

# Cabinet

**Grand Jury Room, Town Hall  
2 December 2009 at 6.00pm**

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

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# COLCHESTER BOROUGH COUNCIL CABINET

**2 December 2009 at 6:00pm**

Leader (& Chairman): Councillor Anne Turrell (Liberal Democrats)  
Deputy Chairman: Councillor Martin Hunt (Liberal Democrats)  
Councillor Lyn Barton (Liberal Democrats)  
Councillor Tina Dopson (Labour)  
Councillor Nigel Offen (Liberal Democrats)  
Councillor Beverley Oxford (The Highwoods Group)  
Councillor Paul Smith (Liberal Democrats)  
Councillor Tim Young (Labour)

## **AGENDA - Part A**

(open to the public including the media)

### **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 off or to silent;
- location of toilets;
- introduction of members of the meeting.

#### **2. 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.

#### **3. 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.

#### **4. 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.

#### **5. Minutes**

To confirm as a correct record the minutes of the meeting held on 21 October 2009

#### **6. Call-in Procedure**

To consider any items referred by the Strategic Overview and Scrutiny Panel under the Call-In Procedure. At the time of the publication of this Agenda there were none.

#### **7. Resources and Business**

##### **i. Request for Transfer of Land at Norman Way**

**1 - 28**

See report by the Monitoring Officer

#### **8. Strategy/Resources and Business**

<ul style="list-style-type: none"> <li>i. <b>2010 - 2011 Revenue Budget, Financial Reserves and Capital Programme</b></li> </ul>	<p><b>29 - 57</b></p>
<p>See report by the Head of Resource Management</p>	
<p><b>9. Street and Waste Services</b></p>	
<ul style="list-style-type: none"> <li>i. <b>Introduction of 20 mph areas in Colchester</b></li> </ul>	<p><b>58 - 60</b></p>
<p>See minute 17 from the meeting of the Policy Review and Development Panel meeting on 9 November 2009.</p>	
<p><b>10. Neighbourhoods</b></p>	
<ul style="list-style-type: none"> <li>i. <b>Transforming Colchester's Housing Services</b></li> </ul>	<p><b>61 - 95</b></p>
<p>See report by the Head of Strategic Policy and Regeneration and the Head of Life Opportunities and the minute of the Strategic Overview and Scrutiny Panel on 3 November 2009.</p>	
<ul style="list-style-type: none"> <li>ii. <b>Review of Temporary Accommodation</b></li> </ul>	<p><b>96 - 115</b></p>
<p>See report by the Head of Strategic Policy and Regeneration</p>	
<ul style="list-style-type: none"> <li>iii. <b>Moving into New Affordable Housing Development</b></li> </ul>	<p><b>116 - 129</b></p>
<p>See report by the Head of Strategic Policy and Regeneration</p>	
<p><b>11. General</b></p>	
<ul style="list-style-type: none"> <li>i. <b>Calendar of Meetings 2010-2011</b></li> </ul>	<p><b>130 - 136</b></p>
<p>See report by the Head of Corporate Management</p>	
<ul style="list-style-type: none"> <li>ii. <b>Appointment of Deputy Mayor 2010-2011</b></li> </ul>	
<p>To consider any recommendations put forward for this meeting for recommendation to Council</p>	
<ul style="list-style-type: none"> <li>iii. <b>Progress of Responses to the Public</b></li> </ul>	<p><b>137 - 141</b></p>
<p>To note the contents of the Progress Sheet</p>	
<p><b>12. Exclusion of the Public</b></p>	

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

<b>Report of</b>	<b>Monitoring Officer</b>	<b>Author</b>	<b>Andrew Weavers</b>
<b>Title</b>	<b>Request for Transfer of Land at Norman Way</b>		
<b>Wards affected</b>	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 [cllr.anne.turrell@colchester.gov.uk](mailto:cllr.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.

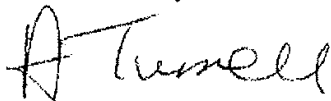
The Cabinet have now considered what they need to do to progress this matter in order to fulfil the wishes of members at its meeting on 21 October.

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](mailto: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



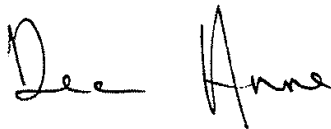
Councillor Anne Turrell  
Leader of the Council

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

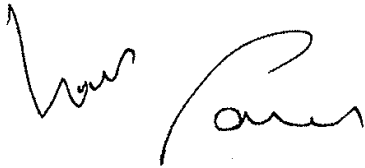


Councillor Anne Turrell, Leader  
Colchester Borough Council  
PO Box 884  
Town Hall  
Colchester  
Essex  
CO1 1FR

Our Ref: LH/kw/tu2810  
Date: 28<sup>th</sup> 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](http://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.



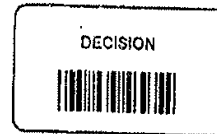
All correspondence must be addressed to:  
Colchester Borough Council,  
PO BOX 5215, Town Hall, High Street,  
Colchester, Essex CO1 1GG

marked for the attention of Miss M Rutherford  
or by email to [marie.rutherford@colchester.gov.uk](mailto: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

Planning & Protection

Lexden Grange  
127 Lexden Road  
Colchester  
Essex CO3 3RJ

## 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



Colchester Borough Council

Planning & Protection

Lexden Grange  
127 Lexden Road  
Colchester  
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

COL/04/2217

POSTERED ON ROAD CORNER  
APPROVED  
1000 hours  
01/01/2017

LOGGED  
-18C/201

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

PROPOSED ROAD WIDTH SHOWN TO BE AGREED WITH LOCAL AUTHORITY

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

EXISTING FOOTWAYS PROVIDING FUTURE ACCESS TO THE SCHOOL

FUTURE ACCESS TO BE AGREED WITH LOCAL AUTHORITY

EXIST. TURNING AREA

EXISTING ROADWAY

EXISTING PAVING AND CURBING AREA

EXISTING ACCESS TO BE MAINTAINED

THE PHILIP MURANT SCHOOL &  
SIXTH FORM COLLEGE  
COLCHESTER

PROPOSED ACCESS ROAD  
ROAD LAYOUT

MLM  
MADDOCKS  
MADDOCKS  
MADDOCKS

Scale: 1:500  
Date: 01/01/2017  
Author: [Name]  
Checked: [Name]

## 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

	<b>Issue</b>	<b>Number commenting</b>
	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...*”.

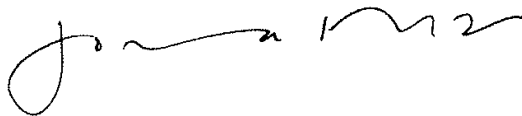
It has been suggested to me that there may be some misguided belief that failure to secure the BSF funding could in some way save schools from closure. That is not the case. If the land deal is frustrated, the County Council would have to find another way to implement the decision that has already been 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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**2 December 2009**

<b>Report of</b>	<b>Head of Resource Management</b>	<b>Author</b>	<b>Sean Plummer</b> <b>☎ 282347</b>
<b>Title</b>	<b>2010/11 Revenue Budget, Financial Reserves and Capital Programme</b>		
<b>Wards affected</b>	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.
<b>Add: increase in recurring cost pressures:-</b>		
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.
<b>Add: change to Growth</b>	(42)	See paragraph 5.7.
<b>Less: Savings:-</b>		
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)	
<b>Council Tax</b>	No change	Current assumption remains @ 2.76% and 1% increase in taxbase
<b>Government Grants</b>	No change	
<b>Changes re use of reserves:-</b>	No change	
<b>Updated Recurring Gap</b>	<b>929</b>	
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.)
<b>Total Budget Gap</b>	<b>1,793</b>	

- 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 delivery 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

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

	<b>Previous estimate</b>	<b>Updated estimate</b>	
	<b>£'000</b>	<b>£'000</b>	<b>Comment</b>
			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.
<b>Total</b>	<b>767</b>	<b>1,570</b>	

## Growth items

<b>Area</b>	<b>Amount in previous Forecast  £'000</b>	<b>New Items / Change in Forecast  £'000</b>	<b>Comment</b>
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	



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

<b>Work Area: Life Opportunities</b>					
<b>Who: Gareth Mitchell</b>					
<b>Saving (£): £60k</b>					
<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"> <li>manage vending contracts in-house rather than through contractors</li> <li>Review prices of stock against other comparable local outlets</li> <li>Enter agreement with Zoggs to supply swimming equipment</li> <li>Build retail outlet off the reception area at Leisure World</li> </ul>	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"> <li>Enter agreement with Zoggs to supply swimming equipment</li> <li>Build retail outlet off the reception area at Leisure World</li> </ul>	The recession results in decreased sales  A delay in building retail outlet leads to lower sales	Appropriate promotion  Start process as soon as possible	Regular financial monitoring and liaison with supplier	
Tiptree Sports Centre income (£5k)	<ul style="list-style-type: none"> <li>Provide additional grass pitch at Tiptree Sports Centre in conjunction with Thurstable school</li> </ul>	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"> <li>Consider financial risk on an event by event basis</li> <li>Pursue private hire</li> </ul>	The recession results in decreased ticket sales Cost of hiring Charter Hall leads to hirers	Monitor competitors Improve quality of customer experience and value for money	Regular financial monitoring	

<b>Work Area: Life Opportunities</b>					
<b>Who: Gareth Mitchell</b>					
<b>Saving (£): £60k</b>					
<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"> <li>bookings</li> <li>• Ensure all staff aware of importance</li> </ul>	<ul style="list-style-type: none"> <li>using other venues</li> <li>The recession results in decreased sales</li> <li>Competitive market</li> </ul>	<ul style="list-style-type: none"> <li>Pricing and promotional campaigns, identify customer demands</li> </ul>	Regular financial monitoring	
Lifestyles memberships (£15k)		<ul style="list-style-type: none"> <li>The recession results in decreased sales in a competitive market</li> </ul>	<ul style="list-style-type: none"> <li>Ensure Lifestyle passes are priced and promoted appropriately</li> </ul>	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.	

<b>Work Area: Environmental and Protective Services</b>				
<b>Who: Beverly Jones</b>				
<b>Saving (£): £60k</b>				
<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.

<b>Work Area: Strategic Policy and Regeneration</b>					
<b>Who: Lindsay Barker</b>					
<b>Saving (£): £30k</b>					
<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	

<b>Work Area: CSC</b>				
<b>Who: Leonie Rathbone / Pam Donnelly</b>				
<b>Saving (£): £60,000</b>				
<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 consideration of ongoing 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: -

	<b>£'000</b>	
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
<b>Sub Total</b>	<b>1,490</b>
Unforeseen factors,	10
<b>Recommended level</b>	<b>1,500</b>

**General Fund Balances  
Current Position**

	<b>£'000</b>	<b>£'000</b>
Balance as at 31 March 2009 (As per Statement of Accounts)		2,891
<b>Movement on balances during 2009/10:</b>		
• 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)
<b>Projected Balances as at 31 March 2010</b>		<b>1,472</b>
Less anticipated support to 2010/11 budget		0
		<b>1,472</b>
 Proposed minimum balance		 <b>1,500</b>
 <b>Potential deficit balance as at 31 March 2010 (assuming the current year outturn is "on budget")</b>		 <b>28</b>
<b>Potential deficit as at 31 March 2010 (if 09/10 outturn is in line with position reported to FASP)</b>		<b>316</b>

**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

<b>Reserve</b>	<b>Amount 31/03/09 £'000</b>	<b>Estimate 31/03/10 £'000</b>	<b>Comment</b>
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.
	<b>7,853</b>	<b>6,861</b>	

**B. Provisions**

<b>Reserve</b>	<b>Amount 31/03/08 £'000</b>	<b>Estimate 31/03/09 £'000</b>	<b>Comment</b>
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.
	<b>323</b>	<b>160</b>	

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
POLICY REVIEW AND DEVELOPMENT PANEL  
HELD ON 9 NOVEMBER 2009**

**Councillor J. Young (in respect of her membership of Essex County Council) declared her personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).**

**17. 20 mph Task and Finish Group**

Peter Lynn addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1). He expressed his thanks to the Panel Chairman for her prompt feedback following the representations he had made to the Panel at its last meeting concerning the work and remit of the 20 mph Task and Finish Group. He also thanked Councillor Hardy for raising his concerns at the October meeting of the Task and Finish Group. He maintained that the Group's proposals did not go as far as he would have liked but he conceded they were a good step forward and was hopeful that they would be accepted and that the measures needed to deliver the proposals would be implemented. In particular he considered that the area wide implementation was to be recommended.

Councillor Harris attended and, with the consent of the Chairman, addressed the Panel. He stated that he had responded to the initial 20 mph consultation and he advocated the need for large numbers of residents to support the concept in order for the proposals to stand a good chance of success. He had undertaken his own consultation within the ward he represented, asking residents to indicate their support or opposition to the introduction of 20 mph zones in residential areas of Berechurch. He had collected 100 responses, 99 of which supported the proposal, which he intended to submit to the next meeting of the Cabinet. He requested that Berechurch and Shrub End wards be considered for inclusion within any future schemes and stated his commitment to the '20's Plenty for Us' campaign. He considered that the introduction of schemes to reduce speed, increase road safety and improve the environment would demonstrate that the Council was in touch with local communities. He concluded by congratulating the Task and Finish Group on its work and stated his commitment to speaking in support of the proposals when they were considered by Cabinet.

The Mayor, Councillor Spyvee, attended and, with the consent of the Chairman, addressed the Panel. He wished to express his personal view in support of 20 mph speed restrictions on the grounds of improved road safety. Subject to the views of the Police and Essex County Council, he was of the view that a town-wide / urban core of Colchester and Stanway scheme should be introduced. He considered that the roles of Essex County Council and Essex Police would be key to the success of the initiative but there may be a danger that expectations might be raised that could not be fulfilled. He further indicated the need for consultation with residents and that schemes should not be introduced where residents were opposed to it. He hoped that rural areas would also be included in the initiative, where possible.

The Panel considered a report by the Head of Strategic Policy and Regeneration summarising the work undertaken by the Task and Finish Group together with a detailed technical report on the potential introduction of 20 mph areas in Colchester. Also available



were the notes of the two latest meetings of the Task and Finish Group held on 22 September and 13 October 2009.

Councillor Ford, the Chairman of the Task and Finish Group attended the Panel to assist members in their discussions. He explained that the Group had obtained considerable assistance from the seminar which had been held in Portsmouth in September. The main conclusion of the Group had been that the absence of speed lessens the chance of fatalities. He explained that it would be necessary for Essex County Council to include the Group's proposals in Local Transport Plan 3 and the support of Essex Police was essential. In Portsmouth widespread consultation had been undertaken in order to be confident that the public would want 20 mph zoning to be introduced. Nevertheless there was still a need for additional signage which had entailed some associated costs. If 20 mph zoning was introduced in Colchester, he felt that the town would be seen as a pioneer which would improve the quality of life for all.

Paul Wilkinson, Colchester Borough Council Transportation Policy Manager, undertook a formal presentation including information relating to the outcomes of 20 mph zones elsewhere, accident statistics in Colchester, the Essex County Council road hierarchy, the situation in Portsmouth, the measures used elsewhere to successfully introduce 20mph zones, public views, enforcement and legal issues. The Group had concluded that to take the proposals forward further consultation and engagement work would be required. It was estimated that this work would cost in the region of £15,000 however no budgetary provision had currently been allocated.

Mr Wilkinson also confirmed that the technical report circulated to the Panel members had omitted details of one Key Stakeholder comment which had been submitted by the St John's Borough Council member on the Local Highway Panel. The comment, which was in favour of 20 mph zoning implementation, brought the total number of responses to 25. The details of the comment from the St John's member would be brought to the attention of the Task and Finish Group at its next meeting

The Panel congratulated the members of the Task and Finish Group on the work they had undertaken, discussed the findings of the Group in full and gave particular consideration to the following issues:-

- The need for any proposals to be self-enforced and the associated necessity for public consultation and engagement to be implemented;
- The possibility of seeking Essex County Council's support to pilot one or more 20 mph schemes in the Colchester area;
- The possibility of a standardised pro-forma being produced to enable individual Borough Councillors to undertake consultation in their own wards.

*RESOLVED* that the recommendations of the 20mph Task and Finish Group, as set out below, be endorsed:

- A 20mph policy be adopted for inclusion in Essex County Council's Local Transport Plan 3;
- In adopting a 20 mph policy and to deliver the necessary measures this Council will seek to work with Essex County Council, including the Highways Department, and Essex Police, to ensure their agreement in respect of policies, delivery, funding and enforcement resource levels;

- Comprehensive consultation and engagement with representative community groups and residents be carried out to confirm where 20 mph zoning is desired;
- In line with the findings of further community consultation and engagement the implementation of a 20mph speed limit be delivered on an 'area wide' basis as set out in the proposals;
- In order to undertake consultation and engagement, funding of £15,000 and associated resources be allocated;
- The Task and Finish Group work be continued, setting out a detailed proposal to undertake further consultation, engagement and research work, reporting back to a future meeting of the Policy Review and Development Panel;
- The approach to delivery as set out in section 6 of the report of the Head of Strategic Policy and Regeneration be adopted to include the reinforcement and extension of the existing town centre 20mph zone, implementation in discrete residential areas such as Highwoods and Greenstead and in rural areas based on Parish Plans and Village Design Statements.

