

# Cabinet

Wednesday, 13 March 2024

**Attendees:** Councillor Mark Cory, Councillor Martin Goss, Councillor Alison Jay, Councillor David King, Councillor Andrea Luxford Vaughan, Councillor Paul Smith, Councillor Natalie Sommers

## No. Publication and Call in Details

Date Published 14 March 2024

Date when decisions may be implemented (unless 'called in') 5pm 21 March 2024

NB All decisions except urgent decisions, those subject to pre-scrutiny and those recommended to Council may be subject to the Call-in Procedure.

Requests for the scrutiny of relevant decisions by the Scrutiny Panel must be signed by at least ONE Councillor AND FOUR other Councillors to countersign the call-in form OR to indicate support by e-mail. All such requests must be delivered to the Proper Officer by no later than 5pm on 21 March 2024.

## 838 Minutes of Previous Meeting

*RESOLVED* that the minutes of the meeting held on 24 January 2024 be confirmed as a correct record.

## 839 Have Your Say! (Hybrid Cabinet Meetings)

Melina Spantidaki attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) about the bid she had submitted for a potential use of Holy Trinity Church. She had approached a number of community groups and individuals, including those who were homeless, who expressed their support for her proposal. Part of the proposal included the provision of kitchen facilities and washing machines for those who had need of such facilities, which extended beyond rough sleepers. Community 360 only provided emergency support for the homeless. Her proposal would provide more ongoing support and access to facilities which would enable the homeless to help themselves.

Councillor Sommers, Portfolio Holder for Communities, responded expressed thanks for her proposal. Holy Trinity Church would not reopen for a significant period of time. Officers were aware of her proposal and would be in touch when bids for use of the

building could be considered.

Richard Martin attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to express his concern that the brief provided to the Independent Ecologist instructed to report on the Middlewick site would not enable an independent report to be produced. To produce a truly neutral report would place them at risk of breach of contract and to fulfil the brief would have to accept the premise of development on the site. A full independent survey would not impose the constraint as set out in the brief. This was a breach of the undertaking previously given in respect of an independent survey and in these circumstances it was difficult to trust the process as they were advised to do.

Alan Short attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to express similar concerns. He had acted as ,an independent consultant and expert witness. If he had received this brief he would interpret it as needing to express an opinion on where houses could be built. The inclusion of Middlewick within the plan had been a mistake, albeit with the motive of preventing a larger development, based on a poor understanding of the biodiversity and of the potential mitigation. The brief should be revised and toned down and be signed off at Councillor level. Councillors were the decision makers and could instruct officers to remove the site from the Local Plan.

Councillor Luxford Vaughan, Portfolio Holder for Planning, Environment and Sustainability, responded and explained that she had been advised that those who had fed into the brief were those who had been critical of the original Stantec report and that they were happy with it. The brief had to reflect the parameters set by policy on Middlewick and what it was seeking to achieve was the best mitigation within the terms of the policy. The site could not be removed from the Local Plan at this stage as there was a process to be followed for any review of the Plan. There was still a significant amount of work to do in assessing evidence and outcome from the call for sites. Any revised plan would also need to be subject to independent inspection and found to be sound.

Sir Bob Russell attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) about the collapse of Middle Mill Weir. Prompt action had been taken by Council officers at the time to ensure public safety but in the intervening period nothing had been done. There appeared to be a stand-off between Essex County Council and Colchester City Council. There was a long diversion and the condition of the and equilibrium of the river was deteriorating and the southern bank was drying leading to fears of a collapse of the footpath. Inspections by experts seemed to be taking too long. The suggestion that the army provide a bailey bridge had been dismissed. Sandbags should be provided to raise the river level, as befitted the conservation area.

Frances Wagstaff of CO1 Residents Association attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) about the impact of the collapse of Middle Mill Weir. A temporary bridge needed to be provided now. Local residents remained concerned about the lack of access from Kings Meadow to Lower Castle Park. The barriers either side of the collapsed bridge were welcomed. However problems with signage remained, which was unclear and not being properly

monitored. There were also concerns about safety due to uneven state of the path and the lack of lighting. Elderly and disabled residents of Riverside Cottages were effectively housebound due to the boundary fence from the Riverside office development, and there was also concern about the impact of increased footfall and anti-social behaviour arising from the diversions.

