainability Appraisal

The Integrated Sustainability Appraisal incorporates the Habitat Regulations Assessment (Chapter 9). It is essential that the Habitats Regulations Assessment adequately considers water resources and water infrastructure issues in identifying housing figures. It is stated that a high level of housing growth should only be allowed in Colchester if it can be established that there is sufficient available land to deliver this without an adverse coastal squeeze or recreational disturbance impact. In addition to these issues it is also important that it is established at the regional level whether water can be provided and wastewater managed to deliver further growth. This is an important strategic issue that should be tackled at the regional level.

The Integrated Sustainability Appraisal also states that Colchester has a large amount of previously development land. Whilst recent growth may have been directed to brownfield land, many available sites have now been developed and future delivery is likely to involve problematic brownfield, or greenfield, sites as set out in the comments on scenario 1 above.

Appendix 1 **Colchester East of England Forecasting Model (EEFM) Forecasts**
 Total employment (jobs) for Colchester

East of England Forecasting Model (EEFM)			
Spring 2009 Economic Forecasts			
	2011	2031	2011-2031
Baseline forecast	86,187	97,908	11,721
Severe recession forecast	85,222	97,383	12,161
Faster recovery forecast	86,467	97,977	11,510
East of England Forecasting Model (EEFM)			
Spring 2009 RSS scenarios			
	2011	2031	2011-2031
RSS Continuation	86,418	101,664	15,246
Regional Scale Settlement Study Moderated	86,629	105,176	18,547
Economic Growth Moderated	86,458	101,781	15,323
GVA Unconstrained	86,567	99,503	12,936
GVA Housing Constrained to RSS Continuation	86,751	102,723	15,972

Source: *Insight East*

Spring 2009 Economic Forecasts <http://insighteast.org.uk/viewArticle.aspx?id=17086>
 Spring 2009 RSS scenarios <http://insighteast.org.uk/viewArticle.aspx?id=17087>

Further detail on the assumptions behind the employment forecasts for Colchester is available from these websites.

Appendix 2 Meeting the RSS jobs target for Colchester: 2001 - 2021

LDF Core Strategy figures

Using employment density data adjusted to net area and making considered estimates, from the major employment floorspace allocations identified in the LDF headline targets alone we can quantify the total of resulting jobs as being: .

- 67,400 sqm of net internal retail floorspace (2006-2021)
Translates to around 3,370 FTE jobs
- 106,000sqm of gross office floorspace (2004-2021)
Translates to around 4,620 FTE jobs
- 45,000sqm of other gross business floorspace (2004-2021)
Translates to around 1,282 FTE jobs
- 270-390 hotel bed spaces (2006-2015)
Translates to around 135-195 FTE jobs

Direct jobs total = **9,480**

Regeneration and Growth Area figures

However, more detailed analysis of full build-out and occupancy from current and pipeline developments by the major regeneration and growth areas produces a larger jobs total of **15,936** covering the period 2007-2021: see below.

Location	Total floor area m2 GIA	FTE jobs
East Colchester	av of 10,075	544
University Research Park	36,000	2,250
St Botolph's/Vineyard Gate/VAF	62,000+	2,924
Garrison	13,099	660
North Colchester	93,765	5,286
Stane Park and Tollgate	46,196	2,272
North Station Regeneration Area	40,000+	2,000
Total	301,135	15,936

Source: English Partnerships, *Employment Density Guide* (Arup and Partners), July 2001

The above jobs total alone exceeds the employee jobs target set for Colchester of 14,200 between 2001-2021.

Private and public sector jobs

In addition, as all these jobs are in the private sector, we will have accompanying growth in the public sector (local government, education, health jobs) which will maintain at least the national parity of 20% public jobs: 80% private jobs. In Colchester we estimate public sector employment to account for around 25% of all jobs, hence we can anticipate a growth in the public sector of between 20-25% to accompany the above estimates.

This will produce a further 3,984 – 5,312 employee jobs: we may assume a mid-point figure of the order of **4,648** public sector jobs

Applying the above to the job total figure provides
 15,936 private jobs + 4,648 public jobs = **20,584**

Jobs target

Colchester has already seen job growth from 2001-2007 of at least 3,476 jobs (ABI data) or perhaps as much as 5,200 (APS), Hence, from the above estimate, only either 9,000 or 10,724 jobs are required to arrive at the 2021 job target! More accurate data from the next census will create a robust benchmark. In the meantime, we must also factor in further additional jobs which will come from principally:

- Intermediate employment (construction) for which each £100,000 of capital investment creates 1 FTE annual job. The likely investment programme of a further £1.0 billion over the period 2001-2021 will generate 10,000 construction job-years which, converting to FTE by dividing by 10 years, will see an increase in the construction workforce of **1,000** people.
- Minor employment land developments and other *sui generis* (eg private health and social care, a significant source of future employment growth, perhaps as much as 5% of all jobs - another **1,050** jobs), etc.

Gross direct employee jobs total

From the above, we therefore arrive at a total of **22,634** gross direct employee jobs.

This figure is likely to be minimum since we can anticipate further gross direct jobs to accrue, secondarily, from two phenomena:

- Intensification of employment on existing sites and home-based working
- The increased derived demand for labour from policy and project activities to increase the business start-up and survival rate through Colchester’s ambitious incubator and grow-on strategy.

Multiplier effect (indirect and induced jobs)

- Direct gross jobs also produce, after allowing for two processes – leakage and displacement – a certain number of indirect and induced jobs. These are typically located in the service sector outside the major retail developments (tourism-related, taxi-driving, etc). We can confidently assume a lower end wider multiplier effect of, say, 1.1 to the direct total, producing a further 2,263 jobs.

Net employee jobs

Of course, the above figures are gross jobs, not net jobs. To arrive at net jobs we must apply other assumptions. Taking the under-estimated figure of 22,634 jobs, we can move towards net additional employee jobs by applying standard factors for key impacts.

A	Gross direct jobs (fte)	Minimum of 22,634
B = A x 15%	Estimated leakage in jobs from Borough	3,395
C = A - B	Gross local direct effect	19,239
D = C x 15%	Displacement	2,886
E = C - D	Net local direct effect	16,353
F = E x (1.1 - 1)	Combined multiplier effect (1.1)	1,636
G = E + F	Total net local direct employee jobs	17,988

Source: English Partnerships, *Additionality Guide* (3rd edition, October 2008)

Conclusion

We therefore arrive at a total of around 18,000 net additional employee jobs. Allowing for the under-enumerated positive impacts of smaller infill development, re-use of vacant premises and the growth of home working plus an increase in the business start-up and retention rates, we should exceed the above figure.

Consequently, if one of the major projects does not fully deliver – or two projects only partly deliver, we are still likely to attain our overall jobs target by 2021.

In conclusion, it appears that Colchester is on track to surpass easily its jobs target set by the RSS of 14,200.

Jim Leask
Senior Enterprise Officer, CBC
Oct 2009



Strategic Overview and Scrutiny Panel

Item

11

9 December 2009

Report of	Scrutiny Officer	Author	Robert Judd
Title	2010/11 Budget - Update		☎ 282274
Wards affected			

This report presents the report on the 2010/11 Budget to be considered by Cabinet on 2 December 2009.

1. Action required

- 1.1 The Strategic Overview and Scrutiny Panel is requested to consider and note the 2010/11 Budget. The report is to be presented to the Cabinet on 2 December 2009.
- 1.2 The Panel may refer the report back to the Cabinet for further consideration, setting out in writing any comments or concerns.

2. Reasons for Scrutiny

- 2.1. The review of the Council's Budget Strategy and Timetable is one of the responsibilities of the Strategic Overview and Scrutiny Panel, as set out under the Terms of Reference for the panel within the Constitution.
- 2.2. The Panel considered the initial Budget Strategy and Timetable on 14 July 2009. The final budget report will be considered by Cabinet on 27 January 2010 and will be subject to pre-scrutiny by Finance and Audit Scrutiny Panel on 26 January 2010.

3. Standard and Strategic Plan References

- 3.1 There are no policy plan references or financial implications in this matter. There are no equality, diversity or human rights issues in this matter and therefore no Equality Impact Assessment has been completed. There is no health and safety, community safety or risk management implications in this matter.
- 3.2 The work of the Strategic Overview and Scrutiny Panel is a key function to ensure the Budget Strategy is subject to full appraisal, is in line with the aims of the strategic plan, and helps to check that risks are identified and challenged.



Cabinet

Item
—

2 December 2009

Report of

Head of Resource Management

Author

Sean Plummer
☎ 282347

Title

2010/11 Revenue Budget, Financial Reserves and Capital Programme

Wards
affected

Not applicable

**This report provides an update on the 2010/11 Revenue Budget,
Financial Reserves and Capital Programme**

1. Decisions Required

1.1. Cabinet is requested to:

- i) Note the current 2010/11 revenue budget forecast which at this stage shows a budget gap of £1,793k and the forecast variables and risks.
- ii) Recommend to Council that £250k is released from balances to fund additional legal costs in respect of the Visual Arts Facility (VAF) as set out paragraph 7.9.
- iii) Note the action being taken to close the budget gap including the ongoing development of savings delivery plans and proposed consideration of use of reserves and balances.
- iv) Agree that the recommended level of revenue balances be set at £1.5m for 2010/11 as set out in the Risk Analysis subject to consideration of outstanding issues as part of the final budget report in January (Appendix E).
- v) Note the current budget forecast for 2009/10 as set out at paragraph 11.7.
- vi) Agree the release of funds for capital schemes set out at section 13.
- vii) Agree that in respect of second homes the Council Tax discount applied shall be retained at 10% as set out at paragraph 14.5.
- viii) Agree that in respect of long term empty properties the discount be retained at nil as set out at paragraph 14.5.

2. Background

- 2.1. A timetable for the 2010/11 budget process (see Appendix A) was agreed at Cabinet on 13 July 2009 and endorsed by the Strategic Overview and Scrutiny Panel on 14 July 2009.
- 2.2. An initial 2010/11 budget forecast was presented and agreed at the Cabinet meeting on 9 September 2009. This showed a budget gap of £391k.

3. Comprehensive Spending Review 2007 (CSR 2007) and Local Government Finance Settlement

- 3.1. The Government announced details of the grant settlement including funding in respect of concessionary fares at the end of 2007. This included forecasts for 2010/11.
- 3.2. Minor changes to the already notified figure are possible and if details are received before the Cabinet meeting these will be reported verbally on the night.

4. Summary of 2010/11 Budget Forecast

- 4.1 The revised 2010/11 revenue budget forecast shows a budget gap of £1.8m:-

	£'000	Note / Paragraph
Budget Gap reported to Cabinet 10 Sep 2008	391	
Less: Updated one off items	(20)	Update assessment of one-off costs.
Add: increase in recurring cost pressures:-		
Interest earnings	750	In total a pressure of £900k is now included in the forecast (See paragraph 5.3)
Forecast shortfall in corporate targets	260	See paragraph 5.5.
Amended inflations assumptions	(207)	See paragraph 5.6.
Add: change to Growth	(42)	See paragraph 5.7.
Less: Savings:-		
Sport and Leisure	(45)	See Appendix D
Museum Service	(45)	
Facilities Management	(43)	
Arts grants	(30)	
Invest to Save	(15)	
Review of Revenues and Benefits	(25)	
Council Tax	No change	Current assumption remains @ 2.76% and 1% increase in taxbase
Government Grants	No change	
Changes re use of reserves:-	No change	
Updated Recurring Gap	929	
Impairment of Icelandic Investments	614	See paragraph 7.5.
Legal Costs for VAF project	250	In total an increase £0.5m is required split between 09/10 and 10/11 (See paragraph 7.6.)
Total Budget Gap	1,793	

- 4.2 Cabinet is asked to note the above 2010/11 revenue budget forecast and the assumptions set out in this report concerning cost pressures, growth items and risks.

5. Changes in 2010/11 Budget Forecast

Recurring Cost Pressures

- 5.1. Appendix B sets out an update of cost pressures. Currently, the most significant areas impacting on the budget forecast relates to net interest earnings and achievement of corporate targets.

Net Interest earnings

- 5.2. Finance and Audit Scrutiny Panel (FASP) considered a report on 17 November 2009 which outlined some of the issues affecting the Council's budgets this year. One of the key pressures this year is the impact of historic low interest rates on the Council's net interest budget. In the current year a shortfall of £300k is currently included in the budget forecast, although it is acknowledged that there is a significant risk that this position will deteriorate further.
- 5.3. At this stage in the budget it is recommended that a pressure of £900k be included in the budget for 2010/11. Whilst this represents a significant cost pressure it should be seen in the context of the current economic climate and the impact this has had on investment returns and also on changes made to the Council's treasury management strategy. It is also worth noting that in the past 5 years net investment interest has contributed £2.5m above budget targets which has helped support Council services and to offset other budget pressures.

Corporate targets

- 5.4. The budget includes three corporate targets. The table below explains these targets and shows the current position for 09/10:-

<i>Targets</i>	<i>Purpose</i>	<i>09/10 target £'000</i>	<i>Current position</i>
Salaries	This is based on savings that arise through staff turnover such as gaps between staff leaving and new staff starting and any changes in salary levels	515	£130k identified to the end of September with further savings expected. However, due to lower levels of staff turnover this target is unlikely to be achieved. This year turnover has fallen to 3.1% compared to over 9% in each of the last two years.
Procurement	This is a target to be achieved through procurement activity co-ordinated through a cross-service procurement group.	93	£93k delivered.
Income	This is based on new income and in the past has been achieved in part through advertising revenue	70	£10k delivered to date.

- 5.5. The table shows that the two key risk areas are salaries and income. It is therefore suggested that a reduction in these targets of £60k in respect of income is included in the budget forecast and that the salary target be reduced by £200k.

- 5.6. The remaining change to the level of forecast costs pressures is in respect of energy costs. The procurement of energy is carried out through an arrangement with the OGC (Office for Government Commerce). Prices are normally fixed during October for the following 12 months and whilst there remain some outstanding estimates it is clear that reduced prices obtained for energy will deliver a General Fund saving of £0.3m. This has helped to deliver the procurement target and also meant that we can reduce our estimates for inflationary pressures for next year by £0.2m.

Growth Items

- 5.7. The only growth item included within the budget forecast had been £42k in respect of ongoing costs of the service review within Environmental and Protective Services. Following consideration of the ongoing implementation and efficiencies made to processes there is no longer a requirement to incur this expenditure (see Appendix C).