*RECOMMENDED* to Cabinet that the proposed measures set out in the resolution above be agreed.



## Cabinet

2 December 2009

Item  
**10(i)**

Report of	Head of Life Opportunities Head of Strategic Policy and Regeneration	Authors	Gareth Mitchell ☎ 6972 Lindsay Barker ☎ 2253
Title	Transforming Colchester's Housing Services		
Wards affected	All		

**This report recommends the detailed business case for the future of housing services as part of the fundamental service review of Colchester's housing services**

### 1. Decision(s) Required

- 1.1 To approve the detailed business case for transforming Colchester's housing services (attached at the end of this report)

### 2. Reasons for Decision(s)

- 2.1 As one of nine priorities in the current Strategic Plan the Council has the strategic priority;  
*Homes for All*  
*We will work towards providing safe, secure, decent and affordable homes for all.*
- 2.2 The business case is wholly aimed at delivering on this priority in a way that delivers a much improved customer experience, is more efficient and cost effective and achieves better outcomes for the residents of Colchester.
- 2.3 The business case has been developed through the 'Fundamental Service Review' approach, as part of the Council's Corporate Improvement Programme and is an opportunity to make a dramatic shift in the way we deliver this critical set of services, to build a service that is able to respond to the current economic climate and is fit for purpose in the future.

### 3. Alternative Options

- 3.1 The alternative option would be not to approve the business case or to ask for changes to be made to the proposals set out in the business case. In either scenario, the delivery of improved customer excellence, and greater efficiency and effectiveness in the housing services would be delayed or not delivered. The business case is the result of considerable research, analysis and consultation on the part of staff in the services and the review steering group.

### 4. Supporting Information

- 4.1 In December 2008 it was agreed that a fundamental service review of the council's housing functions as part of the council's improvement programme would be carried out.
- 4.2 As the housing functions sit in two service groups, the Head of Strategic Policy and Regeneration and Head of Life Opportunities would jointly lead the review with the expectation to complete it by November 2009. The review has had sponsorship from the Executive Director for Customer Excellence and has reported by way of updates at Cabinet level to the Portfolio Holders for Neighbourhoods and Culture and Diversity.
- 4.3 As part of the scoping it was agreed the review would focus on Colchester Borough Council's housing functions and also look at the strategic interface with Colchester Borough Homes, including the current delegation of functions, the management fee and provision of support services. However, it was not to be a review of Colchester Borough Homes as an organisation.
- 4.4 As can be seen in the business case (see page 6 in the attached) the Fundamental Service Reviews have an agreed structure with specific outputs at each stage. The detailed business case is the product of a significant amount of work including 15 workshops with over 70 staff involved and a very successful workshop with key partners from the housing sector.
- 4.5 The issues emerging in the early stages of the review were identified as:-
- Limited prevention activity especially early intervention
  - Little ability to 'self serve' and for customers to help themselves
  - Not enough information about and understanding of the housing services customers
  - Very complicated processes and difficult for customers to access services and navigate through them
  - Little matching of customer need to the appropriate level of staff expertise so producing a very high cost to serve ratio
  - Not enough focus on supply in the round and unable to keep pace with rising demand
  - Key performance targets not being achieved
  - The need to improve the management in the service
  - The need to improve the approach to enforcement in the private sector
  - Little evidence of a clear and consistent policy line being followed in making key service decisions.
- 4.5 As a result of this a framework for the review emerged (see page 7 in the attached business case) which focussed on increasing work on prevention and supply, understanding how to manage existing stock well and above all improving the customer journey through the services.

## **5. Proposals**

- 5.1 The main proposals contained within the detailed business case are:-
- To put in place a clear customer journey that delivers the fastest solution available and is responsive to need through the appropriate use of the Customer Service Centre/ infopoint@colchester wherever possible.

- To ensure the deployment of self-service tools for customers that will help customers to help themselves as much as possible and avoid wherever possible customers reaching an acute state of need.
- To set up a multi-skilled team of advisers able to deal with any housing enquiry that cannot be resolved at the frontline and that can provide a continuity of service for customers.
- To develop a strong focus on the Council's "strategic enabling" role in housing through clear direction, the identification and development of creative housing solutions and the commissioning of services to ensure outcomes can be delivered either internally or by other organisations.
- To align the delivery of housing solutions for customers with other key drivers of improved life chances such as health, skills and community safety, through a single communities-focused team.
- To set up a professional support unit that will drive change through streamlining processes, the effective use of technology and the sophisticated use of performance information and customer insight.
- To support a dedicated corporate team in Environmental and Protective Services to provide a clear focus on using enforcement powers to tackle owner responsibilities, improve quality and support the delivery of increased housing supply in the private sector
- To build on the importance of a strong working partnership between Colchester Borough Homes (CBH) and Colchester Borough Council (CBC), and make sure interaction and collaboration happens right across CBC housing services rather than channelled through one point of contact.

## **6. Strategic Plan References**

- 6.1 The Council has a Strategic Plan covering the period from 2009 – 2012. One of the 9 priorities within this plan is:

### Homes for All

*We will work towards providing safe, secure, decent and affordable homes for all.*

Within the context of the Council's Strategic Plan priority above, the overall objective of this review is:-

"To ensure that Colchester has the best possible arrangements for meeting the housing needs of residents."

## **7. Consultation**

- 7.1 During the course of the review considerable consultation has been carried out. Over 15 workshops have taken place with over 70 staff from the service involved. An event was held in March/April for all Councillors and at Colchester Borough Homes for their Board and staff. A very successful workshop with key external partners was also held at Highwoods Community Centre in August to test the early findings of the review and identify with them all the opportunities.
- 7.2 Many of the opportunities identified in the business case require significant further work to bring them to the point of delivery and internal colleagues and external partners will continue to be involved in their development.

## **8. Publicity Considerations**

- 8.1 Housing Services touch a significant number of the lives of residents of the borough and even into neighbouring areas with the increasing work at the sub regional level. Customers range from people in a crisis and needing urgent housing support to a landlord in the private sector seeking tenants, to someone applying for a disabled facilities grant. The review has been driven using our customer insight model to make sure we put in place services that give a better customer experience all round. A communication plan will be drawn up following the approval of the detailed business case to communicate the changes to the public as widely as possible.
- 8.2 Information accompanying this report has been provided to the local media on the purpose of the review and the predicted improvements for our customers in the quality, consistency and speed of service they will receive once the changes recommended are implemented.

## **9. Financial implications**

- 9.1 The financial implications are detailed in the business case and in summary are;
- A reduction in the people resource by around 25% by the end of year 3.
  - The above assumption includes a potential reduction in the management overhead of nearly 50%.
  - An initial assessment by Resource Management of the division of any savings between General Fund and Housing Revenue Account suggests approximately a 50:50 split.
  - Any revenue investment signalled in the opportunities for example either one off costs around IT or prevention and education initiatives will be covered from in service efficiencies during implementation.
  - The proposed changes to the customer journey should result in a reduction in the 'cost to serve' of low to medium need customers while improving the quality and speed of the service.

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

- 10.1 An Equality Impact Assessment has been carried out and circulated as part of the full business case. It is also available on the Council's website [www.colchester.gov.uk](http://www.colchester.gov.uk).
- 10.3 There are no specific Human Rights implications

## **11. Community Safety Implications**

- 11.1 Housing Services play a significant role in community safety and tackling anti social behaviour in communities. The detailed business case considers through many of the opportunities identified how this can continually be improved.

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

- 12.1 There are no specific Health and Safety implications

## **13. Risk Management Implications**

13.1 The high-level risks associated with this review have been identified in the business case and are being actively managed. A full risk register and risk management plan will be developed as part of the implementation plan

### **Background Papers**

The Detailed Business case is provided with these papers without the detailed appendices.

A full copy of the business case with the appendices and the Equality Impact Assessment has been sent to councillors and are available on [www.colchester.gov.uk](http://www.colchester.gov.uk)

# **Transforming Colchester's Housing services Detailed Business Case October 2009**

## **Fundamental Service Review of Housing services**





# Contents

<b>Section</b>	<b>Page</b>
1. <b>Executive Summary</b>	<b>3</b>
2. <b>The Journey So Far</b>	<b>6</b>
3. <b>Policy Context and History</b>	<b>10</b>
4. <b>The Future Service</b>	<b>14</b>
5. <b>Opportunities Summary</b>	<b>20</b>
6. <b>Customer, Efficiency and Effectiveness Benefits</b>	<b>23</b>
7. <b>Decision Making and Implementation</b>	<b>25</b>
8. <b>Risks</b>	<b>26</b>
9. <b>Communications</b>	<b>26</b>

# 1. Executive Summary

Colchester Borough Council has a Strategic Plan covering the period from 2009 – 2012. One of the nine priorities within this plan is:

Homes for All

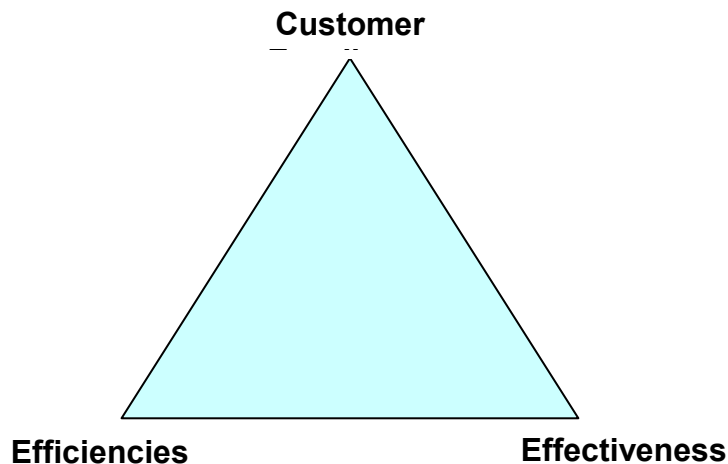
*We will work towards providing safe, secure, decent and affordable homes for all.*

Within the context of the Council's strategic plan priority above, the overall objective of this review is:

'To ensure that Colchester has the best possible arrangements for meeting the housing needs of residents.'

The Fundamental Service Review (FSR) of the housing services is part of the Council's change programme and is an opportunity to make a dramatic shift in the way we deliver this critical set of services, to build a service that is both able to respond to the current economic climate and is fit for purpose in the future.

Customer excellence, efficiencies and effectiveness are the key drivers of any FSR and the recommendations of this detailed business case focus on the balance of the benefits across all three of these areas.



The proposed future service is designed around the need to streamline and improve the service to the customer, to strengthen our strategic direction and increase the supply of solutions, and to work more closely with communities to prevent housing crises occurring and create sustainable communities. It also creates a support function that will drive performance, change and optimum use of technology across the services.

This future service would require the following:

- 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 Colchester Borough Council (CBC) and Colchester Borough Homes (CBH) across the whole housing function
- a new organisational structure and more flexible ways of working.

To deliver this future service, the following specific opportunities are proposed:

- Effective self-serve
- Effective triage
- Multi-skilled housing customer team
- Co-ordinated support to sustain tenancies and information sharing between agencies
- Collaborative approach between housing and benefits teams
- Education and cultural change
- Effective enforcement of standards in the private sector
- Short term housing solutions
- Colchester Association of Social Landlords
- A strong Colchester Borough Council and Colchester Borough Homes partnership
- Delivery of new affordable homes
- Returning more private sector empty homes to use
- Supporting landlords to delivery more quality private rented accommodation
- Professional Support Unit
- Cross-cutting themes.

Using the key drivers of FSRs - Customer, Efficiencies and Effectiveness - this future service is expected to deliver the following benefits:

### **Customer Excellence**

By implementing the recommendations customers will:

- be able to easily find the information they need to resolve many of their enquiries themselves
- have better access to all housing services and their enquiries dealt with in one place
- only have to give information once and expect it to be recorded accurately
- have more of their enquiries resolved at the first point of contact and reach a solution to their need more quickly.
- indicate (through future Touchstone work) that their experience of the service has improved
- if they need the services of the multi-skilled adviser team know who their lead officer is, what is happening on their case and who else has been informed
- where they are identified as needing it, have the support they need to be able to maintain their home.

### **Efficiencies**

- By implementing the proposed new structure the people resource in the services could be reduced by around 25% by the end of year 3. This includes the resources that could be shifted to other parts of CBC and CBH.
- The resulting potential reduction in staff costs would start in year 1 of the implementation and be phased through to the end of year 3. An initial assessment by Resource Management of the division of these savings between General Fund and Housing Revenue Account suggests approximately a 50:50 split.
- The above assumption includes a potential reduction in the management overhead of nearly 50%
- There is revenue investment signalled in the opportunities, for example either one-off costs around IT or prevention and education initiatives. It is assumed this will be covered from in-service efficiencies during the implementation.

- The proposed changes to the customer journey should result in a reduction in the 'cost to serve' of low to medium need customers while improving the quality and speed of the service.

### **Effectiveness**

The new approach is based on making sure that:

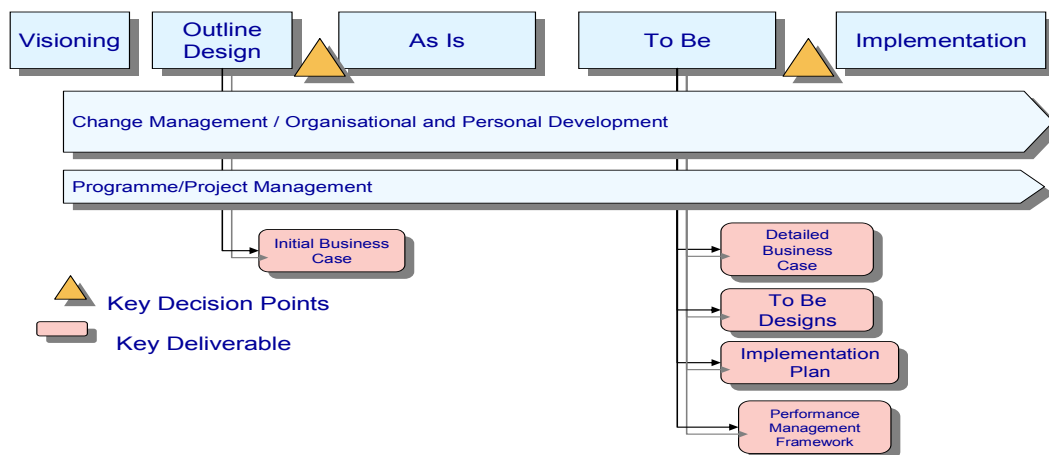
- strategic solutions to provide more housing can be developed and delivered on the ground and their impact assessed
- specialist staff resources will be targeted to those in higher and more complex housing need
- increased staff motivation through opportunities for staff to develop their skills, knowledge and experience
- resources are shifted to earlier intervention in communities where it is more cost effective to help people in earlier stages of need
- processes will be simplified to reduce duplication, ease customer access and reduce unnecessary cost
- by supporting people to manage their homes effectively we can reduce the number of people needing our services in crisis situations
- managers have the support, skills and ability to manage their people effectively and improve performance,
- the Council's assets, skills and resources and those of its partners are used more appropriately to make sure whoever is best placed to deliver does so.

The current timings for review and approval of this business case are pre-scrutiny at Strategic Overview and Scrutiny Panel on 3 November, followed by Cabinet on 2 December 2009.