Councillor Goacher attended and with the consent of the Chair addressed Cabinet to state that there was a perception that nothing was happening and that the situation was not being addressed urgently. The Council needed to issue some communication on what was being done. There was real concern from residents of the Riverside Estate about future flooding. The comments about the residents of Riverside Cottages were endorsed and there was concern about the impact of potential events in Lower Castle Park. Further information was needed on potential timescales for action.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, responded and said he would ask for an update on the issues raised next week. He would also meet with those concerned on site to talk through the issues, together with specialists. The need for more and better communications and better signage was understood.

Councillor Goss, Portfolio Holder for Neighbourhoods and Waste, explained in detail the many actions that were underway to address the issue. A Working Group had been established involving teams across the Council alongside partners. Consultation was ongoing with a range of interested groups, including residents' associations and specialist groups. Specialist survey work was underway to assess the Weir and potential alternative routes. The Ministry of Defence had been consulted about the bailey bridge proposal but it was not believed that this would meet the MACA requirements. A joint Communications Plan with Essex County Council was being developed. The aim was to introduce a shorter diversionary route over the Cricket Club bridge but this was dependent on the survey and negotiations with land owners but this would be several weeks away as lower river flow was needed to complete the survey. This was a complex issue with many stakeholders involved and issues of land ownership. It would inevitably take time to gather and assess all the information to ensure that the right decision was taken.

Tony Cheeld attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to stress the importance for small cities of building and maintaining a brand. The Colchester City brand had been broken with the help of Dane Park, Church Manor Estates. The brand could be restored but it required consideration of every interdependent facet of Colchester, including effective engagement with residents and businesses and no further drift from the principles of democracy. The proposals for Crouch Street West broke all the Nolan principles. Colchester needed to be welcoming to visitors and the installation of cycle lanes could hinder the provision of parking and public transport.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, expressed his thanks for his passion for the city but said that the installation of joined up cycle lanes was part of ensuring that future generations had access to safe cycle and walking routes, so important for health and wellbeing, and played a role in reducing congestion. The Council was committed to public engagement as was evidenced by a

200 strong Resident Panel and its commitment to consultation. City Status in the round had improved Colchester's visibility and reputation.

Alderman Gerard Oxford attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to express his concern that section 106 contributions were not used to mitigate the impact of development in the ward where the development occurred. For example, funding for Highwoods had been diverted to expenditure on highways and also towards Northern Gateway. This would also happen with the development of the Mill Road site. Ward councillors were not engaged in discussions about allocation of section 106 funding so could not influence how this was distributed.

Councillor Luxford Vaughan, Portfolio for Planning , Environment and Sustainability, explained that some section 106 funding went towards a central fund used for highways and other infrastructure. However her experience was that the ward element always went towards the ward and was signed off by the ward councillors and was used for community focused projects. She would investigate individual cases if provided with details.

Carinna Cooper attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to highlight advice from the Planning Inspectorate that it was the responsibility of local planning authorities to ensure any certificates submitted as evidence as part of an application for 5G mast were valid, contrary to previous advice from the Council. The public would no longer naively accept false statements from councils. Many councils were being confronted with questions about the safety and legality of mast installations. The Council was in breach of the National Planning Policy Framework section 121c in respect of such applications by not ensuring certificates were valid. A brief search had revealed at least 6 applications which appeared to be fraudulent. The Council should cease any further approval of such masts until the matter had been thoroughly investigated.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, indicated that he would arrange for a written response to be provided.

Bevan Waghorn attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) about the Leader of the Council's involvement with Community 360 over the period it had provided a loan to its Chief Executive. Would the Leader of the Council be transparent and provide clarity on what he knew about the loan?