6 Savings/Increased Income

Further budget savings

- 6.1. The previously reported budget forecast already included savings identified of £215k. As part of the budget process the Budget Group comprising officers and members has considered a number of further potential savings or income options. Savings totalling £418K have now been identified in addition to steps taken to reduce potential cost pressures such as the reduction in energy costs shown at paragraph 5.6.
- 6.2. When the budget strategy was agreed by Cabinet in July the aim was set out to provide more detailed information on budget proposals prior to the final budget report in January. Appendix D therefore sets out all current proposals for budget savings or increased income.
- 6.3. Further areas are still under review by the Budget Group and these include assessing the level of savings that might be included in the 2010/11 budget in respect of the housing review which is the subject of a separate report on this agenda and also a review of income projections for next year specifically in respect of planning.

7. One-off Cost pressures

- 7.1. There are two significant one-off cost pressures which now need to be recognised in the budget forecast:-
- Icelandic Investment
 - Legal costs in respect of the visual arts facility

Icelandic Investment

- 7.2. As part of the budget setting process for 2009/10 and closure of accounts for 08/09 and 09/10 we have been required to show the potential loss in respect of our £4m invested in Landsbanki, however, there was special dispensation to ensure that this had no impact on budgets by allowing the loss to be 'reversed out'.
- 7.3. The Government had been expected to issue guidance on the potential to capitalise any losses arising from Icelandic investments. The Local Government Association (LGA) has been (and continues to) campaigning for the Government to allow authorities to spread any losses over a 15 year period.
- 7.4. The latest guidance recently received on capitalisation does not really shift the position in any way. There is no suggestion of a 15 year period being allowed and the rules on capitalisation have not been amended or made any easier.

7.5. It is therefore now clear that we have to budget in 2010/11 for any loss. In our case, based upon the latest guidance of an 83% recovery, this will amount to £614k. This assumes “preferred creditor status” is achieved.

VAF legal costs

7.6. The Council has authorised a budget to deal with legal claims in connection with the VAF project based on the external advice that the Council has good prospects for the recovery of substantial sums. BHL (Banner Holdings Limited) has now ‘issued proceedings’ in respect of its claim against the Council for the alleged wrongful termination of the contract. Accordingly, the Council’s legal advisors have advised that it is likely that the revenue budget will need to be initially increased by a further sum of £500k to progress claims, £250k being required this financial year. The Council will be seeking to recover its costs and other substantial sums.

7.7. There is a risk that if the Council is unsuccessful in bringing and/or defending any proceedings it would be responsible for its own costs as well as the other sides’ costs. Whilst the increased revenue budget will allow matters to move forward there is a risk that the budget will need to be further increased during the next financial year especially if matters become fully contested bringing with it the risk of increased costs.

7.8. The alternative to not increasing the revenue budget would be not to defend or pursue the claims which would mean that the Council would be liable to pay significant sums and/or to lose the potential of recovering significant sums which could be viewed negatively in view of the strong legal advice that there are good prospects for the recovery of substantial sums.

7.9. It is proposed that Cabinet recommend to Council the release of £250k from balances in respect of legal costs for the VAF and to note the further budget request for next year and ongoing associated risks.

8. Closing The Budget Gap

8.1. As stated at paragraph 6.3 a number of budgets are still under review and further recurring savings will be reported as part of the final budget report. In addition, all services are finalising budgets and, as is usual at this stage, they are seeking to identify potential further savings and these will also be reported to Cabinet.

8.2. However, it is clear that further steps will be necessary to deal with the level of budget pressures, some of which are one off issues for next year. The following three areas have been identified:-

Use of capital expenditure reserve

8.3. This paper sets out a review of all reserves and provisions including the capital expenditure reserve which may be used to support revenue costs. As shown this reserve is fully committed to support capital expenditure, however, it is possible to use the reserve if new capital resources can be secured or the existing programme changed to enable funds to be released. A full review of the capital programme will be reported as part of the final budget proposals.

Use of balances

8.4. A review of General Fund balances, including the recommended level to be held, is set out within section 11. This indicates that balances are forecast to be at £1.5m meaning that any use of balances to support the budget would result in balances falling below the proposed recommended level. Given, the budget pressures it may be necessary to consider the use of balances on a temporary basis to assist in closing the budget gap.

Any such proposals will need to be viewed alongside the need for the financial discipline to ensure that balances are reinstated at the recommended level.

Use of Housing and Planning Delivery Grant (HPDG)

- 8.5. CLG carried out a consultation in the summer on the year 2 (09/10) and year 3 (10/11) allocation methodology for HPDG. This showed that CLG were “taking the opportunity to review the position and make some hard choices about priorities” and as such the total funding allocated for each year was also being reduced from original proposals, however, in total the pot was still increasing as shown in the following table:-

	08/09	09/10	10/11
Total pot (£m)	100	135	200
CBC allocation (£m)	0.9 (actual)	0.25 (budget)	0.475 (budget)

- 8.6. For 2009/10 we have assumed HPDG of £250k and for 2010/11 £475k. The increase for 2010/11 was made on the basis of funding the one off cost of £150k for the Local Development Framework (LDF) examination and £75k in respect of 2 planning policy officers. Therefore any grant received above the current budget forecasts would be available to support other budget pressures.
- 8.7. An announcement of HPDG for 2009/10 was expected in August, however, to date no figures have been confirmed. A letter dated 23 October was sent to the Department for Communities and Local Government to express concern at the delay in announcing this year’s grant and seeking details of when an announcement will be made, however, to date no response has been received.

9. Council Tax

- 9.1. The budget forecast for the increase in Council Tax income included an allowance for an increase in the Council Tax base (the equivalent number of Band D properties used for tax setting) of 1%. The tax base will be calculated and agreed in December and any changes to this forecast will be assessed within the final budget report.
- 9.2. The current assumed increase in Council tax income is based on an increase in Council Tax of 2.76%. Final proposals will be set out in the report to Cabinet in January.

10. Summary and Risk and variables

- 10.1. As is common at this stage there remain a number of key budget risks which include areas where information has not yet been released. The table below sets out the key issues and the current assumption used.

Item	Risk Assumption	Comment / Timing
Government Grant	Increase assumed in line with 3 year CSR	Announcement expected end of November.
Announcement of Housing and Planning Delivery Grant (HPDG)	Assumed grant for 2009/10 of £250k and for 2010/11 of £475k.	The 2009/10 grant has not yet been announced and no timetable for this is known. Consultation on the methodology for distributing HPDG was carried out in the summer and this set out proposals for the overall ‘pot’ for distribution to be increased this year and next year.

Item	Risk Assumption	Comment / Timing
Complete budget reviews to Budget Group	The budget forecast includes savings arising from budget review work. Further areas are under consideration.	On-going meetings taking place in November and December reporting to Cabinet in January.
Completion of detailed budgets / HRA recharges	Assumed all delivered as per budget allocation. No adverse impact on the charge to HRA.	Detailed budgets to be finalised and recharges calculated in December.
Interest Budget	Now assuming a shortfall of £900k.	Complete detailed budget, assumptions and risks and assessment of any impact of treasury management strategy. Completed by end of December,
Links to capital programme	Budget proposals based on current programme.	Assess revenue impact of any proposed changes to capital programme.
Taxbase calculated	Assumed increase of 1%.	Taxbase determined in December
Tax rate agreed	Assumed 2.76%	1% change = circa £100k
Forecast balances position at 31 March 10	This note forecasts general balances of between circa £1.2m - £1.5m	Continue monitoring of current year budget. Review position in December.

- 10.2. The above highlights the key risks and variables that may affect the budget forecast. Senior Management Team (SMT) and Leadership Team will continue to review these areas to minimise any potential impact and identify remedial action.
- 10.3. In summary, there is a forecast significant current budget gap of c£1.8m which includes over £0.86m of one off cost pressures. SMT and Leadership Team are continuing to work through the outstanding areas of work and consideration of options to deliver a balanced budget will be detailed in the final budget report in January. These proposals will include an update of the Medium Term Financial Forecast (MTFF) which will reflect any impact in future years arising from proposals to balance the 2010/11 budget.

11. Revenue Balances

- 11.1 The Local Government Act 2003 places a specific duty on the Chief Financial Officer (Head of Resource Management) to report on the adequacy of the proposed financial reserves when the budget is being considered. This section on Revenue Balances and the following section on Earmarked Reserves and Provisions, together with the attached appendices, address this requirement.
- 11.2 The Council is required to maintain a prudent level of revenue balances in order to ensure sufficient funding is available to meet cash flow requirements and urgent or emergency issues that may arise during a financial year.
- 11.3 The minimum level of revenue balances is determined through a Risk Management Analysis based on criteria recommended by the Chartered Institute of Public Finance and Accountancy and endorsed by the Audit Commission. The approach taken last year was reviewed and updated.
- 11.4 Attached at Appendix E is a schedule detailing the risk analysis for the financial year 2010/11. The analysis concludes that the minimum revenue balances to be maintained

could be reduced from £1.7m to £1.5m. This in part is because key risk areas are being addressed in the current budget proposals. As this report shows there remain a number of potential risks and variables that need to be considered as part of the final budget report. The proposal on the recommended level of balances will be reviewed in the final budget report when the implications and details of items such as the grant settlement, budget savings and other variables will have been more fully assessed.

- 11.5. Appendix F details the forecast revenue balances position. This includes assumptions regarding the use of balances and the current forecast outturn position against the 09/10 budget as explained below.
- 11.6. As set out at paragraph 7.6 it is requested that £250k from balances is released this financial year to fund forecast legal costs in respect of the VAF project.
- 11.7. The report to FASP on 17 November 2009 sets out a number of forecast variances on the 2009/10 budget. In total, a forecast budget deficit of £288k is currently identified. A number of variables remain that could affect this position, both favourably and adversely. This position is under review with an aim to minimise any potential shortfall. As part of the final budget report in January the current year position will be reviewed. The impact on balances is shown at Appendix E based on delivering this year's outturn on budget and the position reported to FASP.
- 11.8. At this stage no proposals to use balances to support the 2010/11 budget are made. One-off costs may be necessary to deliver budget savings currently being assessed or to fund cost pressures. As shown at paragraph 8.4. it may be necessary to consider proposals to use balances to support the budget and this will be considered as part of the final budget report.

12. Earmarked Reserves and Provisions

- 12.1 The Council maintains a number of earmarked reserves and provisions, which allows it to prudently plan for future expenditure requirements. As at 31 March 2009 earmarked reserves totalled £7.85m and provisions £0.35m.
- 12.2. As part of the budget process a review has been undertaken into the level and appropriateness of earmarked reserves and provisions. The review concludes that the reserves and provisions detailed in Appendix G remain appropriate and at a broadly adequate level. However, further detailed work is on-going to confirm this assumption and the position will be considered as part of the final budget report.
- 12.3. It is currently assumed that:-
 - £166k will be used from the Regeneration Reserve in relation to Renaissance Team staff costs in 10/11
 - we continue to use the S106 reserve to support costs of staff involved in monitoring S106 agreements.
 - The Capital Expenditure Reserve is used to meet the costs of the Minimum Revenue Provision in respect of the Community Stadium

13 Capital Programme

- 13.1. As reported to the Cabinet meeting in September the capital programme is being reviewed to ensure that it reflects Strategic Plan priorities. This review is nearing conclusion and will be reported to Cabinet alongside proposals for the revenue budget.

13.2. However, there are three projects where the release of funding is requested now for which funding is available. Details of these are as follows:-

Service / Scheme	Amount £'000	Reason for Release
Cemetery Extension	125	Land for the burial of citizens who subscribe to The Church of England is due to run out in 2011/2012, and the Jewish community have currently no burial facility in Colchester. Land for an extension has been identified; negotiations with the land owners and the planning department are ongoing. The capital funding would be required to undertake works to the land, including landscaping, fencing and access roads.
Improving Life Chances	10	The St. Andrews NAP agreed that to reduce incidents of anti-social behaviour taking place in and around Ghost Wood the land needed to be brought back into community use. To date some clearance has taken place as part of the general management of the woodland. In order for more community activity to take place it is proposed to construct a network of paths and clearance of the site around the paths to increase physical access and to lessen the fear of entering overgrown woodland.
Mandatory Disabled Facilities Grants	500	This relates to funding that has been identified within the Capital programme for the 2010/11 DFG programme (assuming a £350k grant from CLG). This is because all of this year's DFG has been committed and the release of these funds is required now to release the pressure on DFG's to meet current demand and keep within statutory time limits.

14 Council Tax Discounts

- 14.1 The Local Government Act 2003 gives local billing authorities the ability to vary the discounts on second and empty homes.
- 14.2 In respect of second homes the discount can be set within the range of 10%-50% (currently set at 10%). In respect of long term empty properties the discount can be set in the range of 0%-50% (currently set at nil%).
- 14.3 The financial implications for second homes are that the revenue will be shared between Colchester Borough Council (CBC), Essex County Council (ECC), Essex Police Authority (EPA) and Essex Fire Authority (EFA). The actual monies raised will depend on the tax rates set by each body. An agreement has been reached with ECC for 60% of additional income due to the reduction in discount on second homes to be returned to CBC. Essex Police Authority has agreed to make their additional funds raised available to the Colchester Crime and Disorder Reduction Partnership.
- 14.4 In the case of empty properties, there is no financial gain to CBC as any change will be offset by a reduction in government grant. Any additional costs of administration will fall on the Council as the billing authority. However, the ability for the Council to set the level of discount can be used as an incentive to bring properties into occupancy sooner. It is worth noting that where a property becomes empty and unfurnished there is exemption from charge for up to a maximum of 6 months.
- 14.5 It is recommended that from 1 April 2010 the Council Tax discount for second homes be retained at 10% and the discount for long term empty properties be retained at nil, both as set last year.

15. Strategic Plan References

- 15.1 The Council has agreed three Corporate Objectives including the aim to “shift resources to deliver priorities”. The 2010/11 budget and the Medium Term Financial Forecast is underpinned by the Strategic Plan priorities and will seek to preserve and shift resources where needed to these priorities.

16. Consultation

- 16.1 The budget strategy report to Cabinet in July has been considered by the Strategic Overview and Scrutiny Panel on 14 July 2009. That Panel will also review this update of the budget later this month.
- 16.2. Consultation took place to inform the Strategic Plan which remains the main driver of the budget.
- 16.3. The final budget report will be considered by Finance and Audit Scrutiny Panel in January.
- 16.4. Statutory consultation is due to take place with business ratepayers in December / January.

17. Financial implications

- 17.1 As set out in the report.

18. Risk Management Implications

- 18.1 The strategic risks of the authority are being considered in developing the 2010/11 budget and all forecast savings/new income options are being risk assessed as part of the budget process.

19. Other Standard References

- 19.1 Having considered publicity, equality, diversity and human rights, community safety and health and safety implications, there are none that are significant to the matters in this report.