## 2. The Journey So Far

Having agreed the scope of the FSR of the housing services in January 2009, Leadership Team was presented with the Initial Business Case on 17 June 2009 and gave their support for the review to progress to the Detailed Business Case stage. The FSR structure is:

### FSR Overview



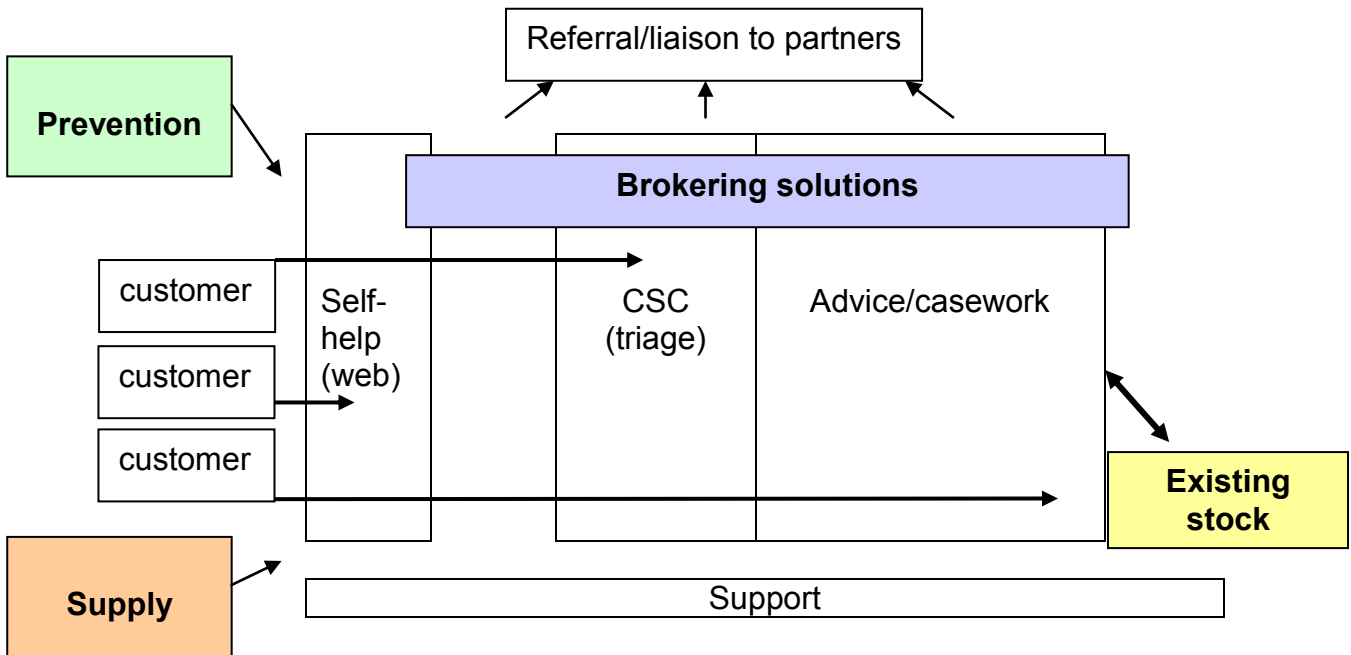
The review outcomes and success criteria agreed are:

- Streamlined processes providing faster and more efficient delivery
- Greater responsiveness to customers' needs
- Higher satisfaction among customers and stakeholders
- Reduction in costs
- More effective achievement of strategic priorities
- Stronger performance measurement
- Higher levels of staff motivation and satisfaction
- Improved skills in some disciplines.

The high-level opportunities identified at the Initial Business Case phase are:

- Increased investment in prevention and supply
- Shift of the front-end customer-handling processes to the Customer Service Centre/infopoint@colchester (CSC) and the web, including CBH
- Consolidation of service support functions into a 'Professional Support Unit'
- Reduce management capacity, improve management capability and support
- Improvements in business processes across the services
- Explore outsourcing/commissioning opportunities for specific service functions
- Pursue the opportunity to develop a sub-regional 'choice-based lettings allocations unit'
- Commission management of temporary accommodation and tenant support from a specialist Registered Social Landlord.

The proposed framework for change that has guided the development of the Detailed Business Case is:



Since June, the 'As Is' and 'To Be' phases have been completed with staff involvement from across the services and from other parts of CBC and CBH. These phases have been structured around five key themes:

- Prevention
- Supply
- Brokering solutions
- Managing existing stock and tenants
- Professional support.

Around 20 workshops have been held with staff and external stakeholders to shape the future service. The Review Steering Group and the Corporate Support Team have worked throughout this phase to capture opportunities for change and develop the content for the Detailed Business Case.

The current profile of activity, staff resource allocation and spend is summarised in the table below.

<b>Team</b>	<b>Resource commitment (fulltime equivalents)</b>	<b>Staff Cost £000s</b>
Assessment and Options	19	546
Accommodation	13	320
Home Improvement	13.5	425
Strategic Housing	6	191
Partnership and Performance	10	344
Group Support	3.5	79
Management	7.5	349
<b>Total</b>	<b>73.5</b>	<b>2,254</b>

### **Customer Insight**

The following table shows the current volume of customers with housing enquiries dealt with by CBC and numbers of outcomes into current solutions (year ending 30 June 2009).

<b>Contact</b>	<b>Number</b>	<b>Notes</b>
Telephone calls received on Housing specific numbers	12057	2730 calls are abandoned before answering
Calls resolved by the CSC at point of contact	6036	This equates to 67% of answered calls
Contact with Housing Advice service (all contacts)	10276	62% of contact is face to face at Angel Court
Customers Served by Housing Assessment and Options team	5100	
Customers Interviewed by Specialist Advisers	1195	Around half of these customers' needs are satisfied with advice and/or further casework
Customers who applied for a homeless decision	566	291 considered unintentionally homeless
Requests for Service received by Private Sector Housing team	932	
Households housed using Private Sector Lettings schemes	240	Includes Home Finder and Path schemes
Number of Social Housing Lets	731	CBC and other RSLs

The following table outlines the current 'cost to serve' housing customers broken down by level of need.

Category	Description of customer need	Estimated numbers	Estimated 'cost to serve' per customer (£s)	Estimated Total 'cost to serve' (£000s)
1	Low complexity and need	5362	26.32	141.14
2	Moderate complexity and need	1223	223.23	273.01
3	Acute, complex, high levels of need	550	538.75	296.31

An Institute of Customer Service's Touchstone survey of customer perceptions was carried out during July 2009. Improving customer perceptions will be a key component of the customer quadrant of CBC's performance dashboard and will be monitored regularly to ensure changes are made to deliver improvements for the customer. A summary is provided and the details will be used to form a baseline of customer satisfaction.

- The majority of respondents had contacted the service by phone (38%) or face to face (39%). Of those who had only used these methods of contact, more than 50% of them stated that they would not be willing to use any other method of contact.
- For all Touchstone questions which measured satisfaction, the level of satisfaction decreased as the enquiry went on. The full report shows that as there are more contacts made and the enquiry was unresolved, the levels of satisfaction decreased.
- The questions where the highest levels of respondents fully agreed or were satisfied were where they felt staff listened, and were friendly and polite.
- On the question of whether staff were considered to be genuinely interested, there were high levels of satisfaction.
- For the Touchstone core values, customers voiced less satisfaction with staff knowledge (12% rated not knowledgeable)
- Highest satisfaction was given for staff attitude, with 79% indicating a good attitude.
- For the Cabinet Office drivers of satisfaction, Timeliness (23% indicated not timely), and Information (18% indicated not informative) received the lowest scores by proxy indicators from respondents.
- Highest satisfaction was seen in staff attitude (with 78% indicating a good attitude, and 15% indicating a partially good attitude).
- The results for each Touchstone question were very similar across respondent types. However, often the 'other' category which included housing tenants, street homeless, and a few people not living in the borough had lower levels of satisfied customers.



### **3. Policy Context and History**

#### **History**

The following is a brief summary of the recent history of the housing service:

- The housing service was restructured in 2004/05 and broadly arrived at the current structure following on from the creation of the Choice Based Lettings Scheme Homechoice and the setting up of the front office Homechoice shop adjacent to the CSC, and resulted in a shift of resources and functions within the teams in the service.
- Sub-regional working began in 2004 and has led to increased delivery and a vehicle for money to increase supply of new affordable homes. The sub-region has become the dominant force in much change including a sub-regional choice based lettings scheme and now the enhanced housing options trailblazer, as well as set of wider initiatives to understand need, the market and customers across the sub region and developing robust plans to respond effectively.
- CBH was set up as an arms length management organisation in 2003 following a tenants vote in favour of CBC retaining ownership of the housing stock. This enabled £35 million investment in stock and increased tenant involvement in governance. The Management Agreement was renewed in 2008 for five years.

#### **Legislative framework**

Housing is subject to significant regulation, performance monitoring and financial monitoring. The key elements of the legislative framework for the work of housing services includes:

- Housing and Regeneration Act 2008 – New planning powers to deliver regeneration. Created Homes and Communities Agency and Tenant Services Authority aimed at improving standards and increasing supply.
- Housing Act 2004 – Introduced Health and Safety system in housing and offered new enforcement powers in the private sector including the use of Empty Dwelling Management Orders to return empty properties to use where all other enforcement action has failed.
- Homelessness Act 2002 – Required a strategic approach to the prevention of homelessness and gave additional groups of vulnerable people ‘priority need’ status.
- Housing Act 1996 – Codified and modified the legal framework for allocations and homelessness and landlord tenant law in the Private Rented Sector. It also placed a responsibility on Local Authorities to provide advice to people in housing need or threatened with homelessness which would enable them to secure their own accommodation.
- The Housing Acts 1980 and 1985 established the secure tenancy status and codified the rights available to tenants and landlords including the Right to Buy. This has been supplemented by the setting up of the Introductory Tenancy regime.

#### **Local context**

It is critical to understand the local context, levels of housing need and the challenges this poses for housing services.

## **Demographics**

- Colchester's population was estimated to be at 181,000 people in mid-2008. This makes Colchester the largest and fastest growing district in Essex County and the second largest district in the Country.
- There are 40,900 young people living in the borough aged between 0 and 19 years. This accounts for 23.3% of the total population at mid-2007. There are 29,900 people in Colchester of retirement age, accounting for 17.0% of the population.
- It has been estimated that the population of Colchester will rise to 223,500 people in 2021. This is a very significant growth and indicates a population change of 30.9% between 2006 and 2021 (52,700 people).
- Mid-2006 population estimates show that ethnic minority groups account for 7.09% of the total Colchester population, an increase from 3.82% on Census Day 2001. This is also higher than the Essex proportion of 5.85%.

## **Local economy**

- Colchester has a diverse and growing business community (5,000 VAT registered businesses, around 15,000 non-VAT registered.)
- The local economy is predominantly made up of small to medium size businesses and is underpinned by a strong public sector with major employers including the Garrison and University of Essex. The average gross weekly earnings (2007) are £417 (below regional average).
- The Regional Spatial Strategy (RSS) employment forecast to 2021 has been adopted as the strategic jobs target to create 14,200 new jobs (net) 2001–2021.

## **Crime and anti-social behaviour**

- The overall crime rate in Colchester has dropped from 88.5 crimes per 1,000 people in 2002/03 to 66.2 recorded crimes per 1,000 in 2008/09, in line with the UK trend.
- Levels of anti-social behaviour (including all incidents of anti-social behavior, not crimes, recorded by the police such as youth nuisance, abandoned vehicles and rowdy or inconsiderate behavior) are average for Colchester compared to the rest of Essex and slightly improved on 2008 levels.

## **Housing need**

- There are 71,192 dwellings in Colchester with a net increase in households of 1,425 per annum (2007/8). Colchester, in line with the region, has significant 'in migration' – 35% movers in the last two years moved into the area from elsewhere. The average incomes of households moving in are lower than of those moving out.

The relevant Colchester Strategic Housing Market Assessment (2008) outputs are:

- 72% dwellings are owner occupied, 13% social rented, 8% private rented, 7% other public sector (including the MOD and University).
- Average household income £31,396, median household income £23,874
- 5.1% private sector dwellings have a category 1 hazard requiring immediate attention (requiring £12m to deal with these dwellings)
- 14% of renters are in unsuitable housing representing a quarter of all those in unsuitable housing
- Between 2000 and 2006 about 31% of new dwellings constructed were flats and in 2006 flats represented about 17% of total housing stock (increase of 2% from 2001)
- 16.8% of households were identified as having someone with a support need in them.
- The population is growing older with more than a quarter of households being headed by a retired person.

## **Future housing need**

- Through the Local Development Framework, Colchester needs to ensure that housing provision delivers 19,000 homes between 2001 and 2023. This equates to an average annual build of 830 units a year. Although currently 1,318 units ahead of schedule the current market will provide challenges for this target.
- Colchester's RSS 14 housing growth target (2001 – 2021) is 17,100 new homes.
- Colchester's Local Area Agreement targets for net additional housing and affordable housing are:

	<b>Net additional housing</b>	<b>Affordable housing</b>
2008/09	955	119
2009/10	855	128
2010/11	1000	136

### **Local Strategic Partnership (LSP)**

A key theme in the newly refreshed LSP Delivery Plan is 'Promoting healthy lifestyles, providing affordable housing and reducing homelessness'. This theme recognises the fundamental importance of good quality homes in achieving sustainable communities and contributing to better health outcomes. The theme focuses on key actions which all LSP partners have signed up to and will commit resources to achieve. The actions are:

- Stimulate collective action to promote and support healthy lifestyles.
- Maximise opportunities to improve the supply of housing and support residents to maintain their tenancies.
- Improve the sustainability and reduce the carbon emissions of our housing.

The housing-specific outcomes being sought are:

- There is more sustained planning across housing service providers and coordination of resources.
- Partners have worked together to deliver more finance for affordable housing.
- Help given to people in Colchester to maintain their tenancies or home ownership shows positive results.
- There is a joined-up approach to crisis coordination across the Colchester2020 partners.
- Partners have worked together to provide more help to residents to stay in their own homes.

These are all supported by the opportunities presented in this business case and clearly CBC will be a key delivery partner. The Chief Executive of CBC is the lead officer for this theme on the Colchester2020 LSP, and this presents us with an excellent opportunity to influence the resources and commitment of our partners towards delivering the support and help people need to maintain their homes.

## **Performance**

The performance management framework for housing is constantly developing and some areas of work are more heavily scrutinised by government than others. Performance has been varied across the set of indicators which CBC reports on across housing services and CBH, and in the number of cases where we accept a homelessness duty Colchester is still among the highest in the region.

Areas which have been identified as having a risk of not being achieved or were not achieved in the last period include:

- Reduction in use of temporary accommodation by 50% by 2010
- Length of time properties are void
- Decent Homes (although procurement is complete and a new deadline has been agreed for 2012).

Customer satisfaction of CBH-delivered services is monitored through the STATUS survey every two years. The overall numbers of customers who are satisfied has reduced between 2006 and 2008 although some areas have improved.

CBC has delivered its targets on new affordable homes, and performance has consistently improved over the last few years. However it should be noted it is still some way from meeting the overall need figure identified in the Strategic Housing Market Assessment (2008).

## **New Strategic Housing ‘Key Line of Enquiry’**

In July 2009 the Audit Commission produced a draft key line of enquiry (KLOE) to assess how well a council works with its partners and other stakeholders to address the housing need and challenges within its area. This will emphasise the importance of councils having a strong strategic focus which can translate clearly into delivery. It will look at how well a council makes best use of all existing stock and how well equipped it is to drive forward the housing vision for its locality.

It measures the following:

1. Vision and strategic approach: how well does the council and its partners strategically plan work to balance the housing market and develop sustainable communities?
2. Capacity to deliver: does the council have the capacity to deliver its housing vision effectively now and in the future?
3. Improving housing outcomes for the local community: is the strategic approach to housing delivering better housing outcomes for the local community?

Strategic housing functions will be scored from 1 to 4 with 4 being the highest. A number of the detailed opportunities in the business case reach and exceed the standard required for level 3, and as some of them are innovative and reflect best practice we believe a level 4 assessment would be achievable following full implementation.