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that this was already in the public domain. He had been an unpaid volunteer Trustee for a period. He would reflect as to whether he gave enough time and attention but had accepted he shared a responsibility with other Trustees for decisions over that period. Three issues had been raised over which there were concerns and he had responded on two as he could recall the conversations at that time. He was not clear on the third so had sought further information from Community 360, which had not been forthcoming. He had done his best to assist Community 360 at the time, as an organisation which had done a lot of good work across the city. He would not make

any further comment on the ongoing conversations between Community 360 and the Council and its partners and he was not involved in the detail of those discussions. However, he wanted to see a good future for them and for their partners in view of the excellent work they did.

Councillor J. Young attended and with the consent of the Chair addressed Cabinet to suggest that it was time to review the Council's governance arrangements to ensure as many members as possible had the opportunity to be involved with the oversight of the Fit for the Future programme. The proposed KPI on relets was set at 73 days. It was appreciated that this was an outside target and that performance was generally about 42 days, but this needed to be reviewed in view of the pressure on temporary housing.

Councillor Smith, Portfolio for Housing, explained that in terms of the relet target the government now required this to take account of the relet of special needs and temporary accommodation, rather than just general needs as previously. This could be considerably more time consuming. Colchester Borough Homes would continue to monitor against the old target so progress could continue to be measured. The current performance was 32 days and the aim was to reduce it further to 28 days. Councillor King, Leader of the Council and Portfolio Holder Strategy, agreed that a thorough governance review should be undertaken.

Councillor Naylor attended and with the consent of the Chair addressed the Cabinet about the Mill Road site. In return for giving up green space and the rugby club site, residents were promised affordable housing for families in need by 2022. It was now an eyesore, and there was delay while debt grew. Not a single new home had been built on the site. The administration continued to believe it could develop the site itself, but there was no evidence to support this. The decision to keep the site was costing £250,000 per month in interest payments. This could build one home per month for a family in need. Cabinet had rejected the only workable plan for the site at Full Council. This was frustrating and distressing for those in need. Now the administration had had time to consider the plan would it now accept this the only workable plan on the table for the site.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, indicated he did not consider the Conservative proposal was a sound or deliverable plan. Consideration need to be given to the impact of the pandemic and the impact this had on supply chains and the time taken to get agreement on the junction. The administration remained committed to its plan to develop the site in the most cost effective way with its partners to meet a variety of needs including housing.

Councillor Smith, Portfolio Holder for Housing, highlight the impact of national economic factors, including the mini budget, which had led to an increase in interest rates which had severely curtailed house building. The Conservative proposal had been rejected by Full Council, rather than the Cabinet.

Councillor Warnes attended and with the consent of the Chair addressed Cabinet about the proposed KPI target of 73 days for relets. There had been a historic problem within the authority in delivering empty properties. Every effort needed to be

made to address this. Other remedies needed to be actively used such as tenancy management inspections to ensure properties were maintained and returned to the Council in a suitable state,

Councillor Smith, Portfolio for Housing, agreed with the comments and that tenancy management inspections were undertaken. It was emphasised that Colchester Borough Homes were in the upper quartile of performance on relets. The importance of the role of ward councillors in bringing attention to potential empty homes was stressed.

Gordon Kerr attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to highlight a few issues around local and national government finances and the banking system.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, thanked him for his comments.

#### **840 Fit for the Future Transformation Portfolio**

The Chief Operating Officer and Shared Director of ICT and Transformation submitted a report a copy of which had been circulated to each Member together with the recommendation from the Scrutiny Panel meeting of 26 February 2024.

Councillor Dundas attended and with consent of the Chair, addressed Cabinet to urge it to accept the recommendation from the Scrutiny Panel, which had been agreed cross party. It was important that the impact on reserves was understood as the reserves were the constraint on what the Council could do in the future. Those councils which were in financial trouble had exhausted their reserves. The financial problems faced by such authorities was not caused by overspending on core services but through involvement in commercial projects which they did not have the expertise to manage and the impact that interest payments and minimum revenue provision had on their general fund budget. Whilst the need for difficult decisions was appreciated he did not support the Fit for the Future Programme. Cabinet must ensure that everything it did reflected the reserve position. The Medium Term Financial Forecast as presented currently did not reflect the true current reserve position. Therefore, it was important that the recommendation from Scrutiny was accepted so that the correct reserve position was understood.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, responded and explained that the administration was moving towards a better way of displaying its financial information and the discrepancy highlighted resulted from the way the information was displayed. The recommendation from the Scrutiny Panel was welcomed and the administration would closely monitor the reserve position.