Background Papers

Report to Cabinet 9 September 2009 – 2010/11 Revenue Budget Update
2010/11 Budget Progress Report – Review of Revenue Balances 2010/11

2010/11 Budget Timetable	
Budget Strategy March 09 – July 2009	
March – June (SMT)	Budget Group established Update MTFF /Budget Strategy Review cost pressures, growth and risks Consider approach to budget Externally facilitated Budget Workshop held
Cabinet – 13 July 09	<ul style="list-style-type: none"> • Report on updated budget strategy / MTFF • Timetable approved
SOSP – 14 July 09	Review Cabinet report
Budget Group / Leadership Team - July	Consider review of capital programme Consider approach to consultation
Detailed Budget preparation and Budget Setting Consultation	
Budget Group / Leadership Team regular sessions on progress / budget options July - September	Review budget tasks Consider Fundamental Service Reviews
Cabinet – 9 September 09	<ul style="list-style-type: none"> • Budget Update • Proposals for consultation • Review of capital resources / programme
Cabinet – 21 October 09	Budget Update (if required)
Cabinet – 2 December 09	<ul style="list-style-type: none"> • Budget update • Reserves and balances • Grant settlement • Consultation results (provisional date)
FASP – 26 January 10	Review consultation / Budget position
Cabinet – 27 January 10	Revenue and Capital budgets recommended to Council
Council – 17 February 10	Budget agreed / capital programme agreed / Council Tax set

Updated Cost Pressures

	Previous estimate	Updated estimate	
	£'000	£'000	Comment
Inflationary pressure	140	(67)	Net inflation impact, including the allowance for the agreed pay award and assumed increase in prices and an increase in fees and charges. This allowance has been reviewed with the main change being the inclusion of savings in energy prices which have taken effect from October.
Incremental pension contributions	154	154	The triennial review of the pension fund has shown a significant deficit due to market conditions and increased life expectancy. This financial pressure is one being felt by all local authorities and other organisations. The impact of next triennial review will need to be considered as part of the 2011/12 budget.
Minimum Revenue Provision (Commutation adjustment)	13	13	Increase in calculated figure based on statutory criteria.
Place Survey – Statutory requirement (one off for 10/11)	15	15	The cost of the statutory place survey is needed every 2 years.
Local Development Framework (LDF) Examinations. (One off)	150	150	Later this year two LDF documents will be submitted to the Secretary of State. The process of examination then starts in 2010, including 2 in public. The estimated cost includes the fee for the inspector, legal and consultant fees and a temporary programme officer.
Net Interest earnings	150	900	The net interest budget for this year is currently forecast to have a shortfall due to the low level of interest rates available. The outlook for interest rates remains uncertain, however, it is evident that there will continue to be a considerable cost pressure next year. The increased allowance to £900k reflects this.
Impact of foregone Layer Road receipt	60	60	At the July Cabinet it was agreed in principle to disposal of land at Layer Road at nil value for an extra-care housing scheme. As reported this will result in a revenue budget impact due to the ongoing costs of borrowing in respect of the community stadium.
Corporate Safeguarding Co-ordinator	10	10	We have statutory responsibilities under section 11 of the Children Act 2004 regarding safeguarding the welfare of children – our task

	Previous estimate	Updated estimate	
	£'000	£'000	Comment
			this financial year is to complete a self-assessment against these responsibilities, and we then need to use the results of this self-assessment to develop an action plan in the next financial year to ensure we are fully compliant, and this staff resource will drive this process and support services with tasks they need to complete. We then need to report our progress back to the Essex Safeguarding Children Board late in 2010.
2 Planning Officers (Strategic Policy and Regeneration)	75	75	These are permanent posts in the establishment but have to date been funded through an annual approval process of using HPDG (Housing Planning and Delivery Grant). It is proposed that the cost of these posts be included in the base budget with an assumed increase in the level of HPDG as agreed by Cabinet.
Revised Corporate targets		260	The report sets out that it is necessary to review the level of salary targets due to the economic climate and the resulting impact on staff turnover. In addition, the income target has also been reviewed.
Total	767	1,570	

Growth items

Area	Amount in previous Forecast £'000	New Items / Change in Forecast £'000	Comment
Environmental and Protective Services - Review	42	0	Previously reported ongoing additional costs relating to service review no longer required due to efficiencies made within group.
	42	0	

Work Area: Resource Management					
Who: Charles Warboys					
Saving (£): £25,000					
<i>Outline of work</i>	<i>Specific Tasks and Timetable</i>	<i>Risks to delivery</i>	<i>Mitigating action</i>	<i>Monitoring arrangements</i>	
Indicative target for Fundamental Service Review of revenues and benefits. (£25k)	Review started and due to report early in new year.	Review fails to identify further efficiencies. One-off costs are prohibitive. Economic situation increases workload resulting in limited scope to deliver net savings.	The FSR process has been shown to be effective at identifying opportunities for making changes and delivering efficiencies. Ensure consultation and scrutiny throughout process.	Final report to be submitted in New Year and monitoring of action plan.	

Work Area: Corporate Management**Who: Lucie Breadman****Saving (£): £183k**

<i>Outline of work</i>	<i>Specific Timetable</i>	<i>Tasks and</i>	<i>Risks to delivery</i>	<i>Mitigating action</i>	<i>Monitoring arrangements</i>
Rowan House Service Charge (£30k)	Reduced Service Charge already agreed		Should not be any risk	n/a	Ongoing monitoring of service charge
Town Hall – Lettings income (£13k)	New business plan active from 1.4.10		Ongoing works to Town Hall, economic climate	Limit Disturbance and marketing plan	Ongoing monitoring of BP against income
Angel Court – Savings in respect of disposal of Angel Court (£140k)	Should be effective from 1.4.10		No foreseeable risk	n/a	Ongoing monitoring against predicted cost

Work Area: Life Opportunities				
Who: Gareth Mitchell				
Saving (£): £60k				
<i>Outline of work</i>	<i>Specific Tasks and Timetable</i>	<i>Risks to delivery</i>	<i>Mitigating action</i>	<i>Monitoring arrangements</i>
Sport and Leisure – Additional net income in respect of:- Bar and catering (£10k)	<ul style="list-style-type: none"> manage vending contracts in-house rather than through contractors Review prices of stock against other comparable local outlets 	The recession results in decreased sales	Change prices, change stock, promotional campaigns	Regular financial monitoring
Retails sales of swimming equipment (£6k)	<ul style="list-style-type: none"> Enter agreement with Zoggs to supply swimming equipment Build retail outlet off the reception area at Leisure World 	<p>The recession results in decreased sales</p> <p>A delay in building retail outlet leads to lower sales</p>	<p>Appropriate promotion</p> <p>Start process as soon as possible</p>	Regular financial monitoring and liaison with supplier
Tiptree Sports Centre income (£5k)	<ul style="list-style-type: none"> Provide additional grass pitch at Tiptree Sports Centre in conjunction with Thurstable school 	The recession results in decreased pitch use	Pricing and promotional campaigns, identify customer demands	Regular financial monitoring
Charter Hall Events (£6k)	<ul style="list-style-type: none"> Consider financial risk on an event by event basis Pursue private hire 	<p>The recession results in decreased ticket sales</p> <p>Cost of hiring Charter Hall leads to hirers</p>	<p>Monitor competitors</p> <p>Improve quality of customer experience and value for money</p>	Regular financial monitoring

Work Area: Life Opportunities					
Who: Gareth Mitchell					
Saving (£): £60k					
<i>Outline of work</i>	<i>Specific Tasks and Timetable</i>	<i>Risks to delivery</i>	<i>Mitigating action</i>	<i>Monitoring arrangements</i>	
Aqua Springs (£3k)	<ul style="list-style-type: none"> bookings Ensure all staff aware of importance 	<ul style="list-style-type: none"> using other venues The recession results in decreased sales Competitive market 	<ul style="list-style-type: none"> Pricing and promotional campaigns, identify customer demands 	Regular financial monitoring	
Lifestyles memberships (£15k)		<ul style="list-style-type: none"> The recession results in decreased sales in a competitive market 	<ul style="list-style-type: none"> Ensure Lifestyle passes are priced and promoted appropriately 	Regular financial monitoring and capturing customer feedback	
Invest to Save project. Savings accruing from Invest to Save projects carried out in 2009. (£15k)	Projects agreed and implemented.	Savings being delivered now therefore minimal risk.	n/a/	Regular budget monitoring.	

Work Area: Environmental and Protective Services

Who: Beverly Jones

Saving (£): £60k

<i>Outline of work</i>	<i>Specific Tasks and Timetable</i>	<i>Risks to delivery</i>	<i>Mitigating action</i>	<i>Monitoring arrangements</i>
Environmental and Protective Services – Forecast increase in income (£15k)	Review income projections for 2010/11. Agree budget for year.	Based on current levels this increased income is achievable and further savings are also likely.		Monthly monitoring of income and caseloads
Museums. Saving on administration / IT (£15k). Target for savings from review of service (£30k)	Savings on Administration/IT are secured by renegotiation of IT charge and by decision to cut staff post. Review due to start March/April 2010 and due to report August/September.	No risk to delivery Review fails to identify efficiencies or changes to service levels that are acceptable. One-off costs are prohibitive.	The FSR process has been shown to be effective at identifying opportunities for making changes and delivering efficiencies. Ensure consultation and scrutiny throughout process.	Final report to be submitted in New Year and monitoring of action plan.

Work Area: Strategic Policy and Regeneration					
Who: Lindsay Barker					
Saving (£): £30k					
<i>Outline of work</i>	<i>Specific Tasks and Timetable</i>	<i>Risks to delivery</i>	<i>Mitigating action</i>	<i>Monitoring arrangements</i>	
Reduction in arts grants budget: Mercury Theatre (£25k) Colchester Arts Centre (£5k)	Mercury grant reduced by £25,000 and Colchester Arts Centre by £5,000.	Organisations will need to reduce their overheads, including employees and programme. As there are joint funding arrangements in place the Arts Council and ECC might reduce their core grants accordingly.	Early meetings with Executive staff and Chair so that the organisations can reforecast their financial plans. Consultation with funding partners.	Cultural Services Manager	

Work Area: CSC				
Who: Leonie Rathbone / Pam Donnelly				
Saving (£): £60,000				
<i>Outline of work</i>	<i>Specific Tasks and Timetable</i>	<i>Risks to delivery</i>	<i>Mitigating action</i>	<i>Monitoring arrangements</i>
Income from partners in support of infopoint@colchester (£60k)	Commitment now agreed from partners totalling £60k p.a.	Contributions change or are not ongoing.	Ongoing communication with partners and considering ongoing securing of commitment.	Regular review of arrangements with partners.

REVIEW OF REVENUE BALANCES 2010/11

RISK MANAGEMENT ASSESSMENT

Introduction

A risk assessment has been undertaken to determine the prudent level of general fund balances as part of the 2010/11 budget process.

Background

Historically we have maintained a strong level of balances and these have been used to:-

- Support the annual budget - particularly to fund one off items.
- Fund new initiatives identified during the year.
- Provide cover for cashflow and emergency situations.
- Provide flexibility and a resource for change management.

Over recent years general fund balances have been reduced in a managed and prudent manner: -

	£'000	
31 March 2005	2,193	
31 March 2006	1,997	
31 March 2007	2,708	(includes £902k to support 2007/08 budget)
31 March 2008	3,347	(includes £1,232k to support 2008/09 budget)
31 March 2009	2,891	(includes £1.17k to support 2009/10 budget)
31 March 2010 (estimated)	1,472	Based on being 'on budget' in 09/10

A thorough review of the balances position was reported to Cabinet as part of the 2009/10 budget exercise. This included a risk assessment to establish the minimum level, which was agreed at £1.7 million.

Risk Assessment

The risk assessment has been kept under review and has now been updated. The results of the assessment are summarised in schedule 1 with further details being provided in a background paper. This shows the minimum level of balances could be reduced to £1.5 million. It is then a matter of judgement whether it would be desirable to hold any further level of balances beyond this, or to seek to rebuild balances above this level in the future to provide for future flexibility.

The main issues to mention concerning the assessment are: -

- While the possible requirement to meet capital spending from revenue resources is still recognised as a potential risk the assessment is "nil" because of the current level of funds held in the capital expenditure reserve and the introduction of the Prudential Code.

- This year's assessment has reviewed the approach of separately identify the risks connected with "trading activities" and "income" and instead these have been combined and assessed as a medium risk. This specific change will be reviewed alongside final budget proposals.
- In view of current low levels of inflation and the fact that the pay award for 2010/11 has already been agreed the allowance in respect of inflation has been reduced.
- Investment income has been identified as a risk area. In last year's risk assessment this was changed to be classified as a "high risk" and due to the continuing uncertainty in the world economy this has been maintained for next year.
- The assessment includes the risk that the VAT exemption limit will be exceeded with a consequent loss of recoverable VAT. Regular monitoring and active management of new schemes minimises this risk.
- The concern over the funding of the pension fund is recognised in the assessment. However "risk" is assessed as "low" and has been reduced for 2010/11 because the anticipated increased contributions from the 2007 valuation required have been built into the budget.
- On the basis of earlier years' outturns and current year monitoring particular areas have been identified as potential risk areas for variances: cash flow, benefits, emergencies, new spending, litigation, partnerships, Renaissance programme and the budgeting process. These are being regularly reported on as part of the current year monitoring. All of these areas have been reviewed with some changes proposed with are addressed in the risk assessment.

Implications

The risk assessment will be carried out at least annually as part of the budget process. While the current assessment indicates a minimum level it is important to recognise that there are implications of operating at this level. As noted above we have traditionally had a level of balances that have provided flexibility and enabled new initiatives to be considered outside the annual budget process. Operating at the minimum level requires an approach and a discipline to: -

- Ensure all spending aspirations for the coming year are assessed as part of the annual budget process. The continued development of the Medium Term Financial Forecast will assist in this.
- Recognise that it will not be possible to draw on balances to fund new discretionary initiatives identified in the year, however desirable they may be; an alternative source of funding would need to be identified.
- Realise future assessments could identify a need to rebuild balances
- Accept that the potential for interest earnings on balances will change depending on the level of balances held. (This will be reflected in the budget accordingly.)
- Acknowledge that any balances desired for future flexibility/change management will need to be built up over and above the prudent level identified.

In addition it is acknowledged that it may be necessary for balances to fall below the recommended level. Balances are provided to mitigate unbudgeted cost pressures and as such at times they may be used to provide temporary support to the Council 's budget.