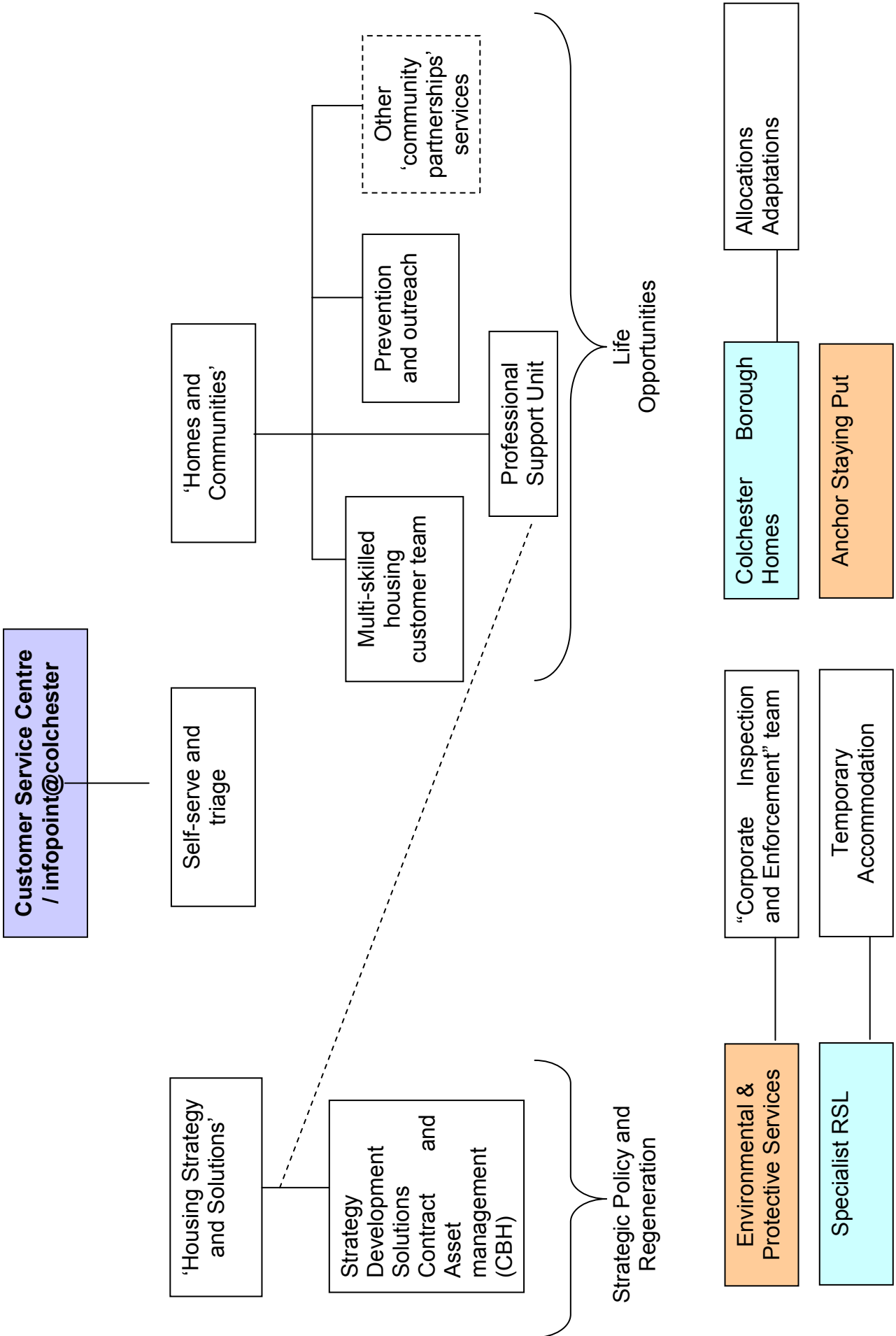
## 4. The Future Service

The future service is designed around the need to streamline and improve the service to the customer, to strengthen our strategic direction and increase the supply of solutions and to work more closely with communities to prevent housing crises occurring and create sustainable communities.

The proposed service is built around the following principles:

- a clear customer journey that delivers the fastest solution available and is responsive to need through the appropriate use of the CSC wherever possible
- the deployment of self-service tools for customers that will aid early resolution of a customer's housing issue, and avoid wherever possible customers reaching an acute state of need
- a multi-skilled team of advisers able to deal with any housing enquiry that cannot be resolved at the frontline
- a strong focus on CBC's 'strategic enabling' role in housing through clear direction, the identification and development of creative housing solutions and the commissioning of services to ensure outcomes can be delivered either internally or by other organisations
- aligning the delivery of housing solutions for customers with other key drivers of improved life chances such as health, skills and community safety, through a single communities-focused team
- setting up a professional support unit that will drive change through streamlining processes, the effective use of technology and the sophisticated use of performance information and customer insight
- supporting a dedicated corporate team in Environmental and Protective Services (E&PS) to provide a clear focus on using enforcement powers to tackle owner responsibilities, improve quality and support the delivery of increased housing supply in the private sector
- the importance of a strong working partnership between CBH and CBC, and making sure interaction and collaboration happens right across CBC housing services rather than channelled through one team.

In order to deliver this a new structure and new ways of working will be needed. The option proposed aims to place the resources in the most productive part of the organisation or with others who are best placed to deliver. This structure builds on the current organisational approach which recognises the value in having its key strategic services aligned in one service group and its community-focused services tackling 'life chances' issues more holistically. The proposed structure is:



## **How the new approach will work**

- **Customer Excellence**

Building on the organisational model first implemented in 2008, this review will locate all of the frontline customer contact for housing services in the CSC. Resources will be shifted to enable a more efficient and effective service to housing customers, either by helping them to help themselves more through self-serve tools, or through a triage process that will allocate our staff expertise according to the level of customer need. Customers will find it easier to access services, and will find all of their queries can be dealt with in one place and wherever possible resolved at the first point of contact.

- **Improving life chances and building sustainable communities**

Customers whose housing need cannot be dealt with by either a self-serve or triage process alone will be provided with support from a multi-skilled team of housing advisers who will assess their need quickly and work with them to find the best solution. We will align the delivery of solutions to customers in housing need with other community needs such as health, skills, education and community safety through the merging of this team with the current community partnerships team. This will ensure that housing issues are considered alongside other issues in our work to build sustainable communities. We will minimise the negative effects of anti-social behaviour on customers and communities. We will deliver targeted work in communities to support those in greatest need through prevention projects developed in partnership with other agencies and with communities themselves.

- **Homes for all and developing housing solutions**

The structure will enhance the current strategic capability by providing a stronger focus on generating new solutions to meet housing need in the borough. This will provide the capacity necessary for CBC to fulfil its key 'strategic enabling' role in housing and deliver the 'Homes for All' ambitions. Using available intelligence and funding opportunities and by interpreting national and regional policy, this team will develop a range of solutions that can be commissioned and implemented locally to increase the housing options available to customers and communities. An example of this approach would be the creation of a not-for-profit local lettings agency to improve quality and the availability of properties in the private sector.

- **Continuous improvement**

Through the adoption of the Professional Support Unit (PSU) model that has been implemented in Environmental and Protective Services, a housing PSU will drive process improvement, performance management and the most effective use of technology to ensure the maximum efficiency is achieved throughout housing services leading to higher customer satisfaction.

## **Cross-cutting challenges**

The following cross-cutting challenges in implementing this business case have been identified:

- **Consistent implementation of policy**

As a council we have a number of enforcement powers at our disposal in order to deliver the outcomes we want for our community. These have not been used in a consistent and purposeful manner to date and we receive criticism from partner authorities and agencies about the quality of decisions made (for example on homelessness applications and housing needs assessment).

In future in order to deliver the benefits identified in this Business Case we will make use of enforcement powers and take firm decisions which meet our strategic goals, while offering a consistent and high level of service to customers.

We will also ensure that our overall approach continues to prevent homelessness and contribute to the supply of homes for all. This will be in three main areas:

- Legal action to enforce standards in the private sector
- Homelessness decisions and Housing Application assessments
- Negotiations with developers over Section 106 contributions to the provision of affordable housing.

There will be implications for our ability to work in partnership with developers and landlords, and these will need to be considered but our starting position is one where:

- We make it clear that we are willing to take legal action if a property owner refuses to meet the minimum standard and address any Health and Safety risks in the property they rent out. We will offer advice and assistance first and develop our negotiating capacity to achieve an amicable resolution, but if necessary CBC will be willing to use the powers available to it to address poor standards. Publicity of this action will incentivise other owners to take action rather than face enforcement and give CBC credibility when we say what the consequences of non-action are.
- The multi-skilled housing customer team will have a proactive casework management system including supervision and review that ensures that homelessness is prevented wherever possible. If intentional homelessness occurs or there is doubt that a customer is in priority need, we will be willing to say so and explain alternatives which are available rather than accepting a duty to re-house in order to avoid a difficult decision being made. Where we are challenged we will defend ourselves robustly, but if unsuccessful we will amend practices and review what we have learnt so that all future decisions are of a consistent and high quality and meet our strategic goals of preventing homelessness.
- We will negotiate hard to deliver the 35% contribution of affordable housing on all new developments in line with the philosophy set out in the Strategic Plan. In order to bring forward delivery, however, this may result in other contributions being minimised especially where value cannot be proved. Viability of new schemes is also an issue identified with a higher level of contribution which may mean that more direct investment is required and a lower return on capital assets in order to deliver the homes required.

This new approach will be underpinned by a clear understanding by all staff of the political priorities and the agreed outcomes for housing services.



- **Flexibility**

Central to the new approach will be building flexibility into the service to be able to move resources, both people and finances, around to meet changing need and to deliver new solutions. This will mean people need to be employed more flexibility which will be a change in direction for our current employment practice, but will allow us to target resources to projects and services quickly and more effectively. This will also allow the PSU to drive through continuous improvement matched by the appropriate resource allocation.

- **Effective management**

Making sure the service has good quality management practices will be critical to the success of the new approach. For example, developing new solutions that can be successfully implemented will require excellent communication and understanding between the two key group management posts in Strategic Policy and Regeneration and Life Opportunities. The initial business case identified the opportunity to reduce the number of managers while improving the management capability and support in the housing services. This detailed business case is proposing an option around structure which delivers this efficiency opportunity. The important work to increase management skills and capability is a priority and will form a key part of the implementation plan.

- **Motivated workforce**

As described above the structure, ways of working and process changes proposed in this business case will require an unprecedented level of flexibility on the part of staff in the housing services. This flexibility can be enabled through communication, training and development and effective management, but these actions will need to be built in to the implementation plan to ensure the associated risks are mitigated. The opportunities for people to use and develop their skills, knowledge and experience are many and varied and should, managed correctly, be a motivating factor for the workforce.

- **Learning and development**

A key enabler to all of the above cross-cutting challenges and to the successful delivery of a transformational review of this scale is our approach to learning and development interventions for staff in the service and for partner organisations. This will require an investment to make sure staff have the right mindset, skills and knowledge to be able to work flexibly with a strong focus on the customer. In many cases people will be required to take on multi-skilled roles or deliver a variety of projects, and time will be need to be factored into the implementation plan to enable them to develop their knowledge to be able to work more effectively.

- **Outsourcing, commissioning, shared services opportunities**

The identification of opportunities to have elements of the housing services delivered differently has been a fundamental part of the approach to the review process and the following specific proposals are contained in this Business Case:

- outsourcing of temporary accommodation to a specialist Registered Social Landlord (RSL)
- shifting of adaptation role and allocations process for CBC/RSL stock to CBH
- setting up an independent letting shop, potentially on a social enterprise model
- exploring sub-regional model for delivery of allocations and medical assessment processes
- creating a sub-regional enabling development team

- creating an 'internal commissioning' arrangement for inspections and enforcement in the private sector with Environmental and Protective Services.

Some of these proposals are well advanced, others will require some 'proof of concept' work and dialogue with partners before we can be sure that they are worth pursuing. We will describe the high-level timescales for this work in the implementation plan.

## 5. Opportunities Summary

To deliver the future service the following specific opportunities are proposed. A full description of each opportunity can be found in Appendix 1.

### Customer Excellence

- **Effective Self-serve**

All housing customers will be encouraged to use self-serve as the starting point of their customer journey, and an increasing percentage over time will only need to use self-serve to resolve their housing enquiry. By doing this we will help people to help themselves at an earlier stage before they become in greater and more urgent need of assistance. We will work with other organisations to identify and provide information and advice to support this process.

- **Effective triage**

Triage provides better quality support to a customer to get the help they need and is a more effective and efficient means for CBC to serve its customers. For those who need to see an adviser, there will be some discussion of their housing problem to understand the nature of the problem, a summary of any action taken so far and information given to the customer about what will happen next and why. The outcome will be the customer being channelled to the best solution available at an early stage to help prevent them from becoming in urgent need of housing.

- **Multi-skilled housing customer team**

We will introduce a single housing services' customer team comprised of skilled and knowledgeable officers who can support a customer throughout their interaction with housing services. There will be clear linkages from self-serve and triage through to the multi-skilled housing customer team, with information following the customer through to resolution of their housing enquiry. Each customer would have one adviser handling their case from post-triage in the CSC through to resolution. This adviser can assist in delivering the housing solution whatever that might be, with ongoing support once the customer has achieved a sustainable housing solution.

### Homes for all and developing housing solutions

- **Co-ordinated support to sustain tenancies and information sharing between agencies**

CBC will co-ordinate and direct the support available to customers from the range of providers to reduce duplication, ensure effectiveness and prevent homelessness. We will generate information sharing policies which effectively serve customers' needs and enable organisations to reduce the duplication of data collection about customers. We will seek to reduce and minimise the number of tenancies which fail because tenants are unable to cope with their responsibilities both in the affordable and private rented sector. We will research the causes of tenancy failure in Colchester and gain an insight into the scale of the problem. CBC will explore the potential for other statutory organisations to make a financial contribution to supporting vulnerable people.

- **Collaborative approach between the housing and benefits teams**

We will seek to increase tenancy sustainment and increase the number of landlords who are willing to rent to tenants claiming housing benefit by adopting a more collaborative approach between the housing and benefits teams.

- **Education and cultural change**

In the broader community relatively little knowledge and some myths and misconceptions exist about the housing options available, including among statutory and third sector agencies. A broad spectrum of educational opportunities aimed at achieved a change of culture and expectation management will be delivered. There has been an increase in the number of young people who leave home in an unplanned way or are evicted by parents or guardians. We will reduce this number through a combination of partnership working, improved education and awareness of housing options and more direct support to people who are vulnerably housed.

- **Effective enforcement of standards in the private sector to prevent homelessness**

We will make the support provided to occupiers of private sector accommodation more effective in meeting need and preventing homelessness occurring. We will also use our enforcement powers to ensure that owners and landlords comply with responsibilities to maintain the homes they own in a good state of repair. We will take a firm line on enforcement in order to ensure best use of all stock is made while offering support and incentives to match supply with meeting need.

- **Short-term housing solutions**

We will make the shift to CBC being an enabler of short-term housing solutions instead of a provider of temporary accommodation. Through the implementation of a number of prevention and supply initiatives we will meet short-term and long-term housing need in a more effective and holistic way.

- **Colchester Association of Social Landlords**

A strengthened and supported affordable rented sector in the borough will help CBC to deliver a wide range of strategic goals. We are proposing to set up a constituted association of social landlords including CBH. There is an opportunity to bring together the 35+ affordable rented landlords in the borough, who between them rent out more than 9,000 properties, to achieve a wide range of specific goals and priorities.

- **Strong CBC / CBH partnership**

CBC and CBH can work more effectively together to share resources and skills to deliver excellent customer services more effectively and to achieve shared goals. By delivering services in a more aligned way, especially through a PSU and the CSC, we are able to deliver a number of efficiencies and provide a more flexible, responsive and proactive service to frontline customer-facing teams. With agreement we will transfer the Adaptations function from CBC to CBH.

- **Delivery of new affordable homes**

Supply of new affordable homes can be increased by a range of actions which make best use of existing assets such as homes, land, skills and resources within the existing framework. It is difficult to predict how much by, and different projects will need exploration and may have different delivery dates. Six distinct opportunities have been identified:

- Moving under-occupied tenants into more suitable homes
- CBC moving into development
- Creating a sub-regional enabling development team
- Use of public sector land
- Single Conversation with the Homes and Communities Agency (HCA)
- Joint Venture or Special Purpose Vehicle.

- **Returning more private sector empty homes to use to increase supply**

With 2,492 empty properties in the borough on 1 April 2009 and with 924 having been empty for more than 6 months in the private sector, there exists a significant opportunity to increase supply of homes by making better use of this resource.

- **Supporting landlords to delivery more quality private rented accommodation**

In order to expand the supply of good quality private rented accommodation available on longer term lets, especially to people who may need to claim housing benefit, it is necessary to have a stable large-scale and professionally managed private rented sector. We will deliver this in two ways:

- through a landlord accreditation scheme and relevant support
- setting up an independent letting service, potentially as a social enterprise, to drive up standards and explore other business opportunities.

### **Professional Support Unit**

The PSU will be a customer-focused, multi-skilled professional service which will play a critical role in translating strategy and service plans into delivery. The structure of the unit combines a larger multi-skilled core operations team with smaller specialist teams to provide a wider range of capabilities and a greater degree of flexibility enabling continuous improvement.

This future service would require the following:

- 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 CBC's 'strategic enabling' role in housing
- greater collaboration between CBC and CBH across the whole housing function
- a new organisational structure and more flexible ways of working.

## 6. Customer, Efficiencies and Effectiveness benefits

This future service is expected to deliver the following benefits:

### Customer Excellence

By implementing the recommendations customers will:

- be able to easily find the information they need to resolve many of their enquiries themselves
- have better access to all housing services and their enquiries dealt with in one place
- only have to give information once and expect it to be recorded accurately
- have more of their enquiries resolved at the first point of contact and reach a solution to their need more quickly
- indicate (through future Touchstone work) that their experience of the service has improved
- if they need the services of the multi-skilled adviser team know who their lead officer is, what is happening on their case and who else has been informed
- where they are identified as needing it, have the support they need to be able to maintain their home.

### Efficiencies

- By implementing the proposed new structure the people resource in the services could be reduced by around 25% by the end of year 3. This includes the resources that could be shifted to other parts of CBC and CBH.
- The resulting potential reduction in staff costs would start in year 1 of the implementation and be phased through to the end of year 3. An initial assessment by Resource Management of the division of these savings between General Fund and Housing Revenue Account suggests approximately a 50:50 split.
- The above assumption includes a potential reduction in the management overhead of nearly 50%.
- There is revenue investment signalled in the opportunities for example either one-off costs around IT or prevention and education initiatives. It is assumed this will be covered from in service efficiencies during the implementation.
- The proposed changes to the customer journey should result in a reduction in the 'cost to serve' of low to medium need customers while improving the quality and speed of the service.