However, it was important to stress that the view of the section 151 officer was that the Council was not in the same position as some of the other authorities whose financial troubles had been highlighted.

Councillor Cory, Portfolio Holder for Resources, stressed that the administration would

continue to discuss the position with the opposition and would act with care and thought. It was very much aware of the difficulties experienced by other authorities and would learn from their experience. The Council was not involved in buying property outside of the city or in commercial projects in other areas of the country but sweating its own assets. It was accepted that there were risks. It was accepted that there were gaps in the Medium Term Financial Forecast which needed to be closed, as there had been before. The approach to the reserves would be prudent. There was enough space in the reserves to support the calls on the budget over the next 3-4 years. It needed to be borne in mind that many of the difficulties facing the Council stemmed from the mismanagement of the national economy.

Councillor King highlighted that the Fit for the Future Programme underpinned the budget agreed at Full Council. It was a programme of change, but the programme set out how it would seek to engage with both residents and Council staff. It would deliver less in some areas but would aim to deliver better services in other areas through shared services and other new ways of working. It would seek to deliver the maximum from the reduced funding available. The increased use of shared services would also build resilience. He invited other cabinet members to explain how the programme would be reflected in their portfolios.

Councillor Goss, Portfolio Holder for Neighbourhoods and Waste, highlighted that new approaches would be taking to staffing, with less emphasis on temporary or agency staff, and to the vehicle fleet. The Waste Strategy Review would be published later in the year. This would seek to ensure the service was delivered in a cost effective way, although it would need to take account of the increased costs of recycling materials. It would also need to address the hybrid system of waste collection. The service would be streamlined and made fit for the future.

Councillor King explained that in respect of the Portfolio for Leisure, Culture and Heritage, the Council's continued commitment to leisure and to funding of the arts, which contrasted with how some authorities sought to address their financial challenge.

Councillor Smith, Portfolio Holder for Housing, stressed that the old financial models were no longer suitable and no longer worked. The Council could not maintain services whilst it received below inflation rates of support. Therefore, services either had to be cut or delivered more efficiently. It was notable that other Councils, run by Conservative administrations, were supporting the approach taken by the Council and moving towards shared services. The Council's borrowing was under half of its borrowing limit and the Council was considerably less indebted than many other councils. In housing there were real issues arising from reductions in income and increasing costs from growing regulation. Relying on old housing stock meant an increased maintenance and repair bill. Fit for the future would deliver housing that was fit for the future.

Councillor Cory, Portfolio Holder for Resources, explained that a responsible approach would be taken to managing the Council's assets. The programme would involve a better understanding of the Council's assets and a rationalization of what was kept in Council ownership, and how best value could be extracted from those assets the Council kept.

Councillor Jay, Portfolio Holder for Economy, Transformation and Performance, highlighted the digital transformation that was an integral part of the programme. This would drive the internal process changes that were necessary to deliver the programme. For example, improved call handling software was being looked at to strengthen the customer teams. Service reviews were underway. The necessary governance arrangements were being put in place. The Transformation Board was now in place and the Oversight Group would be meeting shortly.

Councillor Sommers, Portfolio Holder for Communities, emphasised that the Fit for the Future programme would have an impact across the city so it would be necessary to realign community expectations of what the Council could deliver. It would be important to work with partners and town and parish councils to ensure gaps in service were filled and vulnerable people and communities protected.

*RESOLVED* that:-

- (a) The portfolio of activity to transform the Council and ensure services are fit for the future and deliver savings required in the Medium-Term Financial Forecast be adopted.
- (b) The recommendation from the Scrutiny Panel meeting of 26 February 2024 be accepted.

*REASONS*

To ensure there is a robust portfolio of activity to future-proof the Council, create efficiencies and increase income so that the Council is adequately prepared to meet the funding gap.