REVIEW OF REVENUE BALANCES 2010/11

RISK MANAGEMENT ASSESSMENT

Factor	Assessed Risk		
	High £'000	Medium £'000	Low £'000
Cash Flow	950		
Capital (nil given reserves and receipts)			0
Inflation		100	
Investment Income	150		
Trading Activities and fees and charges		200	
Emergencies		50	
Benefits			100
New Spending – legal commitments			100
Litigation		150	
Partnerships			100
VAT Exemption Limit			350
Budget Process		100	
Revenue impact of capital schemes			150
Renaissance programme			0
Concessionary fares			50
Pension Contribution			50
	1,100	600	900

	Minimum Provision
High Risk – 100%	1,100
Medium Risk – 50%	300
Low Risk – 10%	90
Sub Total	1,490
Unforeseen factors,	10
Recommended level	1,500

**General Fund Balances
Current Position**

	£'000	£'000
Balance as at 31 March 2009 (As per Statement of Accounts)		2,891
Movement on balances during 2009/10:		
• Financing carry forwards		(222)
• Funds released in previous years to carry forward to 09/10 (includes invest to save projects)		(178)
• Supporting 2009/10 budget:-		
Items included in 2009/10 budget	(484)	
Emerging pressures agreed	(285)	
Further pressures identified (see note 2)	(250)	
	(1,019)	(1,019)
Projected Balances as at 31 March 2010		1,472
Less anticipated support to 2010/11 budget		0
		1,472
Proposed minimum balance		1,500
Potential deficit balance as at 31 March 2010 (assuming the current year outturn is "on budget")		28
Potential deficit as at 31 March 2010 (if 09/10 outturn is in line with position reported to FASP)		316

Note:

1. This forecast is on the basis that there are no further calls on balances during the remainder of the year and that the current year's budget is delivered in line with the current position reported to FASP, with the position also shown if the outturn is delivered on budget.
2. Forecast includes proposal to release £250k this year to fund additional legal costs in respect of the VAF.

Earmarked Reserves and Provisions

A. Earmarked Reserves

Reserve	Amount 31/03/09 £'000	Estimate 31/03/10 £'000	Comment
Renewals and Repairs (including Building Maintenance Programme)	2,888	2,600	Maintained for the replacement of plant and equipment and the maintenance of premises. Annual contributions are based upon the estimated renewal or repair cost, spread over the life of the asset.
Insurance	594	725	To cover the self-insurance of selected properties. The balance held in reserve is considered to be at an appropriate level. The balance of the fund is split with a proportion specifically identified as a provision against the cost of claims (see section B).
Capital Expenditure	3,062	2,500	Revenue provision to fund the capital programme. The reserve is fully committed to funding the current capital programme. However actual use of balance is dependent not only on progress of spending on approved capital schemes but also level of other resources, mainly capital receipts, received. £205k per annum is being transferred to revenue in respect of accommodation but this stops for 10/11. The transfer in respect of the Community Stadium will also continue in 09/10 and 10/11.
Regeneration Reserve	437	216	Maintained to finance non-recurring expenditure incurred during the development of the Council's four regeneration areas. Spending of £221k included in budget for 2009/10 and £166k planned for 2010/11.
Asset Replacement Reserve	9	0	A reserve for the future replacement of vehicles and plant. The vehicle replacement policy has been reviewed. Revenue contributions to this reserve have now ceased and the funding for the majority of repairs is now sourced from the Council's Capital Programme.
Gosbecks	423	400	Maintained to provide for the

Reserve	Amount 31/03/09 £'000	Estimate 31/03/10 £'000	Comment
Mercury Theatre	184	209	development of the Archaeological Park. The main source of funding was a 'dowry' agreed on the transfer of land. Provision for the building's long term structural upkeep.
Hollies Bequest	12	12	Provision for the upkeep of open space.
Section 106 monitoring	209	164	Required for future monitoring of Section 106 agreements. From 2009/10 onwards it has been agreed to use £60k from this reserve on an annual basis to support the budget.
Community Stadium - loan	35	35	To cover set up costs and working capital. No repayments are expected within 2009/10. The loan is repayable to the Council within 7 years from the agreement date of 29 January 2008.
	7,853	6,861	

B. Provisions

Reserve	Amount 31/03/08 £'000	Estimate 31/03/09 £'000	Comment
Insurance	323	160	This element of the fund is specifically set aside as a provision to meet the cost of claims, notably subsidence. Some work on properties in respect of subsidence planned to be completed in 2009/10.
	323	160	



Strategic Overview and Scrutiny Panel

Item
12

9 December 2009

Report of	Head of Corporate Management	Author	Lucie Breadman 📞 282726
Title	Half yearly Performance Report including progress on Strategic Plan Action Plan		
Wards affected	'Not applicable'		

The Panel is invited to consider the performance report for the period up to end of September 2009 which includes progress of our Performance measures and an update of progress of the Strategic Plan Action Plan.

1. Action required

- 1.1 The panel is asked to consider / comment upon the combined performance update, as at Appendix 1, for the period up to the end of September 2009 in relation to our Organisational performance measures and progress update of the Strategic Plan Action Plan (SPAP) as at Appendix 2.

2. Reason for scrutiny

- 2.1 Part of the Council's performance management framework includes the commitment to report our half yearly performance progress to Strategic Overview and Scrutiny Panel.

3. Background information

- 3.1 The council has agreed a number of key performance areas which it uses as part of its Performance Management Framework to help monitor progress and improvement. This report provides an update of our Organisational indicators along with a half yearly review of progress against our Strategic Plan Action Plan (SPAP). (See Appendix 1 & 2 attached).

4. Performance Summary

- This Q2 Performance Report will be reported to Cabinet on 27 January 2010.
- Our overall basket of organisational performance measures shows that 61% of indicators are forecast to meet year end targets.
- 11 Indicators (36%) are showing amber alerts and as such are being monitored closely with 1 indicator (3%) being shown as having a red alert - 'average time to re-let council houses', an update of this indicator is included on appendix 1 attached.
- Monitoring of the actions within our Strategic Plan Action Plan shows that 86% of actions progressing well and we already have some positive outcomes.
- The council has also received a number of awards and accreditations highlighted at the end of appendix 1.

5. Strategic Plan references

5.1 This report provides an update of progress against the Strategic Plan Action Plan (SPAP) developed to support the delivery of the Councils agreed Strategic Plan Priorities.

6. Consultation

6.1 The contents of this report do not have any direct implications with regard to consultation however the Strategic Plan and priorities were agreed following wide public consultation.

7. Publicity considerations

7.1 The National Indicators are a statutory requirement and our performance against them needs to be published on an annual basis, by us and by the Audit Commission.

7.2 In addition, those indicators which are specifically referenced in the Local Area Agreement are collated by the County Council and shared with our partners.

7.3 The performance report contains key measures for National Indicators, Local Indicators and our SPAP many of which are used to monitor the performance of our services and as such these may be of public interest.

8. Financial implications

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

9. Equality, Diversity and Human Rights implications

9.1 The National Indicators were introduced by central government to improve the quality of life for local people across the country by using a consistent set of data. Thus progress and improvement of these and many of the actions within the Strategic Plan Action Plan (SPAP) support our aims of improving the lives and services for everyone in the Borough.

10. Community Safety implications

10.1 There are performance measures and actions within the SPAP which aim to improve community safety and as such this report provides progress updates in this area.

11. Health and Safety implications

11.1 This report has no direct implications with regard to Health and Safety.

12. Risk Management implications

12.1 We aim to deliver against the National Indicators and the SPAP as both form a key part of our organisational performance assessment and as such could reflect on how well we deliver services to our residents.

Background Papers

Not applicable.

1.0 Included in this Report

Performance Summary	Page 1
Progress of National Indicators	Page 2 - 4
Progress of CBC 'Have Regard to' LAA Indicators	Page 5 - 6
Progress of our Local Indicators	Page 7 - 9
Progress of our People Indicators	Page 9 -10
Progress of the Strategic Plan Action Plan	Page 11-12
Other Performance News	Page 12-13

2.0 Performance Summary

The Council has agreed a number of key performance areas which it uses as part of its Performance Management Framework to help monitor progress and improvement. This report provides an update on our 'Organisational' and 'People' performance indicators along with a half-yearly review of progress against our Strategic Plan Action Plan (SPAP).

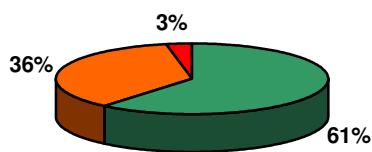
Overall the Council is on target with 61% of our basket of organisational indicators, with only 1 indicator currently being reported as red. 86% of our strategic plan actions are progressing well at this stage of the year.

The remainder of this report takes a more detailed look at these specific areas along with a summary of other performance areas at the end of the report.

Green Alert – Indicator is forecast to meet or exceed target set given current performance.

Amber Alert – Indicator is at risk of not meeting the target set at yr end given current performance.

Red Alert – Indicator is unlikely to meet target set at year end given current performance.

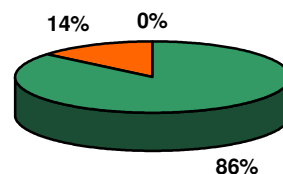


Performance Indicators

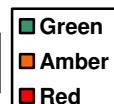


Strategic Plan Actions: The graph below shows we currently have an overall position of:

- 0% forecast as unlikely to achieve (red)
- 14% forecast at risk (amber)
- 86% forecast to achieve (green)



Strategic Plan Actions



Organisational Indicators: As the graph above shows we currently have an overall position of:

- 3% forecast as unlikely to achieve (red)
- 36% forecast at risk (amber)
- 61% forecast to achieve (green)

3.0 Progress of our National Indicators

The table below provides the latest data from our basket of organisational performance measures in relation to the National Indicators that we are monitoring at a corporate level. Each indicator has its current performance against the target set for the year and a comment from the Head of Service in relation to progress or improvement.

Overall in this section performance is positive with the majority of indicators predicted to meet year end targets at this stage. There are a number of ‘Amber’ alerts where targets are at risk and as such leads are monitoring progress closely. Some key areas to highlight:

- The time taken to Process new claims to housing and council tax benefit (NI181) has improved and represents good performance given the increase in claims, improvement since last year and the economic climate.
- Planning performance has improved across all three categories.

The National Indicator Table Results for Period to September 2009

Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
NI14 Avoidable contact	n/a	16.2% No alert	This indicator measures the number of contacts that are of low or no value and could have been avoided. The 16.2% covers the range of services that the CSC are the first point of contact (telephony only) meaning that the range is wide and differentiates greatly between services. Some services are reported as 5% whereas others are as high as 40%. The percentage of contacts measured is still significantly lower than the number of contacts received council wide. The measurement of this indicator is still in the very early stages and rolling it out council wide will take some time. While there are no nationally set target our performance, when compared to the 40% average stated by the Audit Commission, shows that we are doing well. Lead: Leonie Rathbone
NI 35 Building resilience to violent extremism	Level 2	GREEN	Prevent Strategy and Action Plan now complete with government funding for Prevent Officer secured for 12 months. Colchester and Tendring CDRPs, councils and LSPs have agreed to jointly work together across North East Essex to deliver the Prevent Action Plan. This work is led and co-ordinated by the Colchester Community Safety Team. Lead: Gareth Mitchell

Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
NI 157 Processing of planning applications v targets for 'major', 'minor' and 'other' application types	major 60%	major 69.6%	Performance over the first half of the year April-Sept has been excellent. All three categories significantly exceed the national targets (60%, 65% & 80% respectively). In terms of the more stretching local targets we are currently above for majors of 60%. We have edged closer to the 'minors' and 'others' target. Currently it is one out of three with a reasonable prospect to boost the other two categories once the staff secondments have finished and resources return to the service. Other structural changes within the service are planned and these will boost performance further. Lead: Beverley Jones
	minor 85%	minor 73.3%	
	other 95%	other 90.5%	
	AMBER		
NI 159 Supply of ready to develop housing sites	830	GREEN	The Strategic Housing Land Availability Assessment (SHLAA) is currently being updated and will be used to inform the Housing Trajectory and Annual Monitoring Report. We are able to demonstrate a 15 year housing land supply. Lead: Lindsay Barker
NI 170 Previously developed land vacant /derelict over 5 years	n/a	GREEN	Updated table of sites will be made available when this year's figures have been processed, ref comments at NI 154. Lead: Lindsay Barker
NI 180 housing/council tax benefit entitlement Changes	21,000	15,685 GREEN	This is a cumulative target and as such is ahead of profile at this stage of the year and if this trend continues our target will be passed substantially. Lead: Charles Warboys
NI 181 Time to process benefit new claims/change events	13 days	14.09 days GREEN	While processing is currently one day behind the targets set this does represent improved performance given the increased claims and economic climate and if this trend continues it indicates outturn will hit target or better. Lead: Charles Warboys
NI 182 Satisfaction of businesses with LA regulation services	85%	79% AMBER	Full year figure counts, but slight reduction could reflect increased pressures felt by small businesses in recession. Target is challenging - only six Essex LAs (including CBC) exceeded our current figure last year. Lead: Colin Daines

Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
NI 184 Food establishments in area, broadly compliant with food hygiene law	95%	92.04% AMBER	Premises inspected are different to those responsible for 2008-09 figure, making year to year comparisons slightly misleading. Good response to tough target. <p style="text-align: right;">Lead: Colin Daines</p>
NI 185 CO2 reduction from local authority operations	850 tonnes of CO ²	N/A (annual target) GREEN	This indicator is reported annually. The results for the baseline year showed that the Council emits 10,076 tonnes of CO ² . Projects through the Local Authority Carbon Management Programme planned for this year including the replacement of the fitness pool roof, the new cremators and the introduction of the Power Perfector system should enable us to meet the agreed annual target reduction. <p style="text-align: right;">Lead: Matthew Young</p>
NI187 Fuel Poverty - % of people receiving inc based benefits living in homes with low energy rating.	SAP < 35 =6% SAP > 65 = 33%	N/A (annual target) GREEN	We have commissioned the survey work which is being co-ordinated in the region by Carbon Action Network East. The surveys are due to be sent out in October with the results expected in the new year. <p style="text-align: right;">Lead: Matthew Young</p>
NI 194 Level of air quality – % reduction in NO _x and primary PM ₁₀ emissions through CBC's estate and operations	2% less	AMBER	The indicator follows the same processes as NI185 for data collection. For 08-09 (baseline year) the Council produced the following from buildings and operations; PM10 (kg) = 14,148. NO _x (kg) = 364. Work through travel planning and the LACM will reduce these emissions, we will be developing a process calculating the potential reduction from these projects to support target setting in the future. <p style="text-align: right;">Lead: Matthew Young</p>
NI 196 Improved street and environmental cleanliness-flytipping	590	265 GREEN	Fly tips are down by 18% Targeted local and national campaigns have had an effect on fly tipping figures in 2009 although after the first 2008 campaign in July reports increased due to public awareness of how to report fly tipping. An extension to the free bulky collections may also have had an effect. <p style="text-align: right;">Lead: Matthew Young</p>

4.0 Progress of our LAA ‘Have Regard to’ Indicators

Local Area Agreement (LAA) Indicators are national indicators that have been agreed as priorities by partner organisations across Essex. There are some which Colchester Borough Council ‘has regard’ to and as such we monitor these separately. Progress of their performance up to the end of September is included in the table below and key areas include:

- We are on track to deliver the agreed number of affordable homes this year and official figures for last year are now included below.
- The number of people in temporary accommodation has reduced which is important to us and is the result of partnership working and improved activities which are ongoing.