### Effectiveness

The new approach is based on making sure that:

- strategic solutions to provide more housing can be developed and delivered on the ground and their impact assessed
- specialist staff resources will be targeted to those in higher and more complex housing need
- increased staff motivation through opportunities for staff to develop their skills, knowledge and experience
- resources are shifted to earlier intervention in communities where it is more cost effective to help people in earlier stages of need
- processes will be simplified to reduce duplication, ease customer access and reduce unnecessary cost

- by supporting people to manage their homes effectively we can reduce the number of people needing our services in crisis situations
- managers have the support, skills and ability to manage their people effectively and improve performance,
- the Council's assets, skills and resources and those of its partners are used more appropriately to make sure whoever is best placed to deliver does so.

## **7. Decision Making and Implementation**

The detailed business case has a proposed planned decision making route which would need to be completed before the main implementation plan can begin.

It is proposed this will be:

- Draft Business Case for discussion with Leadership Team on 6 October 2009
- consultation and communication with Senior Management Team, Colchester Borough Homes and Housing services staff during October
- Scrutiny by Strategic Overview and Scrutiny Panel on 3 November
- Final decision by Cabinet on 2 December 2009.

Final agreement of the decision making timetable will be confirmed during November.

### **Implementation**

It has always been made clear that the implementation stage is when the real hard work begins. This will involve making sure that the new service and approach can be brought in while maintaining a service to our customers and supporting our people through significant change to their roles and the introduction of the accommodation changes and flexible working. A detailed implementation plan will be developed when Leadership Team is broadly in agreement with the detailed business case in order to continue the momentum of the review. Assuming the above decision making route is agreed, the draft Implementation Plan will be developed during November in anticipation of starting the Human Resources and ICT parts of the process in January 2010 depending on the Cabinet decision being made in December.

Although the implementation and delivery of the detailed business case will take up to three years to realise some of the benefits, it is expected that the recruitment process will be managed in the early months of 2010 in order to have the proposed new structure in place as soon as is possible. However, alongside this will be the training, handover, integration with the CSC and other issues which need to be delivered before some of the staff resource can be reduced. The implementation plan will detail how this will be managed effectively to ensure the benefits to our customers can be delivered and any efficiencies are achieved as soon as possible in the implementation period.

As part of the Implementation Plan, an appropriate draft structure detailing all posts needed to provide the new service going forward will be put together with draft Job Accountability Statements to reflect the roles within the new structure. These new roles will be assessed by the Human Resources (HR) team as either new or existing, and this will drive the implementation in terms of whether individuals will be ring fenced or whether a recruitment process will be required. However, given the transformational nature of the review it is expected that a significant HR recruitment process will be undertaken as part of the implementation of this review which could affect the majority of the staff across the Housing services.

A minimum of one-month staff consultation will take place once a structure and the roles are in draft form, and support will be given to those who may be subject to either redundancy or redeployment. Unison will continue to be consulted as part of the implementation plan.



## **Equality and Diversity**

An initial equality and diversity impact assessment has been carried out and is attached as Appendix 2 and published on [www.colchester.gov.uk/diversity](http://www.colchester.gov.uk/diversity). The assessment will be revisited during the implementation phase.

## **8. Risks**

The high-level risks associated with this review, which are being actively managed, are as follows:

- Failure to drive through process change and deliver efficiencies
- Failure to deliver improved customer experience and outcomes
- Lack of clarity on political priorities and aspirations
- Low staff buy-in and support for the review
- De-stabilisation of the frontline service during the implementation phase
- Failure to hit National Indicator/Local Area Agreement targets
- Ongoing impact of the recession on opportunities identified and volume of customer contact
- Lack of capacity and resources to deliver implementation plan.

A full risk register for the review will be developed as part of the implementation plan.

## **9. Communications**

The key communication audiences for this review are

- Customers of the housing services
- Cabinet
- Managers in the housing services
- Staff in the housing services
- CBC senior management team
- Managers, board members and staff at Colchester Borough Homes
- Strategic Overview and Scrutiny Panel
- All councillors at CBC
- All staff at CBC
- Media – local and trade
- Partner organisations including sub-regional partners and local providers
- GO-East and Communities and Local Government.

A more detailed communications plan will be developed as part of the implementation plan.

## **Agenda item 10(i)**

### **Extract from minutes of the Strategic Overview and Scrutiny Panel meeting on 3 November 2009**

**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 Horkeley 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



## Cabinet

Item  
**10(ii)**

2 December 2009

<b>Report of</b>	<b>Head of Life Opportunities</b>	<b>Author</b>	<b>Peter McDonagh</b>
<b>Title</b>	<b>Review of Temporary Accommodation</b>		
<b>Wards affected</b>	New Town, Christchurch, Lexden, Berechurch, Harbour, Castle and Wivenhoe Quay		

**To agree in principle decisions relating to the review of the Council's  
Temporary Accommodation**

### 1. Decision(s) Required

Agreement is sought in principle to the following decisions, enabling officers to proceed with detail work and further negotiation:-

- 1.1 the existing temporary accommodation site at Ascott House and Gardens is redeveloped to create a purpose built 30 unit temporary accommodation scheme.
- 1.2 the appointment of Family Mosaic Housing Association as the Registered Social Landlord (RSL) to redevelop the site at Ascott House.
- 1.3 the leasing of the buildings at John Bird Court, Friars Court and Gothic House to Family Mosaic Housing Association for them to manage.
- 1.4 the disposal of the buildings at 93/95 Military Road, 95 Winnock Road, 60 Creffield Road and Bardfield House on the open market and to explore the potential for the redevelopment of the site at Military Court.
- 1.5 the capital receipts from the sale of these buildings be used to support the development of the site at Ascott House and contribute to upgrading the buildings at John Bird Court, Friars Court and Gothic House if required.

Following work to specify the detail of the financial package and implementation plans for this project, further decisions will be taken jointly by the Portfolio Holders for Neighbourhoods, Culture and Diversity and Resources and Business under delegated powers.

### 2. Reasons for Decision(s)

- 2.1 A Portfolio Holder report of the review of temporary accommodation was taken to Finance and Scrutiny Panel in January 2008. The decision made required officers to implement the finding of the review of temporary accommodation and bring back a further report to Portfolio Holders.
- 2.2 The implementation of the proposals set out in this report, would deliver the following outcomes:-
  - Improvement in the stock of temporary accommodation for those in need of short-term housing

- Improvement in the support provided for the tenants of temporary accommodation
- Better outcomes for these tenants
- Recurring revenue savings for the Council
- The potential for surplus capital receipts

### **3. Alternative Options**

- 3.1 The Council could retain all of its current temporary accommodation and carry out the necessary works needed to convert it into self contained accommodation where tenants have access to their own kitchen and bathroom. This option is not considered viable due to the capital cost that would be incurred by the Council compared to the value of the asset.
- 3.2 The Council could dispose of the non self contained units (where kitchens or bathrooms are shared between tenants on a communal basis), get an RSL to build and manage its replacement and the Council retain and manage the self contained units. This option is not considered viable as it would not provide the level and quality of support we desired.
- 3.3 A developing RSL could provide the new build and the housing management function for it and a separate RSL could provide the support. This option has been dismissed as we want to achieve a holistic and consistent approach to the management and support of tenants which gives the best possible opportunity for sustaining their tenancies.
- 3.4 The Council could decide not to dispose of the sites identified in 1.4 and use them to develop new affordable housing. This option is not considered viable following planning advice on the sites for 60 Creffield Road, 95 Winnock Road and 93/95 Military Road. Each of these sites falls within a conservation area and the advice given is that these buildings be retained. The receipts from the sale of these sites would also need to be used to support the redevelopment of Ascott House and improvements needed at the retained sites (in 1.3).

### **4. Background Information**

- 4.1 An officer steering group was set up in March 2008 to oversee the development of the project. It was agreed that the development of any new accommodation would be best achieved on one of the existing sites that had been identified for disposal as Council owned land for development was limited and we had already a presence in these areas.
- 4.2 At the time the two sites that were identified as being the most suitable for our needs were Ascott House and Military Court. This was because they are both large sites but not buildings that would release significant capital funds if sold as the other sites would. The intention at the time was to have a 20 bedroom unit for families on the Ascott House site and a 10 bedroom unit for 16/17 year olds and vulnerable single people at Military Court.
- 4.3 Approaches were made to a number of RSLs to seek 'expressions of interest' in the scheme. A group of officers internally considered the approaches made and based on their proven track record in both the development of specialist housing schemes and the provision of support to clients with high levels of need, Family Mosaic were selected to partner with us for this scheme.

- 4.4 A briefing document was prepared in December 2008 outlining the Council's requirements for the project and after conducting site visits in January, Family Mosaic came back with their proposals in February 2009.
- 4.5. Family Mosaic's proposals, supported by officers, are to merge the schemes onto one site at Ascott House and create 30 units of accommodation that would be 'zoned' to separate out the family and single person accommodation. This would allow them to concentrate the support provided into one site and expand the support service they could offer to people at risk of homelessness. They would use the facility as a 'Place of Change' where different support agencies can come in and support residents to independent living but also provide support to others to stay in and maintain their existing tenancies. The new development would also benefit from 24/7 cover which is a considerable improvement on the current arrangement which only provides 'drop in' cover on weekdays. The support provided would focus on providing a better experience of living in temporary accommodation for households requiring a higher level of support eg families and young people with more chaotic lifestyles. This will only be possible on this one site where support can be concentrated. Essex Supporting People currently provide the revenue funding for the support provided by our own Tenant Support Officers (TSOs) in our Homelessness Units. Essex Supporting People provide revenue funding for services which support tenants to maintain or retain their tenancies known as housing related support. The accommodation at Gothic House, Friars Court and John Bird Court would be used as 'move on' as out of the new building at Ascott House the tenants will have been assessed as having minimal support needs. They will continue to receive a visiting support service from staff based at Ascott House. Essex Supporting People would not have supported a second smaller site to receiving 24 hour staffing as the costs would have been too great.
- 4.6 This would leave Military Court available to be disposed of or redeveloped alongside the other sites (see 1.4).
- 4.7 A joint meeting between the Council, Family Mosaic, the Homes and Community Agency (HCA) and Essex Supporting People took place in April. The HCA is the main Government body that provides capital funding for new affordable housing development. Our preference is for this funding to transfer across to Family Mosaic when they develop the new site and take over the management of the remaining units (see 1.3). This decision rests with Essex Supporting People and early indications are that they are supportive of this approach, subject to their own procurement rules. Whoever the provider that is awarded the contract from Essex Supporting People to provide the support in the homelessness units we would want to TUPE (Transfer of Undertakings (Protection of Employment) Regulator 2006) the TSOs into that organisation.

Both the HCA and Supporting People have given their 'in principal support' to the project. There is a risk to the viability of the project if the bid for capital grant to the HCA is unsuccessful.

- 4.8 These proposals would require the continued use of the existing homeless accommodation, management and support arrangements while the site at Ascott House is decanted, cleared and redeveloped. Only when the new development is up and running would we seek to dispose of the sites identified in 1.4 and amend the management and support. Based on current assumptions, the new development at Ascott House and Gardens could be completed and available for occupation in September 2011. Currently there is capacity to meet the loss of use at Ascott House and Gardens within our existing provision of temporary accommodation where sufficient voids (c. 20%) are available to compensate for this. However, even with the reduction in the number of homeless acceptances, an increase in homeless presentation and a reduction



in the number of households in temporary accommodation there is a risk of not having sufficient accommodation during these changes if these factors reverse.

## **5. Proposals**

- 5.1 To partner with Family Mosaic Housing Association to redevelop the site at Ascott House and Gardens and provide the housing management and support at the new development. This development arrangement is exempt from having to be tendered through OJEU (Official Journal of the European Union) as the value of the transaction is below the relevant financial threshold.
- 5.2 To transfer the land at Ascott House and Gardens to Family Mosaic at no cost in 'exchange' for them developing a new purpose built homelessness temporary accommodation of 30 units for a mix of families and single people to which the Council would have 100% nomination rights in perpetuity.
- 5.3 To lease the buildings at Gothic House, Friars Court and John Bird Court to Family Mosaic Housing Association and to transfer the housing management and support at those units to them. The lease agreement would ensure that these arrangements will provide the appropriate protection for the Council's interests in the future regarding any changes in performance or delivery by Family Mosaic.
- 5.4 To dispose of the remaining sites of temporary homelessness accommodation (93/95 Military Road, 95 Winnock Road and 60 Creffield Road) on the open market and explore the potential for the redevelopment of the site at Military Court. The Council would consider flexible sale or disposal of these sites at the same time as the development of the site at Ascott House was proceeding.
- 5.5 The capital receipts from the sale of the above sites be used to support the development of the site at Ascott House and contribute to upgrading the buildings at John Bird Court, Friars Court and Gothic House if required.
- 5.6 These proposals would result in the disposal of 71 units of temporary accommodation, the transfer of management responsibilities for the remaining 31 units of accommodation to Family Mosaic and the development of 30 new fit for purpose units at Ascott House and Gardens. This would result in a net loss of around 40 units of temporary accommodation. Currently our temporary accommodation units are under-occupied due to a reduction in the numbers of homeless applications and acceptances. The implementation of the Fundamental Service Review of Housing Services should enable the Council to mitigate potential pressures in the future through the development of alternative short-term housing solutions for customers.

## **6. Strategic Plan References**

- 6.1 The outcome of the review of the Council's temporary accommodation will meet the 'Homes for all' strategic priority in the Council's Strategic Plan. It will do this by working 'towards providing, safe, secure decent and affordable homes for all' which applies to customers in need of temporary accommodation.

## **7. Consultation**

- 7.1 Consultation will take place with residents in the community of the affected sites as part of the statutory planning process as necessary.

- 7.2 Consultation will take place with Family Mosaic, the Council and the Tenant Support Officers affected by TUPE arrangements.
- 7.3 Consultation will also take place separately with the relevant Ward Councillors for the sites identified in 1.4.

## **8. Publicity Considerations**

- 8.1 The disposal of sites no longer needed by the Council and the development of a high quality purpose built provision for homeless households is a very positive publicity opportunity.
- 8.2 A separate communications strategy would be developed with Family Mosaic for the relevant audiences including ward councillors and local residents.

## **9. Financial Implications**

- 9.1 This project carries with it a wide range of financial implications, both revenue and capital and affecting the Housing Revenue Account (HRA) and the General Fund. Given the length of time it takes to undertake a new build development, it is a project which will straddle more than one financial year.

### **Revenue Implications**

- 9.2 Due to the accounting treatment of Homelessness expenditure and income within the Council's budget, there is a financial impact on both the Housing Revenue Account and the General Fund. Current projections indicate this project would result in overall net revenue savings to the Council, albeit this is made up of a saving to the HRA and a cost pressure to the General Fund. This arises as a result of less rental income and supporting people grant being receivable, along with a reduction in staffing and running costs; repairs and maintenance costs; and housing subsidy payable.
- 9.3 Consideration will need to be given to mitigating action to limit the impact of this General Fund cost pressure. The implementation of this project forms part of the Fundamental Service Review (FSR) of Housing Services which overall will deliver overall revenue savings to the Council. The financial implications of this review of temporary accommodation are in addition to the financial implications identified in the FSR.

### **Capital Implications**

- 9.4 With regard to the capital financial implications of the proposals, this report indicates that Capital Receipts from the disposal of the sites in paragraph 1.4 would be in the region of £1.528m. The rules surrounding the use of capital receipts are complex. Ordinarily, capital receipts would have to be "pooled", which would mean potentially 75% of any receipt would be paid to the Government. However, dependant on the nature of the disposal, there may be an opportunity to use exemptions or offset any receipts arising from the sale of sites against expenditure, thus reducing the impact of capital receipts pooling. Given that these sites would be vacant when they were disposed of (in other words they were not sold under the Right To Buy), and that the receipts will be recycled into housing and regeneration, then it has been assumed for this project that we will be able to retain 100% of these receipts.

9.5 **Redevelopment of Ascott House:** The total scheme costs associated with the redevelopment of Ascott House and Gardens have yet to be finalised. However, the table below gives the latest estimate of the likely costs and assumptions on HCA grant income, any contribution from Family Mosaic and funding required from the Council to enable the scheme to progress.