*ALTERNATIVE OPTIONS*

Progressing with initiatives that are not cohesively brought together is not a viable or effective option. The portfolio of work was designed collaboratively across the senior leadership team in order for relationships and dependencies between projects to be identified, including enabling resources." While several programmes of work have been identified, the 'Fit for the Future' portfolio needs to be kept under review and additional options for transforming services will be considered to deliver the anticipated savings required.

## **841 Hibernation of Colchester Amphora Housing Ltd**

The Managing Director (Interim) of Colchester Commercial Holdings Ltd submitted a report a copy of which had been circulated to each Member together with draft minute 415 of the Governance and Audit Committee meeting of 5 March 2024.

Alderman Gerard Oxford addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to endorse the proposed decision to hibernate



Colchester Amphora Homes Ltd. His experience was that it was not fit for purpose. It had been unable to deliver projects on time or on budget and as a result communities and residents suffered. It was important that the Council and its companies concentrated on those things it could do well and where it did not have the necessary experience or expertise, it should commission others to act on its behalf.

Councillor Dundas attended and with the consent of the Chair addressed Cabinet to support the proposed decision. It was important to reflect on what the initial ambitions had been and what had been achieved, particularly in respect of the Mill Road site. Information should be provided on how many houses CAHL had built and delivered, and how many of these were affordable or social. Further information about the scale of the write down needed to be provided, and from what budget this would be funded. Lessons needed to be learnt from what had happened, particularly the need to ask difficult questions and not to accept what was presented at face value.

Councillor Sunnucks attended and with the consent of the Chair addressed Cabinet to endorse the comments of Councillor Dundas and to stress the need for the information on reserves to be provided quickly. The decision to hibernate CAHL was supported entirely. Together with the Council's experience on the Garden Communities project, this demonstrated the difficulties of public sector involvement with housebuilding. Further information was sought as to what was the intention around the two remaining major projects, Heart of Greenstead and Mill Road. In respect of Heart of Greenstead, it was questioned whether the Council had the necessary skills and expertise to complete the scheme. The site had planning permission so was saleable and the issues around the road junction would be better dealt with by a private company. The budget amendment he had brought forward in respect of this had been prudent and would have delivered more social housing. This process had shown the difficulty of presenting alternative ways forward.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, stressed that the administration acknowledged the value of alternative opinions and had made space for different ideas to be brought forward. It needed to be recognised that the Amphora group of companies had had several successes. The national economic situation had had an impact on CAHL's ability to deliver its ambitions. The need for a questioning attitude to information put forward was well made. Progress on the Town Deal projects, including Heart of Greenstead, had been reported to the Scrutiny Panel and they were developing well, with a sound governance structure. The administration would keep the opposition informed on progress on Mill Road as matters progressed.

Councillor Cory, Portfolio Holder for Resources, thanked Richard Carr, Interim Managing Director of Colchester Commercial Holdings Ltd for the very clear report. This issue had been discussed comprehensively at the Governance and Audit Committee and it was appreciated that there were still some issues about the scale of the liabilities to be finally resolved, although there was budgetary provision to cover them. Whilst it was the case that some parts of Amphora had not achieved what had been hoped, this needed to be seen in the context of issues such as the Covid 19 pandemic and the difficult economic situation. However, the Events Company was going from strength to strength, and other projects such as the delivery of broadband had been a success. The proposal for Mill Road brought forward to the budget

meeting was understood and was recognised as a potential option, but it was considered that the administration's proposals would be of greater benefit to the Council and residents.

Cabinet expressed its thanks to the Governance and Audit Committee for its work on this issue and the high quality of its debate and its clear recommendation in support of the decision to hibernate Colchester Amphora Homes Ltd, which was noted.

*RESOLVED* that the resolutions contained in Appendix 3 of the report by the Managing Director (Interim) of Colchester Commercial Holdings Ltd be approved, as the shareholder of Colchester Commercial Holdings Ltd (CCHL), to enable Colchester Amphora Homes Ltd to be hibernated.