The Local Area Agreement Table Results for Period to September 2009

Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
NI 154 Net additional homes provided	855	GREEN	Annual net figure of 1041 for period 1.4.08 – 31.3.09. Figures for the first part of this year are not available as yet but the SHLAA indicates we should meet the target of 855 for 09/10. Lead: Lindsay Barker
LAA LI2.2 / NI 155 No. of affordable homes delivered (gross)	128	90 (cum) GREEN	The information for this indicator is collected quarterly although it is reported annually (annual target). The mid-year cumulative result suggests that this indicator is on track to meet the year end target. Lead: Lindsay Barker
NI 156 Number of households in temporary accommodation	200	212 AMBER	The outturn 219 is a snapshot position of the number of households in temporary accommodation at 30 th September. This is an improvement on our position for the same period last year which was 224. During the last quarter there has been a sustained reduction in the use of Bed and Breakfast accommodation which has reduced to 17 households this quarter from 23 in the previous quarter. The reduction in the use of Bed and Breakfast has continued during October and at the end of October there were 13 households in Bed and Breakfast Lead: Gareth Mitchell



Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
NI 186 CO2 reductions per head in CBC's area	0.3 tonne less per capita	n/a GREEN	This indicator is reported annually, however the data provided by DEFRA runs 2 years behind. Data for 2007 was released in September 09 and although we cannot comment on year 08/09 we can see that emissions per capita are reducing. The reduction between 2005 (baseline) and 2007 is 6.3% (or 0.4 tonnes CO2 per capita) Lead: Matthew Young
NI 188 Planning to adapt to climate change	level 2	n/a GREEN	This indicator is reported annually through a self assessment matrix. We are on track to meet Level 2. Lead: Matthew Young
NI 191 Residual household waste per household	508kg	200.395 kg GREEN	Waste to landfill has reduced by 7.07% compared to the previous year. This equates to a 1412.95 tonnes reduction in waste sent to landfill against the same point in 08/09. The reasons for this reduction are a combination of the economic climate forcing a reduction in food thrown away, increased waste awareness and a reduction in the food packaging by consumers and industry. In addition, Colchester's figures have been reduced by the introduction of a trial recycling street sweepings - the figure recycled and therefore diverted from landfill for September 09 was 163 tonnes, an actual turnaround of 326 tonne. Lead: Matthew Young
NI 192 Household waste reused, recycled and composted	40.0%	42.6% AMBER	As NI191 explanation figure shown April to September 2009. We will also expect to see further increases as a result of the extension of recycling facilities to all flats and the 'door stepping' campaign which commenced in October 2009. Lead: Matthew Young
NI 195 Improved street and environmental cleanliness (levels of graffiti, litter, detritus and fly posting)	Litter 5.6%, Detritus 11%, Graffiti 5%, Fly posting 1%	Litter 8% Detritus 9% Graffiti 4% Flyposting 0% AMBER	April to July figures included - next report due December for Aug - Nov. Unable to forecast as different areas used for each assessment. Comparable to last year, litter figures increased 4% while graffiti, detritus and flyposting have decreased 2% Lead: Matthew Young

5.0 Progress of our Local & Life Chances Indicators

We have a number of indicators that have been selected because they are relevant to local priorities and progress of these for the period up to the end of September is included in the table below. A summary of some key areas includes:

- While sickness figures have improved year on year, this latest report shows a drop in performance of nearly half a day.
- Where a decision against a planning application is appealed we are performing well when compared to the national average.
- The average time taken to re-let council houses has improved this quarter to 36 days from 39 and from 40 days this time last year. However this is still behind the target we want to achieve and progress and improvement activities are therefore being closely monitored.

The Local and Life Chances Indicator Table Results for Period to September 2009

Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
ex-8 Invoices paid on time	98.5%	98% AMBER	Quarter 2 figure has much improved from quarter 1 but as ever services need to remain vigilant as this is a stretching target. Lead: Charles Warboys
ex-9 Council Tax collected	98.5%	64% GREEN	Despite the difficult economic situation, collection rate to date remains at the same level as this time last year, when the target was met. Lead: Charles Warboys
ex-10 Business Rates collected	98.5%	67.3% GREEN	Collection rate at the half year was slightly lower than for the same period last year due to a retrospective increase in the RV of the Garrison which had not been paid. This has now been paid and collection rate is slightly ahead of last year. Lead: Charles Warboys
ex-12 sickness rate (average working days /employee)	8 days	8.54 AMBER	Rate per employee is up almost half a day on last quarter. Swine Flu - The total number of employees who have been affected between April and September 2009 is currently 22 and 108.29 working days have been lost. Stats will be monitored as we approach the colder months when flu is usually more prevalent. Lead: Lucie Breadman
ex-79a Benefit claims processed correctly	90%	88.58% AMBER	Figure reflects quality checks of entire process and recently focused on new staff who are gaining more experience. Lead: Charles Warboys

Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
ex-204 Planning appeals allowed against our decision to refuse	30%	11% GREEN	Better than the national average in so far as we are winning more appeals than most other authorities. Our commitment to pre-application negotiation is likely to mean fewer schemes are unacceptable. We also had 16% of appeals being withdrawn by the appellants. Lead: Beverley Jones
ex-218b % abandoned vehicles removed in 24 hours	80%	92% GREEN	As there are currently less vehicles being abandoned our contractor is easily exceeding the 24 hour deadline to remove those that are. Lead: Matthew Young
ex-212 Average time to relet council houses	28	36 (Cum) RED	The quarter 2 result of 33 days has improved on quarter 1's 39 days, with the cumulative average being an improvement on mid-year 08/09 (40 days). However this indicator is still not meeting the target. The voids process is being closely monitored through the void operational group where long standing voids are analysed. Work continues to review the void process within CBH to ensure any delay in the process is reduced. Despite the improvement actions being in place and improvement in the current performance the fact that this is a cumulative average annual measure means that it is unlikely that this indicator will meet the year-end target. The projection for year-end 09/10 is 32 days (40 days end 08/09). Lead: Lindsay Barker
ex-213 Homelessness cases prevented as % per 1,000 households	4%	2% (cum) GREEN	The number of cases where homelessness has been prevented has improved in quarter 2 to 86 giving a cumulative total of 154, slightly lower than at mid year 08/09. This indicator is on track to meet the year end target. Lead: Gareth Mitchell
Life Chances 10 Reduce Decent Homes gap	50 homes by 2013	n/a AMBER	This indicator aims to reduce the gap between the borough average and the worst affected area for private sector houses falling below the decent homes standard by bringing 50 homes in New Town up to the decent homes standard by 2013. Portfolio Holder agreement is being sought to fund a feasibility study for an area improvement in New Town. Lead: Gareth Mitchell

Indicator	Target 09/10	April - Sept	Comment / Update on progress if reported annually
Life Chances 13 Reduce 'bad debt' evictions	30	10 GREEN	<p>This indicator aims to reduce the number of tenants evicted as a result of debt and not exceed 30 evictions per year by providing pro-active assistance.</p> <p>The position at mid-year is an improvement on the number of evictions for the same period last year which was 13 and are on track to achieve the annual target despite a difficult economic period for tenants.</p> <p style="text-align: right;">Lead: Lindsay Barker</p>

6.0 Performance in relation to our 'People'

The Council monitors a number of People related performance measures including sickness absence, those on formal ill health capability, staff with Personal Development Plans, completion of appraisals and the diversity of our workforce. In addition to these quantitative measures our Human Resource Business Partners meet regularly to discuss other more qualitative people related issues and feed this information back to managers and Heads of Services regularly.

Key Performance Areas

The most recent Strategic HR Team meeting discussed a number of strategic and corporate performance areas across all services. The following areas have been highlighted over the last quarter:

Sickness Absence – The rate per employee is almost half a day up on the last quarter, from 8.09 to 8.54. While Swine Flu has not had a significant impact there have been 22 people affected between April and September 2009 and 108.29 working days have been lost. Stats will be monitored as we approach the colder months when flu is usually more prevalent. In Street Services a new sickness reporting procedure has been implemented and a number of employees are being dealt with under the ill health capability procedure. Overall sickness figures have still improved over the last few years from around 12 days down to the current level and this is a closely monitored indicator within all services.

Flexible Working – Service moves to Rowan House and VDI deployment are well under way. Various workshops have been run to ensure effective communications and HR Business Partners continue to provide support but it is inevitable that there will be some disruption in the coming months.

Recruitment – Vacancies above CMG9 continue to be agreed by SMT and a new process ensuring additional scrutiny, HOS sign off and consideration of internal recruitment as a priority is being drawn up and agreed in November. Turnover remains very low at just over 1%.



Learning and Development – Learning Pool has been launched and demonstrated at most GMTs. HR are looking at alternative delivery channels for the CLM, coaching qualifications and leadership development. Mid-year PDPs will be reviewed for any additional training identified since April 09.

Performance and Reward – Unison consultation continues and we are hopeful of a decision to ballot members on this issue. Mid-year reviews should be well underway. A sample audit of approx. 8% of the workforce has been performed to assess how embedded SMART objectives are and the effectiveness / quality of this process. Overall seems positive but business partners are analysing the results and will discuss any areas of concern with the relevant Head of Service. % of SMART objectives will be confirmed after mid-year reviews.

Employee Survey – Electronic and hard copies were issued on 5th November with a 2-week closing date. Minimum response rate of 40% required to obtain data from Best Companies; results available in the New Year. We will undertake benchmarking again and the survey relates to all the public sector and not just councils.

Health & Safety – Key areas of focus include: i) year-long awareness campaign supported by Communications team to raise profile of H&S; ii) Incident stats remain low in this quarter and these will continue to be monitored; iii) an audit of the “5 Cs” (Co-operation, Co-ordination, Communication, Control and Competence) centralised information system used in all council buildings to ensure our staff as well as contractors work safely has been performed and results are to be acted upon; iv) Fire Service inspections at Ascot House and Angel Court. Levels of safety must be maintained during the move to Rowan House over the coming months.

Fundamental Service Reviews – *Housing*: Business Plan complete and going to SOS in November and Cabinet in December. Implementation plan currently being drafted whilst employees and Unison are kept informed. *Revenues & Benefits*: Review beginning in early November with a projected completion date of end of February 2010.

7.0 Progress of our Strategic Plan Action Plan

The Strategic Plan is focused on providing direction and vision for the aspiration for Colchester as a place for its people. We have developed an action plan to help delivery the strategic improvement priorities set out in the Strategic Plan.

Appendix 2 provides a table with all the current actions and their performance. In summary no actions a currently forecast to fail, 86% of the are currently progressing on target and 14% are being monitored closely.

Some key areas to highlight from each of the priority areas include:

Addressing Older People's Needs

- A younger and older people's resource secured within the Council.
- Agreed a service level agreement with Age Concern to provide benefits take up work with older people.
- A multi-agency 'Older People's Forum' has been established.

Addressing Younger People's Needs

- Regular meetings established between Cabinet and Colchester Young Essex Essex Assembly / Youth Council Members.
- Promotion of the MEND scheme (to reduce childhood obesity) at 6 parent information evenings.
- Revised play area development and action plan agreed

Community Development

- 11 Community champions trained and some have successfully moved into employment already.
- Safer Colchester Pilot has attracted £150,000 of funding and is progressing well.
- Two successful 'Days of Action' held to tackle anti-social behaviour.
- SOS Bus operating Friday and Saturday with 112 volunteers and day-time events.

Congestion Busting

- Personalised travel planning underway in Highwoods.
- North Colchester Integrated travel plan launched.
- A12 Junction work progressing well.
- 2.5km of foot and cycle paths improved through Highwoods residential area.

Enabling Job Creation

- 'Promoting Colchester as a Cultural Hub' event held in October in partnership with Regional Cities East and Centre for Urban Renaissance.
- LAA reward grant being used to increase the level of business start ups.
- Town Centre Project Plan in place and consultation processes in place with local business community.

- Achieved target to increase proportion of working age population qualified to level 3 NVQ or higher
- NVQ level 2 training provided to 75 local residents to help secure employment with Waitrose. A further 100 people will receive this training for possible opportunities with Sainsbury's.

Healthy Living

- Joint post recruited with the NHS to work on Health Priorities in the area.
- Delivery of certain health initiatives, such as body care, tennis coaching and tri golf have had to be revised downwards due to staff vacancy.
- Six new health walks have been introduced against a target of three.
- More than 300 residents have already been advised on better insulation and heating in their homes this year well ahead of the target of 500 for the year.

Homes For All

- Homechoice to be integrated into CSC/Infopoint from November 2009
- 30 properties have been improved through the fuel poverty scheme but timescales have slipped on the request for funding to conduct a survey of properties in New Town, now looks likely in March 2010.
- 46 empty properties have been bought back into use as at September 2009.

Reduce, Reuse and Recycle

- Kerbside recycling service extended to all flats.
- Door stepping project commenced in October to increase levels of participating in recycling.
- Monthly 'blitz cleans' taking place along with 'days of action'.
- Free recycling service now provided to all schools.

8.0 Other Performance News

In addition to the key monitoring processes that we have in place with our Performance Indicators and Strategic Plan Action Plan, there are many activities and improvements taking place on an ongoing basis within services and in partnership. A summary of some of these are included below:

Performance - The Council has received confirmation that it has been awarded a level 3 overall for our Use of Resources Assessment - a key part of the Comprehensive Area Assessment Framework introduced in April 2009.

Customer Excellence - We received the Institute of Customer Service's Approved Centre Certificate in September, which recognises the successful implementation and operation of our ICS awards programme.



Customer Excellence - We are providing free, confidential and impartial advice for local businesses in the economic downturn regularly on Tuesdays. This new service is being run together with the Colchester Business Enterprise Agency and Jobcentre Plus.

Customer Excellence - 'Combating the Credit Crunch' – our use of customer data to pinpoint those in most need of our help was recognised in the Cabinet Office's 'Customer Matters'.

External Funding - Our SOS Bus and crime reduction partnership received further recognition at the East Of England Innovations Day in October with their excellent funding bid receiving the full £15,000 requested in the 'Pirate's Cove' competition. We also received the full £10,000 requested for Leadership training from Improvement East.