	£000's
Total Scheme costs (redevelopment of Ascott House)	3,100
HCA Grant	(1,500)
Contribution from Family Mosaic	(1,000)
Indicative Funding Requirement from CBC	(600)

9.6 Although the funding requirement of the Council to this scheme is currently estimated to be in the region of £600k, it has been assumed that the Council will contribute the land at Ascott House at nil value. This is standard practice in this type of development scheme. It is estimated that the notional value of the land being contributed to this scheme is approximately £200k, although it should be noted that this is not a formal valuation, simply a reasonable estimate. Therefore, the actual contribution to this scheme by the Council is in the region of £800k, albeit only £600k represents actual expenditure and £200k represents the capital receipt foregone by disposing of the land at nil value. This contribution should be considered against the ongoing annual savings identified in Paragraph 2.2.

9.7 If the Council were to prudentially borrow £600,000 as indicated above then it is anticipated at current interest rates there would be annual financing costs of £40,000. This assumes the money was borrowed over a period of 50 years and would be repaid in full by the end of the term. It should also be noted that the risk exists that if the capital receipts generated from the disposal of the sites in paragraph 1.4 are insufficient to repay the borrowing, then they would have to be met from savings elsewhere within the Councils budget on an ongoing basis. Furthermore, once the scheme is finalised, then the funding requirement from the Council could increase to enable the scheme to be viable, placing a greater borrowing cost on the Council.

9.8 **Capital Receipts:** A valuation of the sites in Paragraph 1.4 was undertaken in December 2008. This produced the following results:

Site	Valuation £000's
60/60A Creffield Road	360
93-95 Military Road	630
95 Winnock Road	238
Bardfield House	300
<b>Total Capital Receipts</b>	<b>1,528</b>

- 9.9 Although the gross valuations above were undertaken in December 2008, officers believe they still represent the sums realistically achievable. It is worth noting however that any sale would incur professional fees of around 3%, and that the valuation would reflect the value at the point in time they were being sold.
- 9.10 **Improvement Works:** The report submitted to FASP in January 2008 gave an indicative amount of £0.394m for capital expenditure that would be required to tackle backlog repairs on the retained properties outlined in paragraph 1.3. It is felt that this amount still represents the amount of capital expenditure required, and it is anticipated that this expenditure would be financed from any capital receipt generated as indicated in paragraph 9.9 above.
- 9.11 Given that the disposal of the sites in paragraph 1.4 will not be able to go ahead until the works at Ascott House have been completed (due to decanting arrangements of tenants), it is assumed that the Council will undertake prudential borrowing in the short-term to fund those works. However, the option does exist for the Council to re-direct capital receipts from other areas if it deemed it appropriate to do so.

## **10. Equality, Diversity and Human Rights Implications**

- 10.1 There are none at this stage. An Equality Impact Assessment is attached at Appendix 1 that shows that the needs and rights of people with chaotic lifestyles and complex needs are met by the provision of this improved service.

## **11. Community Safety Implications**

- 11.1 The improved accommodation and facilities would have a positive impact upon Community Safety. Additional security and staffing will minimise the risk of anti-social behaviour and the improved fabric of the buildings will take into account secure by design features.

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

- 12.1 An improvement to the Health and Safety of tenants, residents and staff would be achieved by the provision of good quality, well designed and secure buildings with a higher level of support available.

## **13. Risk Management Implications**

- 13.1 The main risk is that Colchester Borough Council fails to meet the Government's minimum quality standards for its temporary accommodation.
- 13.2 A significant risk for the Council is that it undertakes prudential borrowing to fund the works at Ascott House, and then the capital receipts to re-pay this borrowing are either insufficient, not forthcoming or are used for other purposes. Any of these would leave the Council with an ongoing borrowing cost in its revenue account.
- 13.3 The biggest risk to the viability of these plans is if HCA funding support is reduced or no longer available. If that occurs the Council would have to consider if it wants to go ahead with the plans and would have to find the resources itself to do so.

## **14. Appendices**

- Appendix 1 Equality Impact Assessment
- Appendix 2 Project Plan

### Equality Impact Assessment Toolkit

**What is an Equality Impact Assessment?** An Equality Impact Assessment (EqIA) is a tool for identifying the potential impact of our policies, services, strategies and functions on our residents, visitors and staff. The assessment must include the potential impact on the following equality groups: age, disability, gender, race, religion or belief and sexual orientation. We also need to consider those who live in rural isolation, are on a low income or who do not have English as their first language. By assessing the potential impact we can ensure that the services we provide reflect the needs of our communities.

By carrying out EqIAs, we may also ensure that the services we provide fulfil the requirements of anti-discrimination and equalities legislation.

#### Relevance Test

Please use the relevance test below to decide whether your policy, service or strategy requires an EqIA:

##### Relevant

- The policy, strategy or service will impact on people (residents, visitors and staff).
- The policy, strategy or service is intended to benefit people.

##### Not relevant

- The policy, strategy or service has no clear impact on people.
- The policy, strategy or service is a support function or administrative.

#### How do I use the toolkit?

The toolkit is easy to use and does not require any specialist knowledge to be able to use it. The assessment is in two sections; initial screening and full impact assessment. Once you have completed the initial screening you will know whether or not you need to complete a full impact assessment. If you require further information on how to complete an EqIA please see the FAQs or contact Claire Gayfer, Equality and Diversity Officer on 01206 506452 or by email [Claire.gayfer@colchester.gov.uk](mailto:Claire.gayfer@colchester.gov.uk)

# Equality Impact Assessment Form

## Screening

Name of strategy, project or policy to be assessed		Is the strategy/project/policy:
Homelessness Temporary Accommodation Review		New
Lead officer completing assessment	Job title	Date of assessment
Peter McDonagh	Housing Services Manager	October 2009
Responsible department	Director	
Life Opportunities	Ann Wain	

### 1. What is the main purpose of the policy, service or strategy?

The provision of good quality, self-contained temporary accommodation with specialist and targeted support. To be a 'place of change' for its residents.

### 2. List the main activities of the policy, service or strategy? (for strategies list the main policy areas):

- Placing households into temporary accommodation at the point of investigation or acceptance under the terms of the Homeless legislation (Housing Act, 1996, Part VII as amended).
- Assessing the household's needs in a holistic way and identifying the most appropriate form of move on accommodation available to meet them.
- Ensuring that all of the temporary accommodation we use meets as a minimum the relevant statutory guidelines.

**3. Who are the main audience, users or customers who will be affected by the policy, service or strategy?**

Homeless households we have a statutory duty to provide temporary accommodation for. These will include families with dependent children and single people who are vulnerable as a result of physical or mental health issues.

**4. What outcomes are wanted from this policy, service or strategy?**

- Reduction in the use of bed and breakfast accommodation.
- Reduction in the number of voids in temporary accommodation.
- Reduction in 'unplanned moves' out of temporary accommodation (e.g. abandoned properties)
- Reduced number of evictions due to rent arrears and housing management issues.

**5. Are other departments or partners involved in delivery of the policy, service or strategy? If so, please give details below.**

- Essex Supporting People
- Homes and Community Agency
- Family Mosaic Housing Association
- Voluntary and other support agencies in Colchester
- Various internal CBC departments including Planning, Estates and Housing Benefits

**6. What data, information or knowledge do you have to enable you to assess the impact on equality target groups? Please list below. (For example, think about performance indicators and targets, user satisfaction, uptake of services, consultation or involvement, workforce monitoring data, complaints, external verification and eligibility criteria).**

- Abritas - holds customer data about the housing register
- Capita Housing – holds customer data about homeless applicants
- Siebel Customer Relationship Management database – this captures all contact by customers within the Housing Advice team
- Census Information – as updated each year in the Annual Monitoring Report

- The Council's equality schemes
- Mosaic data – modelled as appropriate by the Council's Research and Engagement team
- Touchstone surveys carried out with housing customers
- The Strategic Housing Market Assessment

**7. Are there any concerns that the policy, service or strategy could have a differential impact in terms of equality?**

**Use the table below to indicate:**

- Where you think that the policy, service or strategy could have a negative impact on any of the equality target groups, for example, it could disadvantage them;
- Where you think that the policy, service or strategy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups;
- Provide an explanation as to why you think there is a positive or negative impact;
- The key elements of people's lives affected by this policy, service or strategy. For example, finance, accommodation or welfare; and
- If you identified any data in question 6, use it to help your explanation below.

		Positive impact – it could benefit	Negative impact or risk – it could disadvantage	Explanation
<b>Gender</b>	Women	✓	}	The provision and use of homelessness temporary accommodation and the support services we provide to tenants can often have a negative stereotype attached to them. This may mean that people avoid approaching us for assistance when they have a need to.  The provision of excellent quality accommodation, support and advice and its promotion should mean that the service is seen as positive and people are encouraged and decide to approach us.
	Men	✓		
	Transgender	✓		
<b>Race (census categories)</b>	White – British	✓		
	White – Irish	✓		
	White – other background	✓		
	Mixed – White and Black Caribbean	✓		
	Mixed – White and Black African	✓		
	Mixed – White and Asian	✓		
	Any other mixed background	✓		
	Asian/Asian-British - Indian	✓		
	Asian/Asian-British - Pakistani	✓		



		Positive impact – it could benefit	Negative impact or risk – it could disadvantage	Explanation
	Asian/Asian-British – any other Asian background	✓	}	Use of plain English and straight forward language. Providing flexibility and choice.
	Black/Black British – Caribbean	✓		
	Black/Black British – African	✓		
	Black/Black British – any other Black background	✓		
	Chinese	✓		
	Gypsies/Travellers	✓		
	Any other group (write in)			
<b>Disability</b>	Physical	✓	}	Awareness of and information about services is accessible as possible at the initial point of contact and available through a range of channels.
	Sensory	✓		
	Learning	✓		
	Mental health issues	✓		
	Other – please specify			
<b>Sexual Orientation</b>	Lesbian, gay and bisexual	✓		Being prepared to adapt service delivery to suit customers' needs. Providing flexibility and advice.
<b>Age</b>	Older people (60 +)			Awareness of and information about services is accessible as possible at the initial point of contact and available through a range of channels.
	Younger people (17-25), and children (0-16)	✓		There is a specific duty to 16 to 17 year olds provided by Social Care.
<b>Belief or Religion</b>	Buddhist	✓	}	Awareness of religious holidays, clothing styles, male and female interactions. Recognition that different people need to be treated in different ways to suit their specific needs. Providing flexibility and advice.
	Christian	✓		
	Hindu	✓		
	Jewish	✓		
	Muslim	✓		
	Sikh	✓		
	Other – please specify			
<b>Language</b>	English not first language	✓		Language translation services available.

		Positive impact – it could benefit	Negative impact or risk – it could disadvantage	Explanation
<b>Social inclusion</b>	Low income	✓		Financial assessment and support form part of the needs assessment.
	Rural isolation	✓	}	Awareness of and information about services is as accessible as possible at the initial point of contact and available through a range of channels.
<b>Equal opportunities and /or improved relations</b>		✓		

**8. Based on the explanations you have given in question 7, could the policy, service or strategy discriminate against any group(s) either directly or indirectly? If yes, please state how.**

N/A

**Note:** Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation. Indirect discrimination occurs when an apparently neutral provision or practice would disadvantage people on the grounds of racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation, unless the practice can be objectively justified by a legitimate aim.

**9 a) If you have identified any negative impacts in question 7, how could you minimise or remove this negative impact?**

N/A

**9 b) If you have identified any positive impacts in question 7, how could you improve or promote this positive impact?**

- Easy accessible information on our website and links from our partners' websites
- Leaflets/posters available providing service throughout the Borough
- Target specific groups through consultation e.g. TACMEP, Age Concern, MIND etc.
- Press releases and publicity through the Council's free paper 'The Courier' which goes to every property in the Borough.

**10. What consultation has been carried out on the policy, service or strategy? Who with? Please give the findings of the consultation below.**

The last satisfaction survey carried out in Temporary Accommodation was in 2007. The response was poor (25 questionnaires returned from a total of 143 sent out) but dissatisfaction with the quality of their accommodation was highest amongst CBC temporary accommodation tenants – particularly where tenants were sharing accommodation. Other issues included a lack of sufficient support, issues around personal security in the building and issues of anti-social behaviour.

**11. Do the findings from the consultation remove any negative impacts identified in question 7? Please give an explanation below.**

N/A

**12. If consultation has not been carried out, and you have no data or information available which monitors the impact of the policy, service or strategy on equality target groups, how do you intend to make a decision on the impact?**

N/A

13. Please give details of how you (or how you intend to) collect monitoring data in relation to any of the following equality target groups:

<b>Age:</b>	<b>Disability:</b>
<b>Gender/transgender:</b>	<b>Race:</b>
<b>Religion and belief:</b>	<b>Sexual orientation:</b>
<b>Low income:</b>	<b>Rural isolation:</b>
<b>English not first language:</b>	<b>Other (please state):</b>

110

14. Which main audience, users or customers identified in question 3 have you involved in producing this EqlA?

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**15. Summary of initial screening**

<b>Findings</b>	<b>Action required</b>
No negative impacts have been identified and this has been justified with data or information. ✓	Sign off initial screening and finish.
Negative impacts were identified but have been minimised or removed. <input type="checkbox"/>	Implement actions identified in question x then sign off initial screening and finish.
Negative impacts were identified but have not been minimised or removed. <input type="checkbox"/>	Sign off initial screening and complete a full impact assessment.
Insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off initial screening and complete a full impact assessment.

Please sign and date this form, keep one copy and send one copy to the relevant director and one to the Equality and Diversity Officer.

<b>Name:</b>		<b>Copy sent to Head of Service? (Please name)</b>	<b>Yes</b> <input type="checkbox"/> <b>NO</b> <input type="checkbox"/>
<b>Job title:</b>		<b>Copy sent to Equality and Diversity Officer?</b>	<b>Yes</b> <input type="checkbox"/> <b>NO</b> <input type="checkbox"/>
<b>Date of completion:</b>		<b>Copy reviewed by Diversity Steering Group?</b>	<b>Yes</b> <input type="checkbox"/> <b>NO</b> <input type="checkbox"/>
<b>Date for review of this screening:</b>		<b>Copy published on CBC website and The Hub?</b>	<b>Yes</b> <input type="checkbox"/> <b>NO</b> <input type="checkbox"/>

**If you have identified any negative impact which is possibly discriminatory and not intended and/or of high impact, you must complete Section Two, Full Impact Assessment. Please contact the Equality and Diversity Officer for further information.**

### **Full Equality Impact Assessment**

In the EqIA screening you identified negative impacts that have not been minimised or removed, or there was insufficient evidence to make a judgement, therefore you now need to complete a full impact assessment:

- 11 • You need to show what information, data or evidence you have gathered, including consultation, and the findings; and
- You are required to complete the action plan to show how you will use the information gathered to minimise, reduce or remove the negative impacts you have identified.

Once you have completed these sections you can sign off the full EqIA.

If you require further information on how to complete an EqIA please see the FAQs or contact Claire Gayfer, Equality and Diversity Officer on 01206 506452 or by email [Claire.gayfer@colchester.gov.uk](mailto:Claire.gayfer@colchester.gov.uk)

**1. What information has been gathered, including consultation with target equality groups, on how the policy, service or strategy could impact on equality target groups.** This could include consultation with the general (i.e. whole) population analysed by certain groups? If there has already been consultation what does it indicate about negative impact of this strategy, project or policy?

Equality target groups	Information gathered and findings
Women	
Black and minority ethnic people (including Gypsies and Travellers)	
Young people and children	
Older people	
People with disabilities	
Lesbian, gay or bisexual people	
Transgender people	
People with religious faith or beliefs	
People on low incomes	
People living in rural areas	

Equality target groups	Information gathered and findings
People without English as their first language.	
CBH Staff	

**2. As a result of this assessment and available evidence collected, including consultation, state whether there will need to be any changes made/planned to the policy, service or strategy. If yes, please state changes to be made below.**

113

**3a) Have you set up a monitoring/evaluation/review process to check the successful implementation of the policy, service or strategy?**

YES  NO

**3b) How will this monitoring/evaluation further assess the impact on the equality target groups/ensure the policy, service or strategy is non-discriminatory?**

**Action Plan**

Equality strands	Negative impact	Action to minimise or remove negative impact	By who?	By when?	Progress to date
Gender					
Race					
Disability					
Sexual orientation					
Age					
Religion or belief					
Low income					
Rural isolation					
English not first language					

114

**Sign off full EqIA**

<b>Name:</b>		Copy sent to Head of Service? (Please name)	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Job title:</b>		Copy sent to Equality and Diversity Officer?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Date of completion:</b>		Copy reviewed by Diversity Steering Group?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Date action plan will be reviewed:</b>		Copy published on CBC website and The Hub?	Yes <input type="checkbox"/> No <input type="checkbox"/>





<b>Report of</b>	<b>Lindsay Barker – Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Tina Hinson</b>
<b>Title</b>	<b>Moving into new affordable housing development</b>		
<b>Wards affected</b>	All wards		

**This report concerns the opportunities available to the Council to increase the supply of affordable housing through moving into the development of new homes and by the use of its own land resources**

**1. Decision(s) Required**

- 1.1 In principle, to pursue affordable housing development as a local authority, including developing in our own right, subject to the financial resources being available to do so.
- 1.2 To consider a range of development models on land owned by Colchester Borough Council on a site by site basis, including facilitating development by our ALMO, Colchester Borough Homes (CBH) through the use of prudential borrowing.
- 1.3 To pursue, as a local authority, obtaining investment partner status with the Homes and Communities Agency and Registered Provider status with the Tenant Services Authority (TSA) .
- 1.4 To support our ALMO, CBH, to secure Registered Provider Status with the TSA.
- 1.5 To procure the services of a developer agent to undertake development services on behalf of the Council, using the appropriate selection process, subject to the agreement of paragraph 1.1 by the Cabinet.
- 1.7 To delegate to the relevant Portfolio Holders the agreement of a policy and selection criteria to enable Portfolio Holders to make decisions about the selection of the best affordable housing provider for each site that becomes available for development.