#### *REASONS*

In approving the Future Strategy for Amphora towards the end of last year, the City Council had approved the principle of hibernating CAHL. Appropriate due diligence had now been completed on this intention and it was now necessary to consider the formal resolutions that are required to bring about that hibernation, with a view to completing this process by 31st March 2024.

#### *ALTERNATIVE OPTIONS*

Theoretically, CAHL could continue to remain in operation. However, for this to happen, the City Council would need to agree to continue to underwrite the costs of CAHL, in the knowledge that there was no realistic prospect of an offsetting income in the foreseeable future. Therefore, the costs of underwriting the losses incurred by the company would likely rise.

Another option would be to disband the company altogether. In practice, the steps required to disband the company altogether were essentially the same as for hibernation, but 'dormancy' left open the option of re-activating the company if there was a significant change in circumstances and it proved to be in the City Council's interests to do so. Hibernation or dormancy had been the option recommended by CIPFA as part of their review, as explained in the Future Strategy for Amphora approved by the Cabinet last November.

842

#### **The Estate Plan**

**Councillor Smith and Sommers (in respect of their role as trustees of St Annes Community Centre) declared an Other Registerable interest in the following item pursuant to Meetings General Procedure Rule 7(5).**

The Strategic Director submitted a report a copy of which had been circulated to each Member.

Councillor Cory, Portfolio Holder for Resources, expressed his thanks to Patricia Barry and her team for the work involved in bringing forward the Estate Plan. This

encapsulated the move to a Corporate Landlord model of managing the Council's assets. It would enable the Council to understand and manage its assets better and inform decisions about acquisitions and disposal of assets where necessary.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, highlighted the scale of work involved in taking forward the Estate Plan. This was a brave decision which would involve significant time and cost given the Council had responsibility for over 4500 structures, 30% of which were in conservation areas which could restrict the opportunity to develop them further.

*RESOLVED* that:-

- (a) The Estate Plan (Appendix A to the Strategic Director's report) be approved adopted.
- (b) Authority be delegated to the Strategic Director responsible for Assets and the Portfolio Holder (Resources) to approve the detailed estate action plan to be completed in May 2024 for immediate implementation.

*REASONS*

The recommended decisions identified will enable the Council to leverage value from the portfolio, manage risk, contribute to decarbonisation requirements, increase efficiency and ensure the estate supports the long-term financial sustainability of the Council. Implementation of the plan at pace will ensure maximum opportunity to support the fiscal position of the MTFF and the Fit for The Future programme.

*ALTERNATIVE OPTIONS*

No alternative options were proposed.

#### **843 Portfolio Holder for Resources - Recommendation from Scrutiny Panel**

Cabinet considered the recommendation in minute 441 of the Scrutiny Panel meeting of 23 January 2024 a copy of which had been circulated to each Member.

*RESOLVED* that the Portfolio Holder for Resources provide further information, to a future Cabinet meeting, on what is done to allocate assets which had previously been held under companies wholly owned by the Council, where those companies are put into dormancy.

*ALTERNATIVE OPTIONS*

It was open to the Cabinet not to accept the recommendation from the Scrutiny Panel or accept it subject to amendment.

844

### **Business Rates - Discretionary Rates Relief Policy**

The Head of Operational Finance submitted a report a copy of which had been circulated to each Member.

Councillor Cory, Portfolio Holder for Resources, introduced the report and highlighted that it would ensure a more proactive approach and a more effective and efficient approach to ensuring business received mandatory and discretionary support in respect of business rates.

*RESOLVED* that:-

- (a) The proposed Business Rates Discretionary Rate Relief policy for adoption from 1 April 2024 be approved.
- (b) The Retail, Hospitality and Leisure Relief for 2024/25 as per paragraph 5.2 of the Head of Operational Finance's report be approved.
- (c) The change to the backdating of Discretionary Rate Relief to the beginning of the financial year from which the decision is made as per paragraph 5.8 of the Head of Operational Finance's report be approved.

#### *REASONS*

The policy has been designed to maximise the benefit of any government funded reliefs locally, this will enable the Business Rates Team to proactively award relief if a business meets the minimum criteria as set by government.