Place Survey – the final results showed that of the 18 NIs collected via this survey, the Council was above the national average for 8 and below the average for 10 National Indicators.

Partnership Working - Colchester was one of only two districts invited to a GO-East regional workshop to contribute to the DCLG's project on the future direction of the NI set.

Awards and accreditations include:

- Community Stadium being runner-up in the 'community benefit' category of the national RICS awards, having already achieved the RICS 'project of the year' award at the eastern regional finals.
- Communications team has been shortlisted in both the Local Authority PR Team of the Year and the Outstanding in-house PR team in the Goods Communications Awards 2009 and CIPR Pride Awards respectively.
- Lexcel – national practice management accreditation for legal services.
- 'Honourable mention' for the cemetery in Memorial Awareness Board awards.
- Green Flags for Castle Park, High Woods, cemetery and crematorium.
- Park Mark accreditation for all Council owned car parks.
- Sport and Leisure Service were rated as 'Highly Commended' for their Sports Development work following an assessment undertaken in September 09 through the Quest scheme. The rating received was 78%; a 5% increase on our 2007 assessment.

Strategic Plan action plan – 2009-10 actions

Addressing older people's needs

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Survey, analyse and review services using existing insight from partners and top 5 issues from older people's groups	Appropriateness and focus of services tested against the local priorities for older people	Agree with partners our top 5 priorities for action in Colchester Develop action plans for these priorities	May 2009 August 2009	Matt Sterling	The Older People's Forum has agreed 5 priorities and actions to achieve these.	Green
Create a "Younger and Older People's Community Development" resource	Officer capacity to progress the Strategic Plan priorities around younger and older people	Officer capacity within the Life Opportunities Service group secured	March 2009	Gareth Mitchell	Capacity secured in the Community Development team.	Green
Engage Essex County Council and NHS North East Essex as primary partners with strong links to named officers in both organisations	Effective partnership working with the two key statutory agencies for older people's services	Named link officers identified Establish effective communication/joint-working with named link officers	April 2009 March 2010	Gareth Mitchell	Achieved with NHS North East Essex. Link officer identified with ECC, but further work required to establish joint working.	Green
Encourage take up of benefits by older people through Welfare Rights team	Increased incomes for residents aged 60+	Agree Service Level Agreement with Age Concern Help older people access £300,000 extra income	April 2009 March 2010	Matt Sterling	A Service Level Agreement has been signed with Age Concern to provide benefits take-up work with older people. Performance data will be available shortly.	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Set up a quarterly Colchester 'Older People's Forum' that feeds into setting annual key priorities	Clearer understanding of priorities for older people's services	First meeting held Agree work plan for this forum	April 2009 July 2009	Matt Sterling	This multi-agency forum has been established and is establishing shared priorities.	Green
Use the assessment of older people's housing needs to prioritise investment including investigating the potential of a Care Village	Improve the feelings of safety for citizens in later life Promote independence in the home Dispel the myth that people in later life are a burden	Options paper to relevant Portfolio Holder(s) setting out needs, opportunities and constraints	March 2010	Tina Hinson	Cabinet considered and approved project to proceed with disposal of former football ground at Layer Road to enable to development of extra-care sheltered housing scheme for older people.	Green

Addressing younger people's needs

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Lead the Colchester Children and Young People's Strategic Partnership (CCYPSP) in focusing on priority needs	Effective local delivery of children and young people's services	PFH for Performance and Partnerships appointed Chair of the CCYPSP	March 2009	Gareth Mitchell	PFH for Performance and Partnerships chairs the CCYPSP (CCYPSP Board to be replaced with a North East Essex Children's Trust Board late in 2009 – CBC role to be established).	Green
Work with key partners to ensure the safety and wellbeing of our children	Safeguarding children is a priority for CBC and our partners when developing joint initiatives	Safeguarding agenda embedded in the work of the CCYPSP Completion of Section 11 (Children Act 2004)	December 2009 March 2010	Gareth Mitchell	Safeguarding is a standing item on CCYPSP board agendas and attendance from relevant partner agency is established. S11 Audit underway.	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Increase collaboration between the council, local schools and their students	Effective communication and partnership working between CBC, local schools and students	Audit of CBC's safeguarding arrangements and resulting action plan. Cabinet to regularly meet Colchester Young Essex Assembly/Youth Council members Agree with CCYPSP partners (including schools) a "Life Opportunities" target around primary school attendance	Ongoing September 2009	Gareth Mitchell/Matt Sterling	Quarterly meetings with Cabinet diarised. South area primary schools agreed to new collaboration on attendance in October – target to cover 09-10 academic year.	Green
Create a "Younger and Older People's Community Development" resource	Officer capacity to progress the Strategic Plan priorities around younger and older people	Officer capacity within the Life Opportunities Service group secured	March 2009	Gareth Mitchell	Capacity secured in the Community Development team.	Green
Assist in enabling a broader provision of voluntary/charitable youth groups/activities based in local communities	More positive activities for young people	Positive activities identified in the Colchester Children and Young People's Plan and CCYPSP Commissioning themes Make Community Development officer capacity available to community/voluntary groups	September 2009 April 2009	Gareth Mitchell	CCYPSP commissioning round completed and services around positive activities commissioned. Capacity secured in the Community Development team.	Green
Actively work with NHS North East Essex Healthy Schools Team to implement	Reduced levels of childhood obesity and teenage pregnancies	Promote anti-obesity programmes such as MEND through Healthy School workers	May 2009	Matt Sterling	Community Development workers have promoted the MEND scheme at 6	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
prevention services targeted at children and families in deprived neighbourhoods.					Parent Information events at Primary schools and with School Nurses. 3 programmes will be delivered this year (one completed, one underway, one planned for January 10).	
Review and deliver the Colchester Play Strategy	Improved access to play opportunities for children and young people	Agree revised Play Area Development Plan and begin implementation of the action plan	March 2010	Bob Penny	Play Area Review incorporating domains to identify deprivation and areas of need completed. Report to be presented to Portfolio Holder in November 09.	Green
Ensure the work on raising skills levels in the Economic Prosperity Strategy is focused on youth skills priorities	Provide younger people with the skills to enable them to compete effectively in changing economic conditions	Work with the Learning Skills Council, North East Essex Education Business Partnership, including Heads of Schools and the Colchester Institute, to help ensure that the 14-19 agenda including the Diploma and Apprenticeship has the appropriate level of business engagement	March 2010	Nigel Myers	Proposed the post of Employer Engagement Manager for Colchester Skills Diploma Area Planning Group; participating in the APG group and in particular, the Creative and Media Diploma element; researching and working to develop the uptake of Apprenticeships by individuals and employers under the newly launched	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
					National Apprenticeship Service.	

Community development

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Develop a Place Shaping strategy to delegate decision making and service delivery to local communities and respond to the opportunities provided by the Sustainable Communities Act 2007	Clear CBC approach to Sustainable Communities Capacity building within Community for delegated decision making	Citizens Panel established Constitution amended to reflect new legislation Paper on strategy to Leadership Strategy adopted	October 09 October 09 June 09 Mar 10	Ian Vipond	Paper on Sustainable Communities Act and Empowerment white paper went to leadership and Council agreed to adopt its objectives. Various elements of the constitution have been amended. 'Citizen Panels' are being used in Task and Finish work but no single 'Panel' has been created.	Green
Work with a wide range of statutory and voluntary organisations to deliver the projects in the action plans for the skills and worklessness 'Life Opportunities' targets	Increased skills levels and decreased levels of worklessness amongst residents	Support 11 Learning Champions (ongoing) Agree Grant to Signpost	Ongoing April 2009	Matt Sterling	11 Champions have been recruited and trained. Some have moved into employment but others are being recruited. A grant for Signpost has been approved.	Green
Invest in voluntary sector organisations to direct work at our Strategic Plan priorities	The voluntary sector contributes work to achieve our strategic priorities	Grants agreed Grants awarded Monitor performance	February 2009 April 2009 October 2009 and March 2010	Matt Sterling	6-monthly grant awards were made in April, with a Portfolio Holder decision for the second period just signed. Performance data is currently being	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Work with communities to release resources from a range of sources to deliver tangible community provision using the community facilities audit	More community facilities	Development Team attended fortnightly by Community Development Co-ordinator Community Facilities Audit completed New Community Facilities Supplementary Planning Document adopted	Ongoing June 2009 March 2010	Matt Sterling	Development Team is being attended regularly; the Community facilities audit is now complete (but with the capacity to be regularly updated); and the revised SPD is about to be adopted.	Green
Identify and work with residents to build their skills to work in their communities	Increased volunteering and pride in communities	Quarterly action planning meetings held with 1 Learning Champions Mini-conference held to support resident NAP members	April 2009 to March 2010 April 2009	Matt Sterling	Regular action planning sessions are being held with the Learning Champions. A mini-conference was held to support NAP panel members in Spring 09.	Green
Engage residents and community groups in target wards to foster increased community spirit and achieve community priorities	Increased pride in communities, increased volunteering, reduced fear of crime	Finalise proposal for a Safer Colchester pilot with Essex Management Board	July 2009	Matt Sterling	This project successfully attracted about £150,000 of external funding. The Co-ordinator is in post and the project started in September.	Green

Community safety

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Co-ordinate a series of 'Days of Action' to tackle crime and	Reduced anti-social behaviour and fear of crime	3 days organised and delivered	Ongoing	Matt Sterling	2 successful days held this year so far with a third planned. The	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
improve the quality of life in neighbourhoods					days have been extended with external funding into the Safer Colchester pilot.	
Reduce crime and anti-social behaviour in the town centre in the evening and encourage greater use by people of all ages	An increased positive perception of the Town Centre during the evening which generates a diverse range of people who are attracted by a wider range of events/activities on offer. The wider range of town centre users promotes a self-regulating approach to anti-social behaviour which reduces the reliance on enforcement activity	Final report from the Night time Economy Task & Finish Group which includes short, medium and long-term action recommendations to be fed into ongoing work related to the Town Centre. Workshop in May to gain customer insight and engage key stakeholders Peer Research to gain customer insight	Update Report by August 09 Workshop in May 09 Peer Research in November & December 09 Final Report by end March 2010	Beverley Jones	Workshop organised in May 09 with insight, actions and recommendations captured and provided as part of the update report in August 09. Peer Research questionnaire designed and subject to continuing support from Elected Members will commence in November 09. A brief for commissioning the Best Practice Research has been written and we are starting discussions with University of Essex. Further consultation to be carried out by Colchester Police during a series of evenings. This is also due to commence prior to Christmas.	Green
Support the	Financial sustainability	Open Road operate	Ongoing	Matt Sterling	The SOS Bus now	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
development and extension of the SOS and Community Bus Project	for the SOS Bus	the Bus Friday and Saturday evenings CDRP funding for bus performance managed	October 2009 and March 2010		operates Friday and Saturday evenings with 112 volunteers and has a wide range of day-time bookings.	
Together with our partners enable communities to challenge anti-social behaviour and develop Neighbourhood Action Panels to ensure community issues are being actioned and resolved	Reduced anti-social behaviour and improved responsiveness by Police, CBC and ECC	15 panels serviced on a monthly or bi-monthly basis Mini-conference for participants held Border changes implemented	Ongoing April 2009 July 2009	Matt Sterling	15 Panels are being serviced throughout the borough. A mini-conference was held in the spring, and border changes implemented during the summer 09.	Green

Congestion busting

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Devise planning policy which ensures new developments incorporate walking, cycle routes and public transport services at the initial planning stages	Planning documents which articulate our plans and can be used to influence others including our partners, the private sector (developers) and funding bodies such as the HGP, EERA, EEDA Increase funding for transportation measures to address congestion through behavioural change.	Updated Transport Strategy Document for Colchester for inclusion in LTP3. Transportation policies included within Development Control Policies and land for transport infrastructure identified in the Site Allocations	December 2009	Paul Wilkinson	Development Control Policies DPD has been published and is due to be submitted in November.	Green
Set up a travel	Increase the number of	Residential	June 2009	Paul	Personalised travel	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
behavioural change programme working with existing communities	people using alternative methods of travel to access the station, the town centre, schools and places of employment.	Sign contract with "personalised travel" planning company. Introduce travel planning in the High Woods area linked to the Cycling Town initiative	2009/10	Wilkinson Nigel Myers Nigel Myers	planning underway in Highwoods. North Colchester Integrated Travel Plan launched and continued engagement in reducing vehicle congestion in area through employer-engagement events.	Green
Work in partnership to release land and deliver the A12 junction, the Northern Approaches Road and the Busway.	Provide new access and release land for housing and economic development through delivery of the A12 Junction and relieve congestion around the North Station area.	Education Workshop held with ECC and partners to identify priorities and actions for education, residential and business Business Approval of the Severalls Travel Plan CIF2 funding awarded Renegotiation of Severalls s106 Notice served on agricultural tenant and Land released for construction of the infrastructure Location and site included in LDF Site Allocation document Provide support to ECC in order to secure	April 2009 March 2010 July 2009	Karen Syrett / Fiona Duhamel Karen Syrett / Fiona Duhamel	Funding agreed. Work to start on site imminently.	Green
Consider a planning application and make available land to allow delivery of Park and Ride at North	Increase the attractiveness of the town centre as a place to live, work, shop and visit. Reduce greenhouse	Provide support to ECC in order to secure	November 2009 March 2010	Karen Syrett / Fiona Duhamel	Park and Ride site shown on the Proposals Map published in Sept. 09. Site Allocations DPD due to be submitted to	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Colchester	gasses produced by transport	funding			PINS in November.	
Upgrade existing and construct new cycle routes using newly acquired Cycling Town status and improve cycle security at rail stations to encourage residents to use bikes/public transport	Increase the levels of people cycling. Reduce greenhouse gasses produced by transport	1.5km of Foot and Cycle paths improved across High Woods Country Park. 2.5km of foot and cycle paths improved through the Highwoods residential area. Launch the improved High Woods Town Centre to Community Stadium Route	March 2010 June 2009 June 2009	Paul Wilkinson	Complete. Complete. North Station to stadium route launched.	Green Green Amber
Commence the changes to the town centre to reduce traffic and improve reliability of the bus operation	Increase the operational reliability of passenger transport especially in the town centre.	Improve the routes linking Greenstead to the Hythe Station area Reach agreement between CBC and ECC on key fundamentals to be agreed for delivery. Agree a programme of delivery for Town Centre Transport Project Deliver a number of "quick wins" to improve public realm and transport	March 2010 April 2009 May 2009 December 2009	Paul Wilkinson / Fiona Duhamel	Underway. Agreed. Good progress – steering group established looking at Town centre as a whole – delivery programme not yet completed. Fire Office will be completed Dec 09. Continue to work with	Green Green Amber