**2. Reasons for Decision(s)**

- 2.1 The restrictions and barriers to Council's building new homes are being removed. Council's have been positively encouraged to develop new affordable housing for rent through the opportunity to bid for grant funding from the Homes and Communities Agency. Colchester Borough Council has the chance to take advantage of this opportunity.
- 2.2 One of the Council's strategic priorities is to increase the supply of affordable housing and Members have expressed their desire, through the Council's Strategic Plan to, make use of Council owned land to build new affordable housing and contribute to achieving their targets.
- 2.3 Our ALMO, CBH have been keen to develop new homes. To do so they will require financial support, strategic direction and the agreement of the Council.

### **3. Alternative Options**

- 3.1 Not to pursue affordable housing development. If the Council decided not to pursue development the opportunity to secure additional funding for affordable housing would be lost.
- 3.2 Not to facilitate development by the Council's ALMO, through the use of prudential borrowing. This would prevent Colchester Borough Council's ALMO, Colchester Borough Homes, pursuing affordable housing development as they are reliant on the Council to provide the finance required to develop new homes.
- 3.3 Not to consider the use of Council owned land for affordable housing development. This would restrict the Council's ability to meet its Strategic Plan targets. In addition, some of the funding opportunities would not be open to the Council (such as Local Authority Social Housing Grant which requires Councils to use their own land to provide affordable housing).

### **4. Supporting Information**

- 4.1 There are several routes to building new affordable housing. The ones most relevant to this report, in summary, are:
  - The Council pre-qualifies as an investment partner of the HCA/TSA develops new council housing, using borrowing through the Housing Revenue Account (HRA) and bids for Homes and Communities Agency funding. The Council owns the homes and our ALMO manages those homes. (see paragraphs 4.2 to 4.17)
  - CBH pre-qualify as an investment partner of the HCA in their own right, procure development services from E2 (or other developer agent), bid for grant and CBC borrows and provides performance guarantee. ALMO own homes. Borrowing by CBC via General Fund. (see paragraphs 4.19 - 4.23)
  - CBH pre-qualify as a Registered Provider of the TSA from April 2010, procure development services from E2 (or other developer agent), bid for grant and CBC borrows and provides performance guarantee. ALMO own homes. Borrowing by CBC via General Fund (see paragraphs 4.19-4.23)
  - A Registered Social Landlord (RSL) develops the new affordable housing; they bid for grant and provide the rest of the finance themselves. The RSL owns the homes. Management could be provided either by the RSL themselves or CBH could manage the homes. Land would be disposed of at nil value. (see paragraphs 4.24 - 4.29)

#### **Opportunities for local authorities to build new affordable homes.**

- 4.2 Colchester Borough Council has not built new affordable homes since the early 1990's. There have not been mass Council house building programmes since the 1980's. The financial rules around building were restrictive and the requirement to return 75% of any capital receipt obtained through the sale of council homes under the right to buy also acted as a disincentive to build.
- 4.3 Since the early 1990's the majority of new affordable housing has been provided by RSLs either via the Planning system (through S106 obligations) or through RSLs developing sites themselves.

- 4.4 The Government has a stated aim of delivering 240,000 homes each year across all tenures in order to supply housing to the market to meet predicted need and demand. In the last financial year this number only reached 70,000 nationally, well below its target. At the same time more people are experiencing housing need due to the Credit Crunch and the Recession. In order to increase the delivery rates of all new housing but particularly affordable housing, central government has announced extra resources to meet housing need. In Colchester we have benefited from more than £13 million investment in the past year to deliver homes in this year and the next two years.
- 4.5 As part of the Budget announcements in April 2009, the Homes and Communities Agency (HCA) was given an additional £635 million to stimulate the housing market. This resulted in a number of funding packages including funding to private sector developers to kick start stalled sites, the mortgage rescue funding to help owner-occupiers experiencing financial and funding for local authorities to deliver new council housing.
- 4.6 The financial package for local authorities consisted of £100 million. This consisted of £50 million worth of grant funding available via the HCA, called Local Authority Social Housing Grant (LASHG) and £50 million of prudential borrowing to provide capital cover for the consequential prudential borrowing which would be serviced by rental income from the properties. A more detailed explanation of how the funding works is shown in Appendix 1. The funding was available to council's to build on their own land where it is crucial to unlock difficult housing sites which would otherwise not be delivered. All of the homes provided have to be for affordable rent.
- 4.7 Further announcements were made as part of the "Building Britain's Future" policy initiative in June 2009 and included:
- Giving local authorities a stronger role and greater responsibility in meeting housing need in their areas.
  - Increasing the investment announced in the Budget to deliver 20,000 new affordable homes, of which 13,000 will be affordable rented.
  - Looking to Councils to deliver 3,000 of these homes, using their own land, grant and prudential borrowing.
- 4.8 The Government further incentivised Council's who had retained their own stock to consider building new affordable homes by announcing a package of measures to change the current rules under which the Housing Revenue Account operates. These changes mean that all newly built or acquired HRA properties from now on will be outside the current HRA subsidy regime and RTB receipt pooling arrangements, meaning Councils will be able to retain all tenants rental income, and capital receipts including those from RTB sales, within their Housing Revenue Account from these newly built properties. However, any grant received from the HCA to build the home in the first place would have to be repaid first.
- 4.9 It is a requirement of any funding received under this package, that where a Council has an ALMO any homes developed using this LASHG funding are managed by that ALMO.
- 4.10 In order to bid for the funding available Local Housing Authorities have to become Investment Partners of the HCA. This is the same process adopted for Registered Social Landlords (RSLs) and Arms Length Management Organisations (ALMOs) In order to become an investment partner local authorities complete a Pre Qualification Questionnaire and provide supporting information.
- 4.11 The pre-qualification process involves the Homes and Communities Agency judging prospective partner organisations against the following criteria:

- Technical ability to deliver development projects – relevant project and supply chain management experience; track record in innovation, modern methods, design, quality, management, equality and diversity.
  - Financial Capability – the ability to handle grant funding and the organisation’s financial viability.
  - Good standing – a standard set of statements signed by the Chief Executive of the organisation seeking to pre-qualify, confirming that the company is in full compliance with the law and is financially stable.
- 4.12 The HCA has recognised that the majority of local authorities are not currently investment partners and given the tight timescales attached to this funding (see paragraph 4.14 below) has agreed that the pre-qualification process can run alongside any bid made for this funding.
- 4.13 Once a Local Authority becomes an investment partner they can also bid for the main National Affordable Housing Programme (NAHP) funding to deliver affordable homes but will have to satisfy the same Value for Money requirements that other bidders are required to.
- 4.14 There were two opportunities to bid for funding for the extra £100 million: Bid round one closed on the 31st July 2009 and Bid round two closed on 30th October 2009. The timescales for completing the building of the new affordable housing funded through this route are very tight; completion must be by March 2011. This in effect rules out any large scale schemes. A set of “frequently asked questions” issued by the HCA, in relation to this funding stream, is included in the background papers to this report.
- 4.15 The Council considered its land resources but was unable to pursue a bid for funding as a site could not be found which could be delivered in the tight timescales set by the HCA.
- 4.16 Clearly, given the amount of time that has passed since Councils last developed housing they have lost the in-house expertise to develop new affordable housing. However, there are options to address this gap in skills, expertise and knowledge. Council’s could choose to develop this service in-house and invest in their own development service or commission development services from RSLs. Many RSLs now procure their development services from others in order to achieve efficiencies, economies of scale and draw on those with more experience. Local examples include: Flagship Housing Group, who provide the developer agent role to Chelmer Housing Partnership; Icení Homes, who provide the developer agent role to a number of RSLs including Colne Housing; and E2, who provide the developer agent role to Orwell Housing and a number of RSLs set up when local authorities transferred their housing stock. In terms of cost effectiveness and experience, procuring development services from an RSL would be the better option for the Council at the present time. Services can be purchased as and when they are required. Setting up a service in-house would incur costs on a continuous basis. The Council would have the opportunity to review the arrangements should the volume of development activity increase.
- 4.17 There are a number of other factors to take into consideration when a Council moves into development:
- It is organisationally very simple. There is no need for the establishment of a development company or charitable subsidiary of an ALMO. There is no need for formal documentation such as loan agreements, nomination agreements etc. to be entered into if the land to be developed is held within the HRA. There is no land transfer to another party. All of these things can make the process quick to navigate.
  - The Council retains the ownership and interest in the land.

- The Council controls the whole project, including risk management.
- The management and repair standards would be consistent across the stock.
- Tenants are given secure tenancies and the right to buy.
- Development by the Council is very tax and VAT efficient, as the loss of net rental income through having to pay any tax costs (which wouldn't be incurred if the Council developed itself or via the RSL route) increases the amount of subsidy that is required to make the scheme work. The use of an ALMO or development company potentially incurs corporation tax costs for that organisation on any surpluses or profits they make from their own properties (i.e. excess of rental income over running costs). Stamp duty is currently payable on land transfers, although certain transactions such as purchases by a charity or RSL are exempt from the charge. To date there has been no exemption for ALMO's, although the provisions of the Finance Bill 2009 indicate this exemption may be extended to cover them in the future.
- An ALMO is treated as a private company for VAT purposes, and does not benefit from the special provisions available to local authorities. The Council is in an advantageous position compared to the ALMO in being able to recover all the VAT incurred on expenditure. Ordinarily, an ALMO would benefit from the same situation. However, where the ALMO owns its own properties, then the different VAT liability on rents received by the ALMO compared to the Council, means that the ALMO is disadvantaged and may/will not be able to recover all the VAT it incurs, resulting in an extra cost to the organisation.

### **Other models and opportunities to build new affordable homes on Council owned land**

4.18 In addition to the Council building on its own land, there are three other options available at the present time that would also deliver affordable housing on Council owned land. The Council's ALMO, Colchester Borough Homes could move into development or the Council could choose an RSL partner to develop homes. These options are considered in more detail below.

#### ***CBH to develop on Council owned land -***

4.19 Some of the land available for development will be made available from the re-development of Council owned garage sites. Some of these are in close proximity to housing already managed by the ALMO and if the ALMO were to develop homes on these sites there would be consistency of management across the new and existing housing stock.

4.20 CBH could pre-qualify as an investment partner of the HCA in their own right. At the present time they are pre-qualified as part of the E2 consortium to manage homes developed by that consortium. The expected legislative change which would have allowed CBH to receive grant through E2 has not occurred. Therefore, the ALMO would need to pre-qualify as an investment partner of the HCA in order to receive grant. The Council would need to provide a performance guarantee or bond to cover CBH's obligations should an allocation of HCA funding be made.

4.21 From April 2010, the TSAs new regulatory powers are "switched on". All organisations that wish to bid for grant funding from the HCA need to become Registered Providers. At the same time the HCA's new powers come into being and they are able to provide Social Housing Assistance and pay grant funding to Registered Providers. By seeking and securing Registered Provider status CBH would have access to this funding.

- 4.22 CBH would procure development services from E2 (or other developer agent) and bid for grant. CBC would prudentially borrow via the general fund and loan this money to the ALMO. CBH would own the homes developed.
- 4.23 There are a number of other factors to take into consideration when working with our ALMO, CBH, to develop affordable housing on Council owned land
- Any new homes developed by CBH using this model would be held in a ring fenced account by the ALMO outside of the HRA or General Fund.
  - The HCA have confirmed that land can transfer between the Council and an ALMO. However, this may be subject to an assumed value being used in the calculation of value for money when grant bids are being assessed.
  - If the Council were ever to wind up its ALMO or bring it back in house, the homes developed by CBH would be transferred to RSL. Any capital receipt generated would be used to repay borrowing. Any funding granted to the ALMO by the HCA is subject to a deed of covenant so that if they sell to any other organisation other than a registered provider, a “rentcharge” is applied which ensures the homes are kept as affordable in perpetuity. The Council would also need to consider how it would finance any residual debt it still held from these properties.
  - This activity is outside the HRA and means there are no negative subsidy implications for the Council and the Right to Buy does not apply (although if the Council did borrow to finance new development and any voluntary sales occurred, then the Council would need to ensure that any loans it took out would still be repaid).
  - The Council would need to be assured that this route provides better value for money than the Council developing the site themselves.
  - Any Prudential Borrowing would be by the Council’s General Fund on the CBHs behalf. The cost of borrowing is charged to the ALMO/company and is paid back from rents.
  - The Council can effectively earn additional HRA income as the ALMO uses the management fee it earns from the new properties to supplement the existing management fee, as it utilises any spare capacity created by the loss of stock through Right to Buy.
- 4.24 **RSLs develop on Council owned land** - Colchester Borough Council has in the past supported RSLs to develop on its own land with grant funding from the Housing Corporation (now the HCA).
- 4.25 RSLs have access to a number of sources of funding to provide the rest of the funding needed to develop affordable homes. They can access private finance through Lenders, borrowing against their assets. They have also been able to cross subsidise the provision of affordable rented housing through the profits made from the sale of shared ownership homes. In the current economic climate however these opportunities have been curtailed. This may change again as the housing market improves. The Council has chosen on occasion, to use its own capital resources to contribute to the pot of funding available in order to deliver affordable housing through RSLs or contribute commuted sums secured through S106 planning obligations.
- 4.26 The development of new affordable housing through RSL partners has been successful at delivering increasing amounts of new affordable homes with fewer resources required from CBC.

- 4.27 The Right to Acquire, which Housing Association tenants have is less generous than the Right to Buy and therefore fewer Housing Association tenants have taken advantage of this, which minimises the risks to losing new units from the affordable rented sector.
- 4.28 Where an RSL develops new affordable housing on Council owned land, the land is transferred to the RSL or let on a long lease. The homes are owned by the RSL and let on assured tenancies.
- 4.29 Where an RSL develops new affordable housing on Council owned land they will be encouraged to discuss local management arrangements with CBH to explore whether housing management services could be provided by CBH, where this makes economic sense to do so.
- 4.30 There are a number of other factors to take into consideration when working with RSLs to develop affordable housing on Council owned land
- To make a scheme financially viable the land should be transferred at nil or minimal cost or let on long lease.
  - Transfer of the land secures the Council 100% nomination rights to the properties that are developed.
  - Tenants are given assured tenancies.
  - The RSL is responsible for risk management and meeting HCA and funders milestones.

## **5. Proposals**

- 5.1 Opportunities now exist for the Council to develop affordable housing. If the Council is to take advantage of these opportunities it needs to take the decision to move into the development of new affordable housing.
- 5.2 Government and the HCA envisage a simple model to fund development whereby local authorities contribute land at nil value, the HCA provides grant, and the local authority borrows prudentially against the future rental stream from the properties. In order to be eligible to bid and secure this funding the Council needs to pre-qualify as an investment partner of the HCA.
- 5.3 If the Council is to move into developing affordable housing in its own right it will need to procure the services of a developer agent. A fair, open and transparent selection process should be used to select the developer agent, which follows any legislative requirements placed on the Council.
- 5.4 In the future the Council needs to use the most efficient model which achieves its strategic objectives, when affordable housing is developed on its own land. A number of models exist and four of these are outlined in this report. In order that our ALMO is able to pursue the development of affordable housing it needs the Council's agreement, financial support, and strategic direction.

## **6. Strategic Plan References**

- 6.1 The proposals in this report support the objectives contained in the Council's Strategic Plan under the Homes for All priority – "We will work towards providing safe, secure, decent and affordable homes for all". Moving into development will increase the supply of affordable housing in the borough for people in housing need.

## **7. Consultation**



7.1 The Colchester Borough Homes Tenants' Panel were asked their views on a number of issues as part of the consultation on the Council's emerging Housing Strategy in May 2008. This was followed by a Focus Group in June 2008. The consultation found that 91% of those who responded felt that building new affordable housing was very important or important.

7.2 This report has been written in partnership with our ALMO, Colchester Borough Homes.

## **8. Publicity Considerations**

8.1 Once the Council has secured investment partner status with the HCA this will be communicated to all of our RSL and funding partners. The Council will want to show that it still values the contribution of its other affordable housing partners in developing affordable housing in Colchester and that it will still wish to work with them to deliver this. RSL and other funding partners will need to be assured that securing investment partner status is in order to take advantage of funding opportunities made available to the Council and in no way reflects on their performance.