The policy provides Discretionary Relief whilst balancing the cost of relief locally against funding needed to support local services.

It is simpler for businesses to understand the period of backdating and a fairer system.

#### *ALTERNATIVE OPTIONS*

To reject the changes and continue with the current policy.

To amend the proposed policy.

845

### **Request for Delegated Authority for the Award of HRA Contracts 2024/25**

The Chief Operating Officer submitted a report a copy of which had been circulated to each Member.

*RESOLVED* that authority be delegated to the Portfolio Holder for Housing for the award of the contracts for works within the Housing Investment Programme 2024/25.

#### *REASONS*

Within the Housing Revenue Account (HRA), the Council owns almost 6,000 affordable homes, benefiting people in need of social housing. The housing stock is managed through an Arm's Length Management Organisation (ALMO), Colchester Borough Homes (CBH) and each year a number of maintenance contracts are managed within an agreed Housing Investment Programme. This keeps these homes in a suitable condition, as part of an ongoing planned approach set from the HRA Asset Management Strategy and 30-year HRA Business Plan.

Contracts that are due to expire over the next year require new contracts to be procured and awarded for the Housing Investment Programme in 2024/25. These are contracts that are likely to require Cabinet approval due to estimated costs (over £500k for the scope of the contracts, over multiple years) and borough-wide span. The decision to delegate powers to the Portfolio Holder for Housing to approve the award of these contracts, as they arise, will make those awards smoother and faster if they arise between Cabinet meetings scheduled for the next year, or during the pre-election period. This avoids delays in the delivery of improvements for tenants. A similar decision was taken in the last four years (2020 to 2023) and has demonstrated the success and benefit of this approach in past/current contract awards.

#### *ALTERNATIVE OPTIONS*

Not to delegate the powers requested; but this would then need contracts to be individually reported to Cabinet for each contract award increasing the time and resourcing required, for a procurement process that is already heavily scrutinised and regulated. This would delay the start of contracts, and therefore the improvements to homes for tenants, whilst waiting for a Cabinet meeting to arise. The time/benefit balance would therefore suggest that delegation to the PFH would be more effective and efficient use of Council resources, without introducing risks; demonstrated by recent practices. The Portfolio Holder decisions would remain available for call-in should individual concerns arise.

#### **846 Corporate Key Performance Indicator Targets for 2024-2025**

The Chief Operating Officer submitted a report a copy of which had been circulated to each Member.

Councillor Jay, Portfolio for Economy, Transformation and Performance introduced the report and explained that the key performance indicators (KPIs) reflected the Strategic Plan priorities and the Council's financial circumstances. They had been agreed by the Senior Leadership Team and had been subject to scrutiny by the Scrutiny Panel. The KPIs were now supported by a much clearer narrative and supporting information to improve transparency and understanding. In June 2023, the Scrutiny Panel had recommended that the administration look at continuous improvement in service performance. Some KPIs were still set at 2023/23 levels but it was important to recognise the Council's financial and resource position and accept the reasoning for these not being pushed forward.

*RESOLVED* that the Corporate Key Performance Indicator Targets for 2024-2025 as

set out in the Chief Operating Officer's report be approved.

*REASONS*

To ensure that there is a robust corporate performance monitoring framework.

*ALTERNATIVE OPTIONS*

To consider alternative KPI Targets than those proposed.

**847 Amendment of Councillor Development Policy: Leadership Academy**

The Head of Governance and Monitoring Officer submitted a report a copy of which had been circulated to each Member.

Councillor Jay, Portfolio for Economy, Transformation and Performance introduced the report and explained the benefits of attendance at Leadership Academy and that the aim of the amendment to the policy was to ensure that the opportunity to attend was extended as widely a possible by involving group leaders in the nomination process.

Councillor Smith, Portfolio for Housing, and Councillor Cory, Portfolio Holder for Resources, indicated the value of attendance at Leadership Academy and their support for the proposals in the report.

*RESOLVED* that the Councillor Development Policy be amended as set out at paragraph 5.7 of the Head of Governance and Monitoring Officer's report.