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Improve the environments in and around Colchester's stations, increase the length of platforms at the Hythe station to allow for improved train operation and approve a pilot Travel Plan for Colchester Station	Increase the number of people using alternative methods of travel to access the station and places of employment. Reduce greenhouse gasses produced by transport	Lengthened platforms at the Hythe Improved environment to the Hythe Station Submit Pilot Station travel plan to ATOC. Set up governance arrangements with Partners Improve and increase level of cycle parking at North Station	September 2009 September 2009 May 2009 May 2009	Fiona Duhamel	Completed. Complete except hoardings. Pilot Station Travel Plan submitted to ATOC. Part of Travel Plan.	Green Amber Green Green
Work with Essex County Council to deliver acceptable sustainable changes to the A133	Provide new access and release land for housing and economic development through delivery of the A12 Junction and relieve congestion around the North Station area.	Modifications to the Albert, Colne Bank and Essex Hall Roundabout	April 2009	Paul Wilkinson	Short term measures completed.	Green
LDF Preparation; Site Allocations DPD – submission November 2009, examination March 2010 and adoption August 2010.	Spatial planning plays a central role in the overall task of place shaping and in the delivery of land uses and associated activities.	Site Allocations DPD Dev Policies DPD NS Masterplan Nrth Col. Masterplan	Submission November 2009 April 2010 April 2010	Karen Syrett	Site Allocations DPD – submission November 2009, examination March 2010 and adoption August 2010.	Green Green
Development Policies DPD - submission November 2009,					Development Policies DPD - submission November 2009,	

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
examination June 2010 and adoption November 2010.		Community Facilities SPD	September 2009		examination June 2010 and adoption November 2010.	Green
Supplementary Planning Documents due for adoption 2009 – 11.		Affordable Housing SPD Backland Dev SPD	September 2009		Supplementary Planning Documents due for adoption 2009 – 11.	
Complete East Transit corridor Feasibility Study	Identification of feasible options to deliver improved connections between East Colchester and Town Centre	Feasibility Study Report to allow consideration of options	April 2009	Paul Wilkinson / Fiona Duhamel	Initial study complete.	Green

Enabling job creation

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Exploit Colchester's strategic location between London, Stansted and the Haven Gateway ports to promote international trade, secure inward investment and major infrastructure projects	Create 10 new jobs through Foreign Direct Investment Refresh 'Choose Colchester' inward investment promotion pack Launch tactical campaign directed at 200 key relocation decision makers in the UK Lobby East of England International to shortlist Colchester for all appropriate foreign direct investment enquiries Use culture led place marketing to attract	LAA2 Economic Prosperity Strategy 2007-2010 National, regional and local targeted publicity	March 2010	Nigel Myers	Working on 2 active leads with East of England International to secure FDI. Campaign refresh and launch planned for Spring 2010. Continue to actively lobby EEI which has resulted in active leads. In partnership with Regional Cities East (RCE) and the Centre for Urban for Urban Renaissance (CURE) staging an event	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
	inward investment				aimed at public and private sector 'Promoting Colchester as a Cultural Hub' on 8 October.	
Ensure the availability of sufficient quality employment land via our planning process to meet the needs of our residents	Provide policy expertise to help secure additional 3.2 ha of employment land defined as being of high quality Convert redundant rural buildings into 10 units for commercial use	LDF Economic Prosperity Strategy 2007-2010	March 2010	Nigel Myers	Working towards the inclusion of Stane Park (7 ha.) as a high quality site; now included as an extension of the Stanway Strategic Employment Zone. Also, influenced the LDF Core Strategy to bring forward sustainable rural development sites, now included in the Site Allocations Submission Document. Working with one landowner to bring forward 4 redundant rural units into commercial use.	Green
Use planning gain and other funding streams to raise the number of apprenticeships and increase the take up of training and employment opportunities	Adoption of Supplementary Planning Gain proposal to utilise S.106 funding for the provision of training and apprenticeships Create in partnership with the North East Essex Education	LAA2 Economic Prosperity Strategy 2007-2010	March 2010	Nigel Myers	Draft SPD presented to Development Team and now being submitted to Spatial Policy as an additional and necessary key document. Decision on adoption likely by November 2009.	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Increase incubation and grow-on space to sustain business growth	<p>Business Partnership an additional 100 company placements/apprenticeships as part of their 'Crossing the Gap' initiative</p> <p>Secure funding and management arrangements for incubation and grow on space in North Colchester</p> <p>Influence and provide policy expertise for the development of additional incubation and grow on space at other sites such as Stane Park</p>	LAA2 Economic Prosperity Strategy 2007-2010	March 2010	Nigel Myers	<p>Funding secured for North Colchester Business Incubation Centre (BIC) through attraction of a higher, later bidder; planning application submitted with decision due in December.</p> <p>Negotiations for agreement of lease for the management of the North Colchester BIC are ongoing but must be completed before the construction contract is awarded.</p> <p>Stane Park outline planning contains requirement to build a business incubator.</p> <p>Advice and input being given on the grow-on space which</p>	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09 RAG
<p>Support the creation of new businesses by working in partnership with other agencies nationally and regionally to market Colchester as a preferred business location</p>	<p>Actively support campaigns such as National Enterprise Week in November 2009 to encourage the growth of self employment and business start up activity Utilise LAA1 Reward Grant and partner contributions to increase the level of business start up particularly from those who are currently under represented in the business community Promote Colchester through targeted trade publications using editorial rather than paid for advertising</p>	<p>LAA2 Economic Prosperity Strategy 2007-2010</p>	<p>December 2010</p>	<p>Nigel Myers</p>	<p>will be the Creative Hub. Heads of Terms agreed with developer of Cultural Quarter to provide 7,500sq ft for Creative Hub facility and a further 12,000sq ft lettable space within Phase 1 of the Cultural Quarter. Support to be provided to Colchester Business Enterprise Agency (COLBEA) for the National Enterprise Week in November 2009 and the 'Grow your own business and prosper' event on 8 October. LAA Reward Grant is being deployed in partnership with COLBEA to increase the level of start ups – Service Level Agreement targets are currently being exceeded. Successfully placed several free editorial articles in key local, regional and national</p>

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Sustain and where possible strengthen the independent retail sector within the retail offering of the borough	<p>Work with the Colchester Town Centre Business Planning Group to agree and implement projects in the town centre which will increase footfall and retail expenditure</p> <p>Identify and prioritise opportunities outside of the town centre for strengthening the retail offer</p> <p>Use Festival to improve Colchester's profile as a destination for visitors and businesses</p> <p>Contribution to other Town Centre land place marketing initiatives to improve sense of place eg night time economy</p>	<p>Programme of coordinated events including the Christmas Lights and Colchester in Bloom</p> <p>Deliver Year 1 actions from the festival development strategy and evaluate and report findings</p> <p>Set of principles and priorities for the Town Centre agreed and action plans in place to address key issues and opportunities</p> <p>Investigation into the benefits of an Area action plan for the Town Centre</p>	January 2010	Nigel Myers/Fiona Duhamel	<p>Project plan agreed and implemented by the Colchester Town Centre Business Group to coordinate Christmas activities</p> <p>Project plan and partnership involving cultural providers, community groups and business community delivering GiFT. Full evaluation frame work in place to measure economic as well as social impact, and review strategy supported by Colchester2020 funding.</p> <p>Principles and priorities paper drafted for 5 a side and Renaissance Partnership Board.</p> <p>Town Centre Project Plan in place.</p> <p>Mechanisms in place to ensure the business community can be consulted on future</p>	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
<p>Raise the skill levels of the local workforce to obtain better paid employment by innovative collaboration with employers, educational institutions and other key partners</p>	<p>Work with LAA partners to increase the proportion of the working age population qualified to at least Level 3 or higher by 1%</p> <p>Use s.106 funding to provide NVQ 2 training for up to 150 residents to secure employment with Sainsbury's and Waitrose</p> <p>Effectively signpost in collaboration with partner organisations skills and employment opportunities in the borough</p> <p>Work with the North East Essex Education Business Partnership, including Heads of Schools and the Colchester Institute, to help ensure that the 14-19 agenda including the Diploma and Apprenticeship has the appropriate level of business engagement</p> <p>Implement the Colchester</p>	<p>LAA2 Economic Prosperity Strategy 2007-201</p>	<p>November 2010</p>	<p>Nigel Myers</p>	<p>placemaking initiatives</p> <p>Target has been achieved.</p> <p>NVQ Level 2 training has been provided to 75 local residents to help secure employment with Waitrose. NVQ Level 2 training for 100 local residents will be provided to help secure employment with Sainsbury's; development forecast to commence on-site December 2009 with pre-meetings to ensure delivery of full pre-employment and training scheme to coincide with opening in late 2010.</p> <p>Re-branding of "Services for the Unemployed Committee" as "Colchester Works!") and formal launch and website under</p>	<p>Green</p>

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
	internship/company placement scheme with the University of Essex.				development. Providing employer contact information for key sectors to APG Employer Engagement Manager and planning some key sector events, including Financial, Construction, Creative and Media, Social Care and Retail. CBC support in 2009 enabled the University of Essex/Shell Step Programme to successfully place 15 graduates in local businesses	

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Healthy living

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Work with a wide range of statutory and voluntary organisations to deliver the projects in the action plans for the Local Area Agreement and 'Life Opportunities' targets on childhood obesity, smoking and teenage pregnancy	Reduced levels of childhood obesity, smoking, and teenage pregnancies	Agree Joint Appointment with NHS NEE Review of action plans with NHS NEE With PSP partners, commission projects to contribute to this work using PRG funding	May 2009 July 2009 April 2009	Matt Sterling	Joint post recruited and has started work. Initial work plan agreed with NHS NEE. Projects commissioned using PRG funding (MEND, additional dietician capacity).	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Co-ordinate the Lottery-funded MEND (childhood obesity) scheme	Increased awareness of healthy eating and exercise	Secure continuation funding	June 2009	Matt Sterling	Continuation funding for 09-11 secured from the Local Area Agreement.	Green
Deliver the NHS North East Essex collaboration plan for healthy lifestyles and attract funding for new health initiatives	More people leading healthy, active lifestyles, reduced levels of childhood obesity and more adults participating in sport	Deliver Body care Roadshows in 10 schools	March 2010	Simon Grady	<i>Targets revised downwards in-year due to staff vacancy in service.</i> By year-end Body care Roadshows will have been delivered in 6 schools.	Amber
		Deliver sports coaching in 20 schools	March 2010		By year-end tennis coaching will have been provided in 12 schools, Tri Golf in 4 schools, and volleyball coaching in one school.	Amber
		Introduce 3 new health walks	September 2009		New health walks have been introduced in Aldham, Dedham, Fordham, Gt Tey, Wivenhoe and Layer Breton.	Green
Give advice to residents on accessing grants to better insulate their homes	Warmer homes and reduced fuel bills for residents aged 60+	Provide 4-day-per-week service Advise 500 people on better insulating and heating their homes	Ongoing March 2010	Matt Sterling	4-day per week service launched and advising residents throughout the borough. 300+ residents advised so far this year.	Green
Deliver the NHS-funded fuel poverty	Improved healthiness amongst target group	Follow-up contact made with patients	April 2009	Matt Sterling	Targeted Warm Homes 2 scheme	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
scheme ('Warm Homes 2')		who have not responded Fund heating and insulating work in 15 homes Report on pilot scheme outcomes	January 2010 January 2010		launched; letters sent to over 200 residents; reminders sent to non-responders; on track to achieve the outcomes target by Jan 10.	
Deliver the Community Sport Network action plan and the Development Plan for Sport	More people leading healthy, active lifestyles, reduced levels of childhood obesity and more adults participating in sport External investment in sports provision in Colchester	Launch new "Active Colchester" website to incorporate all local opportunities provided by CBC and its partners New borough-wide development plan produced including local priorities for sport and leisure provision	June 2009 September 2009	Simon Grady	Decision made to develop this website in conjunction with the CBC website refresh. Will be achieved by March 2010 Development Plan being produced in context of changing external environment for sport and leisure and availability of S106 funding.	Amber Amber
Work with partners to deliver the London 2012 Partnership Plan	More people leading healthy, active lifestyles, reduced levels of childhood obesity and more adults participating in sport	Co-ordinate the Colchester 'offer' to Olympic and Paralympic Committees to maximise the chances of securing a pre games training or preparation camp in the Borough	Ongoing	Simon Grady	Positive links made with India and Barbados, new partners brought onto the Partnership.	Green

Homes for all

Action	Outcome	Outputs	Timescale	GMT lead	Update as at Sept 09	RAG
Co-ordinate, provide	More people are	Recommendations	March 2010	Peter	Transformational	Green

Action	Outcome	Outputs	Timescale	GMT lead	Update as at Sept 09	RAG
and promote an advice service with partners to make sure people get all the help they need to remain in their own homes.	able to remain in their own homes	made as part of Housing Services Review.		McDonagh	service opportunities identified from Housing Review form basis for Business Case to December Cabinet. Phased implementation from January 2010.	
		Investigate opportunities that arise from introduction of 'Public Sector village'.			"Homechoice" will be integrated into the CSC/Infopoint Colchester from November 2009.	
		Reduction in homelessness applications. Increase in homelessness prevention figures.			There has been a reduction in homelessness applications, the number of households accepted as homeless and the number of households in temporary accommodation compared with the same quarter in 2008.	
		Decrease in the use of temporary accommodation.				
Lead a review of private and publicly owned sites including rural exception sites to deliver new affordable housing across the borough.	Land assets are used efficiently to maximise the delivery of affordable housing. Public sector land is made available for affordable housing.	Identify ownership of land 2009/2010.	March 2010	Tina Hinson / Karen Syrett	Review of Council owned land on target to be completed by end of 2009/2010.	Green
Implement Colchester's Local	The Planning system is used	Draft policy completed March 09.	October 2009	Karen Syrett	Draft policy completed by target date.	Green

Action	Outcome	Outputs	Timescale	GMT lead	Update as at Sept 09	RAG
Development Framework, including a robust Affordable Housing Supplementary Planning Document to seek 35% of all new homes to be affordable on sites with 3 or more homes in rural areas and 10 or more homes in urban areas.	effectively to deliver safe, secure, decent and affordable homes.	Consultation completed June 09. Final document approved October 09.			Consultation completed by target date. Slippage on approval of final document due to the complexities of setting a contribution level that is viable in current housing market. Recommend date is changed to March 2010.	
Adopt a site allocations development plan document to ensure a 15 year rolling supply of housing sites.	The Planning system is used effectively to deliver safe, secure, decent and affordable homes.	Submission of DPD November 2009. DPD adopted and published August 2010.	August 2010	Karen Syrett	On target to be submitted November 2009.	Green
Ensure that all Council homes meet the Decent Homes Standard.	Ensure that all Council homes meet the Decent Homes Standard by December 2012.	To complete the procurement and restart the Decent Homes programme.	October 2009	Mike Scarlett	On target – EU Procurement process has been completed. Cabinet are due to award the contract in October, to restart the Decent Homes programme.	Green
Identify private properties to target for improvement to the Decent Homes standard and seek external funding to deliver.	Prioritized risk based inspection of all properties in New Town with completed report.	A detailed survey of properties in the New Town area to be completed. Recommendations for action reported to Portfolio Holder. Investigate possible	Inspections completed October 2009 Final report December 2009	Peter McDonagh	Timescales have slipped, but Cabinet will consider at its 2 December Meeting, the request for funding to conduct the survey of properties in New Town. If successful, the	Amber

Action	Outcome	Outputs	Timescale	GMT lead	Update as at Sept 09	RAG
Encourage the return of empty properties to use.	A reduction in the number of properties on the council tax register as being empty over 6 months in the borough.	sources of additional / external funding. Work with Fuel Poverty Officer to identify properties for work that would make them "decent".	March 2010	Peter McDonagh	survey will be completed by end of March 2010, producing a report of findings with recommendations. In the meantime, a total of 30 properties have been identified that have been improved through the Fuel Poverty scheme (Warm Homes 2) and which may contribute to this target.	Green
		Rewrite and implement 'Empty Homes Strategy' prioritising action on the longest standing empty properties first. Target: 80 empty properties bought back into use.			Draft revised Empty Property Strategy due December 2009. Consultation will take place after that date with the final report planned for March 2010. As at 30 September 2009 46 empty properties had been returned to use.	

Reduce, reuse, recycle

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
Prepare an options appraisal to identify potential future service delivery	Further exploration of the options identified within the appraisal	The establishment of a Member Task and Finish group through the Policy Review and Development Panel Recommendations to Cabinet on the option	Task and Finish group to commence April 2009 and report back to Policy Panel October 2009	Chris Dowsing	The Task and Finish Group is established and has narrowed down the options from 20 to 4. After discussion with Cabinet the timetable has changed to allow for a	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
		to be taken forward	Recommendations to Cabinet from panel by December 2009		public consultation to take place around the four potential options including an open public meeting to be held 1 December. The Task and Finish group will now report its findings to the Policy Panel 1 March 2010.	
Extend the kerbside recycling service to all flats	Extended recycling facilities to residents living in flats	Increased levels of recycling helping to achieve the Councils recycling targets. Greater participation and levels of satisfaction	Procurement of materials from April 2009 with installation and extended service Summer 2009	Dave McManus	Extension of service now complete but ongoing for new developments. All residents in flats now have facilities in place.	Green
Carry out education and information programmes that persuades and encourages residents to reduce their waste and recycle all materials	An increase in waste minimisation, reuse and participation in the Council's recycling services	Increased levels of participation in the Council's kerbside recycling collection service Increased levels of recycling to meet LAA2 targets Reduction in the overall levels of waste arisings going to landfill	Door steppers project to commence May 2009	Chris Dowsing	The Council has let a contract to carry out the Door steppers project. This commenced on 7 September with participation monitoring and door-stepping will commence on 14 October. The start date for the project was amended to account for the return of the student population as they constitute a large population in the areas being door -stepped.	Green
Carry out cleaning blitzes and increase visibility of street	Highly visible street cleaning service with in depth cleansing	Increased levels of street cleaning on specified days.	Commenced January 2009.	Dave McManus	Monthly programmed blitz cleans taking place and ongoing. Days of	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
based staff and resources	operation. Additional resources targeting areas where routing cleaning is inadequate	Involvement of ward members and residents groups Increased customer satisfaction	Programme currently in place until December 2009		action are a supplement to this and now taking part in Safer Colchester project.	
Investigate a food waste collection service	Food waste collections fully investigated and understood as part of an effective waste and recycling collection scheme	The collection of food waste will be investigated further by the Member Task and Finish group set up to look at the options in more detail.	Task and Finish group to commence April 2009 and report back to Policy Panel October 2009	Chris Dowsing	The Task and Finish group has taken account of food waste collections as part of its overall considerations. Each of the four options being taken forward for consultation involves the separate weekly collection of food waste.	Green
Provide a free recycling service to all Schools	Schools and young people are recycling more in conjunction with the Eco schools programme	The collection of recycled materials from schools Increased educational work and behavioural changes	A free recycling service is now offered to all schools who sign up to CBC as customers for residual waste. The extension to the flat recycling scheme is envisaged to provide the capacity to enhance this service	Dave McManus	Complete – all schools have access to free service.	Green
Investigate the potential benefits to	The potential benefits of an Inter	An agreement is reached with Essex	Meetings with Essex County	Chris Dowsing	Further consideration on the benefits of	Green

Action	Outcome	Outputs	Timescales	GMT lead	Update as at Sept 09	RAG
<p>Colchester of an Inter Authority Agreement with Essex County Council</p>	<p>Authority Agreement with Essex County Council are explored through the East Area Waste Management Joint Committee and through 1-2-1 discussions with Essex County Council.</p>	<p>County Council to enter into or not an inter authority agreement.</p>	<p>Council will take place in March 2009. If an agreement is reached the decision will go forward to Cabinet.</p>		<p>entering into an inter-authority agreement with ECC was undertaken with the Portfolio Holder for Performance and Partnerships in negotiation with ECC. It was decided that the benefits did not outweigh CBC's objections to the wider joint municipal waste strategy and the county wide PFI contract and as such an inter-authority agreement was not entered into.</p>	
<p>Work with voluntary and charitable organisations to promote and enable the reuse of a range of household items and materials</p>	<p>More material is taken from the waste stream and diverted for reuse rather than being sent to landfill</p>	<p>Support is provided by the Council to voluntary and charities willing to engage in the reuse of materials</p>	<p>This will be an ongoing engagement with these groups to take advantage of opportunities as they arise</p>	<p>Chris Dowsing</p>	<p>The Council has supported interested groups as opportunities have arisen including support for schools and community groups. The Council also publicises the benefits of reuse to the wider community.</p>	<p>Green</p>



Strategic Overview and Scrutiny Panel

Item
13

9 December 2009

Report of

Scrutiny Officer

Author **Robert Judd**
Tel. 282274

Title

Review of the work of the Leader of the Council, Portfolio Holder for Strategy

Wards affected

Not applicable

This report sets out the Scheme of Delegation and Portfolio Holder responsibilities for the Leader of the Council, Portfolio Holder for Strategy.

1. Action Required

- 1.1 The Panel is asked to review the work of the Leader of the Council, Portfolio Holder for Strategy.

2. Responsibilities

- 2.1 Details of the Council's Scheme of Delegation and Portfolio Responsibilities within the Constitution and in respect of the Leader's portfolio are attached to this report.
- 2.2 The Scheme of Delegation details the portfolio responsibilities, the major projects within the portfolio and those services that are procured in the provision, implementation, maintenance and management of the service areas within the portfolio.

3. Standard References

- 3.1 There are no policy plan references or financial implications in this matter. There are no equality, diversity or human rights issues in this matter and therefore no Equality Impact Assessment has been completed. There is no health and safety, community safety or risk management implications in this matter.
- 3.2 The work of the Strategic Overview and Scrutiny Panel is a key function to ensure items within the programme, including the work of the Portfolio Holder, are subject to full appraisal and in line with the aims of the strategic plan.

Scheme of Delegation to Cabinet Members

Delegation to the Leader of the Council and Portfolio Holder for Strategy

1. The promotion of the Council on regional and sub-regional bodies in relation to developing regional partnerships.
2. Relations with the general public, local authorities, the media and all other external agencies including the Local Strategic Partnership (Colchester 2020).
3. Matters relating to financial strategy, the budget and resource allocation.
4. Following consultation with Group Leaders, to make appointments during the municipal year to Council Groups and Outside Bodies.

PUBLIC RELATIONS

To procure the specified service in the provision, implementation, maintenance and management of:-

1. The understanding of the Council's vision, actions and objectives throughout the Borough of Colchester and beyond.

HEALTH & SAFETY

1. To be responsible for the management and monitoring of health and safety provision across the whole of the Councils' undertakings.
(NB. Cabinet are jointly and severally the primary duty holders for health and safety across the Councils' undertakings.)

Portfolio Responsibilities

1. To oversee the development and ongoing review of the Council's Strategic Plan.
2. To monitor the implementation of the Council's Strategic Plan, including ensuring Council resources are deployed to support strategic priorities.
3. To promote the Council's Strategic Plan to Councillors, partners and the community as a whole.
4. To develop and promote community leadership in the Borough.
5. To oversee and monitor the Council's financial strategy, budget and resource allocation.
6. To review the opportunities to work with other partners, both within the public and private sectors, to assist in developing 'joined-up' government.

**Delegation to the Leader of the Council
and Portfolio Holder for Strategy (continued)**

7. To determine a communications strategy that will support and deliver the Council's vision and policy priorities.

Major Project(s) in Portfolio:

Haven Gateway Partnership, Regional Cities East Partnership and Colchester 2020



Strategic Overview and Scrutiny Panel

Item
14

9 December 2009

Report of	Scrutiny Officer	Author	Robert Judd Tel. 282274
Title	Work Programme		
Wards affected	Not applicable		

This report sets out the current work programme for 2009/10

1. Action Required

- 1.1 The Panel is asked to consider and approve the 2009/10 work programme, which includes the additional meeting provisionally arranged for the 2 March 2010.

2. Reason for Action

- 2.1 This function forms part of the Panel's Terms of Reference in the Constitution therefore there are no alternative options.

3. Update to the work programme

- 3.1 The panel should note that discussions between Councillor Arnold and Councillor Dopson, Portfolio Holder for Performance and Partnerships have resulted in a postponement of the January 2010 CYPSP review until 2010-11, allowing time for the new Joint Colchester / Tendring partnership to evolve.
- 3.2 An additional meeting has been provisionally booked for the 2 March 2010. The meeting has been arranged with the approval of the Chairman to enable the pre-Cabinet scrutiny of the Fundamental Review of the Revenues and Benefits Service.
- 3.3 The Chairman has agreed that the panel should consider the strategic overview of the Council's Arts and Culture funding partners Firstsite, The Mercury and Colchester Arts Centre, to be originally reviewed during 2009 by the Finance and Audit Scrutiny Panel. The additional meeting on the 2 March 2010 provides the panel with an opportunity to undertake this review and is provisionally scheduled to this date pending the Chairman and panel's approval, and will be on the proviso of confirmation of invitations).

4. The role of the Strategic Overview and Scrutiny Panel

- 4.1 Overview and scrutiny needs to be member-led with member engagement that will include undertaking research when considering issues prior to panel meetings and preparing questions for witnesses being called. Likewise, senior officers will play their full part in supporting the scrutiny function in a positive and participative manner. By doing this a culture of positive and meaningful challenge can be created.

5. Standard References

- 5.1 There are no policy plan references or financial implications in this matter. There are no equality, diversity or human rights issues in this matter and therefore no Equality Impact Assessment has been completed. There is no health and safety, community safety or risk management implications in this matter.
- 5.2 The work of the Strategic Overview and Scrutiny Panel is a key function to ensure items within the programme are subject to full appraisal and in line with the aims of the strategic plan, and helps to check that risks are identified and challenged.

Strategic Overview and Scrutiny Panel

WORK PROGRAMME 2009/10

(last updated 25 November 2009)

Outstanding reviews

1. Strategic review of CYPSP (Head of Life Opportunities)- agreed for 2010-11

16 June 2009

1. Pre Cabinet scrutiny of the Strategic Plan Action Plan + Nis and LAA targets
2. Urgency – Comment form for Nominated New Nuclear Power Station Sites (13-May-09)

14 July 2009 (Ian Vipond Lead Director)

1. Review of the Budget Strategy and Timetable (Head of Resource Management)
2. Clarification report on Affordable Housing – Head of Strategic Policy (SOSP minute6, 16 June)
3. Review of the Portfolio Holder for Communications, Customers and Leisure (last review 10-feb-09)

24 August 2009

1. Review of the Colchester2020 Partnership – item deferred until September.
2. Strategic review of CDRP (Head of Life Opportunities) (Crime and Disorder Committee)
3. Life Opportunities (Executive Director) (SOSP min.6 16June)
4. New build nuclear power station at Bradwell

29 September 2009

1. Review of the Colchester2020 Partnership – Chairman of Colchester2020 / CEO CBC to attend.
2. Public Service Partnership (Executive Director A. Wain)(Chair PSP unable to attend)

13 October 2009 additional meeting

1. Responding to the economic Downturn - presentation from Executive Director P. Donnelly.
2. Overview of Environmental and Protective Services Review - Head of Env. & Protective Services

3 November 2009

1. Overview of Housing Services Review – Head of Strategic Policy and Regeneration / Head of Life Opportunities (SOSP minute6, 16June)
2. Street Care Strategy / Graffiti protocol (Head of Street Services)
3. Climate Change and Carbon Management (update from review of 16-dec-08)
4. Review of the Portfolio Holder for Street and Waste Services (last review 10-feb-09)

9 December 2009

1. Growth in Colchester and Colchester's Local Development Framework (Executive Director, Ian Vipond / Spatial Policy Manager)
2. Review of the Budget – Strategic update (Head of Resource Management)
3. Half yearly report on Strategic Plan Action Plan + NIs and LAA targets
4. Review of the work of the Leader of the Council, Portfolio Holder for Strategy (last review 7-04-09)

5 January 2010

1. Greenways Care Home progress (ref. SOSP 10-Feb-09)(tbc by the Chairman)
2. Review of the Portfolio Holder for Performance and Partnerships (last review 17-mar-09)
3. Comprehensive Area Assessment (CAA) outcomes and results (provisional)

9 February 2010

1. Review of the Portfolio Holder for Neighbourhoods (last review 7-apr-09)
2. Review of the Portfolio Holder for Planning, Sustainability and Environmental
3. Review of Colchester Community Stadium Company - Chief Executive, Chair David Murthwaite & Dir. Clive Gilham to attend (Part of Annual Governance Statement Action Plan)

2 March 2010

1. Fundamental Review of the Revenues and Benefits Service (pre Cabinet Scrutiny)
2. Review of the Council's Arts and Culture funding partners Firstsite, The Mercury and Colchester Arts Centre (prov. Pending confirmation of invitations).

30 March 2010

1. Review of the Portfolio Holder for Resources and Business (first year)
2. Review of the Portfolio Holder for Culture and Diversity (first year)