*REASONS*

The aim of the amendment to the policy was to make the process for the nomination for Councillors for the funded place at Leadership Academy more equitable.

*ALTERNATIVE OPTIONS*

Not to amend the Councillor Development Policy.

**848 Progress of Responses to the Public**

The Democratic Services Manager submitted a progress sheet a copy of which had been circulated to each Member.

The Democratic Services Manager highlighted that the outstanding response to Alderman Oxford arising from his comments at Full Council on 21 February had now been sent and that the outstanding correspondence to the Minister of Transport arising from the Licensing Committee on 17 January 2024 was no longer necessary.

*RESOLVED* that the contents of the Progress Sheet be noted.

*REASONS*

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

*ALTERNATIVE OPTIONS*

No alternative options were presented to the Cabinet.

**849 Recommendation from the Scrutiny Panel - Corporate Communications**

Cabinet considered the recommendation in draft minute 446 of the Scrutiny Panel meeting of 13 February 2024, a copy of which had been circulated to each Member.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that he had suggested that where possible relevant information to repetitive enquiries should be put on the Council's website so that residents could be directed to obtain the information there. This could potentially reduce the call on the Council's Have Your Say! processes, which were being heavily used.

*RESOLVED* that Cabinet review the Council's approach to its corporate communications with members of the public.

*ALTERNATIVE OPTIONS*

It was open to the Cabinet not to accept the recommendation from the Scrutiny Panel or accept it subject to amendment.

**850 Recommendations from the Policy Panel**

Cabinet considered the recommendations made by the Policy Panel at its meeting on 6 March 2024.

Councillor Law, Chair of Policy Panel, attended and with the consent of the Chair, addressed Cabinet to introduce the recommendations made by the Panel. The value of the Policy Panel was also emphasised. It provided the Panel members and the wider Councillor body with an early view of proposed policies and gave an opportunity for Councillor's to influence these. It provided an opportunity for their experience of ward issues to be taken into account in the development of policy. Thanks were expressed to the Democratic Services staff supporting the Panel and the Deputy Chair.

Councillor King, Leader of the Council and Portfolio Holder for strategy, thanked the Panel for its helpful recommendations. He had attended most of the meetings of the

Panel and it provided value to the to the Cabinet. The Panel received issues at the right time to be able to influence them. In terms of Shared Services, their note of caution was accepted but the very real benefits in terms of resilience and capacity were highlighted.

Councillor Smith, Portfolio Holder for Housing, and Councillor Sommers, Portfolio Holder or Communities, also emphasised the value of the Panel and their thoughtful and reasonable recommendations.

In respect of Shared Services:-

*RESOLVED* that:-

- (a) Cabinet was mindful of the risks relating to shared services partnerships, including likely effects of a partner local authority withdrawing or issuing a Section 114 report
- (b) The concerns raised by Policy Panel members regarding the need to preserve the Council's sovereignty and maintain its independence were noted.

In respect of the Parking Policy/Strategy:

*RESOLVED* that the ongoing work on parking policy and strategy will cover car parks and parking across all parts of Colchester, and how multi-storey car parks are treated at their 'end of life' stage, with alternatives considered as to how to use the areas they occupy differently.

In respect of the Case for Change to Active Wellbeing:-

*RESOLVED* that:

- (a) An holistic active wellbeing approach to be pursued
- (b) Cabinet is mindful of health challenges facing residents, and the need for the Council to empower residents to utilise resources and facilities in their areas, and the need for the Council to be aware of the importance of locality regarding health and wellbeing resources
- (c) All elected members to be kept informed in advance of the details of upcoming engagement events with elected members, stakeholders and community groups.

In respect of the Memorial Policy

*RESOLVED* that the 'Policy for memorials within Colchester' be implemented, as presented to Policy Panel.

#### *ALTERNATIVE OPTIONS*

It was open to the Cabinet not to accept the recommendations from the Policy Panel or accept them subject to amendment.



**851 Minutes (Not for Publication)**

*RESOLVED* that the not for publication extract from the minutes of the meeting held on 24 January 2024 be confirmed as a correct record.