8.2 Similarly, where we choose to use our ALMO to develop a council owned site and the Council facilitates development by CBH through the use of prudential borrowing we need to assure our RSL partners that this is the best option for the Council and does not reflect on their performance as affordable housing providers.

8.3 The Council will want to send a clear message to its RSL partners that it still wants to work with a wide range of affordable housing providers in the future in order to achieve its strategic objectives.

## **9. Financial implications**

9.1 The financial implications for consideration are contained throughout the main body of the report. However, in summary the main issues to be considered are:

- The disposal of Council Land (at nil value) may be required, dependant on the delivery route;
- The Council, either through the General Fund or HRA, would be required to undertake prudential borrowing to enable direct Council/ALMO development to progress;
- The cost of servicing the prudential borrowing would fall on either the General Fund or the HRA, dependant on whether the Council or the ALMO were to own the properties, with any risk surrounding inability to service that debt falling on the Council;
- No scheme would go ahead without a detailed business case being produced, comparing all the delivery options available for development
- Any proposals recommended for approval would be subject to there being sufficient budgetary provision available.

9.2 As outlined in the report, if the Council enters into directly developing its own properties, then there would be a requirement for the HRA to undertake prudential borrowing. The

National Review of Council Housing Finance proposals that the Government have recently consulted on discuss Council's taking on additional HRA debt so that the current HRA subsidy system can be abolished. However, for the Government to retain control on the national level of public sector debt, it is possible that a cap could be placed on the amount of debt individual Council's hold, regardless of their ability to service/repay any additional borrowing. Therefore when undertaking any additional prudential borrowing consideration needs to be given to the balance between maintaining the existing Council stock, and development

- 9.3 When an appraisal is undertaken to assess the financial viability of each proposed development scheme, consideration will also need to be given to the wider impact the proposal would have on the financial position of the Council. For example, this could include the inter-relationship between the HRA and General Fund regarding capital financing costs, and any impact on the Council's ability to remain within its partial exemption limit for VAT purposes.

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

- 10.1 The properties will be allocated using our CBL scheme. Our Allocations Policy [EQIA Allocations Policy.pdf](#) and CBL scheme have their own EQIAs. The CBL EQIA resulted in the development of a vulnerable person's strategy..

## **11. Risk Management Implications**

- 11.1 The risks associated with moving into development through any of the routes proposed are outlined in the report. As this is an 'in principle' decision at this stage it is just a question of raising all the potential implications for the council that will need to be addressed as detailed schemes come forward. The development of a policy and selection criteria will need to fully consider the level of risk and how this is to be mitigated and managed as part of any individual scheme.

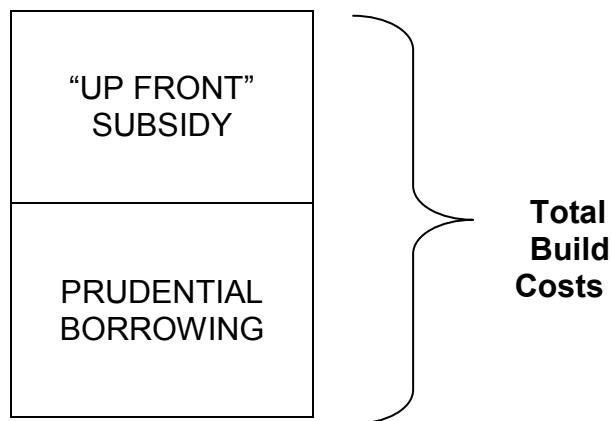
## **12. Standard References**

- 12.1 There are no particular references to community safety or health and safety implications.

## Appendix 1

### How the Funding Works – Local authority new build

01A The basic principles for financing the building of new affordable are shown in the table below. This shows, very simply, how the total costs of a development scheme are financed.



02A All development schemes are different, and the proportions of funding for a scheme will vary according to the affordability/type of scheme and availability of resources. Each scheme would require an assessment of its financial viability using a detailed cash flow model, which forecasts income and expenditure over a long period of time, typically 30-50 years.

### Where do the resources come from?

#### "Up Front Subsidy"

03A The availability of subsidy is one of the key feasibility parameters for a local authority considering undertaking a programme of new development. Subsidy could come in several forms as outlined below. The main options for grant or subsidy for any scheme are as follows;

- Land: Typically, the Council would contribute the land at nil value or at a reduced cost. This is a key form of subsidy for any scheme to work.
- Social Housing Grant: The potential for Councils to bid for grant from the Homes and Communities Agency has recently emerged as a potential source of subsidy.
- Section 106 commuted sums:
- Other Capital Receipts:
- Any other Council reserves:
- Cross-Subsidisation from sales.

## Prudential Borrowing

- 04A For local authority development, the Council would take on additional prudential borrowing, which would be repaid by the rental income from the tenants living in the affordable rented homes. Prudential Borrowing is clearly not a source of new money. It allows capital investment in the short term, with debt being paid back in the longer term. Any scheme must satisfy this basic concept. The CIPFA Prudential Borrowing code applies to borrowing by the Council.
- 05A It is worth noting that depending on who would be undertaking the development and ultimately owning the newly built properties, then the accounting treatment and borrowing would be as follows;
- If the Council was carrying out the development directly, then the borrowing would be undertaken through the Council's Housing Revenue Account, as the Council would own the newly built stock.
  - If an ALMO or Local Housing Company was carrying out the Development, then they would not be HRA assets and consequently the borrowing would be undertaken through the Council's General Fund.
- 06A The on-lending by the Council to a third party needs to be on a "reasonable" basis, and the application of terms and loan covenants similar to a commercial loan could be a sound yardstick to determine what is reasonable. The loan arrangement between the Council and a third party would need to be established on a sound, arms length basis, with suitable protection against risk for the Council.
- 07A In Summary, the financing of new development of affordable homes is:  
**Build Costs less Sales (if applicable) less Up Front Subsidy = Borrowing Need**

## Financial Appraisal of a scheme built by Colchester Borough Council

- 08A As previously mentioned, detailed cash flow model would be produced for each proposed development scheme. This would include a wide range of factors, each having an impact on the overall viability of a scheme. This model would determine the amount of borrowing that could be supported by the net rental streams of the scheme, which would then determine its overall viability and affordability.
- 09A The financial appraisal would include details and assumptions on the following:
- Property size and Tenure Mix.
  - Factors affecting build/scheme costs.
  - Rent Levels.
  - Management & Maintenance Costs.
  - Provision for Major Repair Costs.
  - Interest rates.
  - Inflation.
  - Treatment of Borrowing.
  - Taxation Issues.
  - Any S106 contributions required (e.g. Highways, Education).
- 010A A sensitivity analysis would be carried out on each scheme, to establish how any changes to the underlying assumptions could impact upon the requirement for "up front" subsidy from the Council or others, the level of borrowing to be provided by the Council,

and the risks surrounding the ability to repay the loan to the Council. It would also establish the overall viability of the scheme, as well as providing a Value for Money comparator for delivering the scheme through another route, e.g. an RSL.

### Risks

- 0.11A The critical issue for the Council is ensuring that the loan repayments can be made and no unnecessary risks are being taken. The principle risk to the Council is that the net rental streams of the scheme do not actually enable its debt to be serviced or repaid, leaving the Council with the problem of having to meet these obligations from its existing resources. This could arise for a wide range of issues, given the number of variable factors that affect a scheme funding model. However, the following paragraphs give an indication of some of the factors that could impact upon the ability of a scheme to service the loan;
- 0.12A Property and Tenure Mix
- Where a scheme assumes properties are sold to use the profit to cross-subsidise the scheme, then the inability to sell those properties at a profit (or at all) will have an adverse impact. The recent position of the national housing market gives an indication of how this could arise.
  - Where a scheme assumes receipts from sales of properties will be used to repay debt, then those receipts would have to be used for that purpose and not to fund other schemes. Otherwise, the Council would be left with the debt and no property to provide the rental income to service it.
- 0.13A Rental Income
- Assumptions will be made on void properties. If actual void levels were higher than forecast, then there would be less rental income available to service the loan.
- 0.14A Management & Maintenance Costs
- Higher actual costs than forecast reduce the resources available to service the loan.
- 0.15A Major Repair Costs
- Major repair costs occurring earlier than assumed within the plan will have to be financed from rental income, reducing the resources available to service the loan. Potentially it could lead to cash flow deficits.
  - Higher actual costs than forecast reduces the resources available to service the loan
- 0.16A Interest Rates
- All borrowing by the Council is initially borne by the General Fund. It is then recharged to the HRA (where the properties being built are HRA assets).
  - If net rental income in future years is insufficient to service the loan, the Council would need to service the cost of the debt from existing resources.
  - If interest rates rise, then there could be insufficient rental scheme to meet these increased costs. There would be a need to reduce other costs (if possible) to compensate, or mitigate the risk via the structure of the borrowing/loan.
  - Interest rate changes can have a significant impact on the payback period of any debt.
- 0.17A Cash flow Deficits
- It is not uncommon for development projects to have early year revenue deficits; i.e. rental income is insufficient to meet both operating costs and loan interest. This changes in future years as rents increase and income exceeds expenditure.
  - Local authorities are unable to borrow to cover short term revenue deficits

- The rules state that if a loan to a third party is treated as capital expenditure to the authority, the third party must use them for capital expenditure (as if the Council had incurred them directly)
  - Therefore any revenue deficits (which are more likely to occur in the early years) would have to be met from reserves
- 0.18A Ultimately, it could be one or a combination of any of the above which could pose a risk to the ability to repay the Council's loan in the agreed timeframe, and given that the loan could potentially be taken over a period of 50 years, then the potential for some of these factors, such as inflation and interest rates, to vary considerably from the assumptions made in the initial scheme appraisal is high. Whilst there are mitigating factors which could be taken to reduce some of this risk, the risk still remains that the Council could be left carrying a debt which is not supported.

## Appendix 2

### Advantages and disadvantages of ALMO versus council ownership of new build social housing

Issue	ALMO	Council
<b>Corporation Tax</b>	Rental surpluses subject to tax (at least 21%)	No Liability
<b>Corporation tax</b>	Surpluses on disposal of properties subject to tax (at least 21%)	No liability and pooling arrangements for RTB ending.
<b>Stamp Duty Land Tax</b>	Liability at 4% for land transfers. However 2009 budget provision for this to cease. Not completed yet.	No transfer would arise and hence no liability.
<b>VAT</b>	VAT on repairs and other services not recoverable as rental income is exempt.	Provision of council housing deemed as non-business and therefore input tax is recoverable.
<b>Tax planning</b>	Potential for ALMO liability to be reduced.	Not required.
<b>HCA grant</b>	All qualification requirements satisfied and able to access grant subject to signing the agreement.	. All qualification requirements satisfied and able to access grant subject to signing the agreement.
<b>HCA grant – rent charge</b>	Deed of Covenant now obliges ALMOs to enforce a rent charge on anyone it sells on to. Currently makes raising private finance difficult.	Similar deed in LA grant agreement but LAs have direct access to unsecured Public Works Loan Board finance, so raising private finance not an issue.
<b>HCA Grant – other provisions</b>	Method statements not presently required, but a regulator is bound to ask as it's 'best practice.' Guarantee from sponsoring LA required and LA may need to account for a 'contingency liability.'	No requirement for method statements or guarantee.
<b>Loan funding</b>	Difficulty in attracting external funding at reasonable rates in the current climate.	PWLB currently lending at attractive rates.
<b>Right to Buy</b>	Years as an ALMO tenant do not currently count, although should be amended in 2010, if legislative timetable allows.	No change in current arrangements.
<b>Tenancy</b>	Tenants would have assured tenancies.	Tenants would have secure tenancies even if HCA grant assisted.

Source National Federation of ALMOs :Building ALMO Homes Conference. Presentation by Bernadette O'Shea, Chief Executive, Hounslow Homes. :



## Cabinet

2 December 2009

Item  
**11(i)**

Report of	Head of Corporate Management	Author	Richard Clifford ☎ 507832
Title	Calendar of Meetings 2010-2011		
Wards affected	Not applicable		

**This report proposes a Calendar of Meetings for the 2010-2011 Municipal Year**

### 1. Decision(s) Required

- 1.1 Cabinet is requested to approve the draft Calendar of Meetings for the next municipal year from May 2010 to April 2011.

### 2. Reasons for Decision

- 2.1 The Calendar of Meetings needs to be determined so that decisions for the year can be timetabled into the respective work programmes and the Forward Plan.
- 2.2 Advance notice of the Calendar of Meetings needs to be made available to external organisations, parish councils and other bodies with which the Council works in partnership and to those members of the public who may wish to attend meetings of the council and make representations.
- 2.3 The meeting rooms also need to be reserved as soon as possible so that room bookings can be made for private functions by private individuals, external organisations and internal Council groups.

### 3. Alternative Options

- 3.1 This proposal has been devised based on the current meeting structure and frequency. It would be possible to devise alternative proposals using different criteria.

### 4. Proposals

- 4.1 The attached draft Calendar of Meetings for 2010-11 is largely based on the current meeting structure and frequency of meetings. The following matters have also been taken into consideration:-

- The Municipal Year to begin with the Annual Meeting on 19 May 2009.
- Where possible there should no more than two evening meetings in any one week, although there are times when this is unavoidable, and no Cabinet meetings in the six weeks before the local elections in May 2011;
- To facilitate the hearing of call ins, a Strategic Overview and Scrutiny Panel meeting to follow after a Cabinet meeting and to alternate with meetings of the Finance and Audit Scrutiny Panel;



- Eight member training days between July 2010 and March 2011;
- Political group meetings on Mondays prior to Council and Cabinet.

#### 4.2 The Calendar of Meetings 2009-10 comprises:-

- Council – the Annual Meeting plus five Council meetings. Council meetings are scheduled for Wednesdays, with the exception of the December meeting, which is scheduled for a Thursday to avoid the difficulties caused by the clash with late night shopping that would ensue if the meeting were held on Wednesday. The dates are timed to facilitate approval of the budget, setting the parish precept and the council tax in February 2011.
- Cabinet – seven meetings on Wednesdays. The dates are timed to facilitate budget planning leading to a recommendation to Council to approve the budget and the level of council tax to be set.
- Strategic Overview and Scrutiny Panel – nine meetings on Tuesdays.
- Finance and Audit Scrutiny Panel – nine meetings on Tuesdays.
- Accounts and Regulatory Committee – four meetings on Tuesdays held immediately after Finance and Audit Scrutiny Panel meetings. The dates are timed to facilitate the approval of the draft Annual Statement of Accounts, auditors report and annual audit letter.
- Policy Review and Development Panel – six meetings on Mondays.
- Planning Committee – twenty five meetings on Thursdays.
- Local Development Framework Committee – six meetings on Mondays.
- Licensing Committee – eight meetings on Wednesdays to hear public entertainment licences and hackney carriage appeals. An extra two additional meetings have been scheduled for this municipal year in view of the need to review the Licensing Policy in 2010 -2011.
- Local Highway Panel – four meetings on Mondays.
- Standards Committee – four daytime meetings on Fridays.
- Licensing Sub-Committee Hearings – Meetings for sub-committee hearings of the Licensing Committee have been scheduled for the majority of Fridays, to be held during the day. Meetings have not been scheduled in the weeks of Opening of the Oyster Fishery and the Oyster Feast. Also a number of weeks have been left free to enable commercial bookings to be taken. It is not anticipated that a sub-committee meeting will be held on each of the dates scheduled but it is necessary to have the flexibility for meetings to be called at short notice.
- Occasionally it proves necessary to schedule additional meetings of Committee and Panels at short notice. Six “reserve” dates have been included in the Calendar where meeting rooms will be booked. This will facilitate the scheduling of additional/urgent meetings. These meeting dates will not be used unless needed.

- The following Civic events have also been included for completeness:

Mayor's Banquet 14 May 2010  
Civic Service 31 May 2010  
Opening of the Oyster Fishery 3 September 2010  
Oyster Feast 29 October 2010  
Remembrance Sunday 14 November 2010

## **5. Financial implications**

- 5.1 In general terms the costs are those associated with the meetings process such as the number of panels/committee, hallkeeping charges, agenda printing costs and members travelling allowances. The costs are covered by existing budgets.

## **6. Consultation**

- 6.1 Consultation has been undertaken with the Mayor, the Deputy Mayor, Executive Management Team and Heads of Service.

## **7. Publicity Implications**

- 7.1 The dates of council meetings are published on the Council's website. They are also distributed to parish council and advertised at Council offices and libraries throughout the borough.

## **8. Standard References**

- 8.1 It is considered that there are no direct Strategic Plan references, equality, diversity and human rights, community safety, health and safety and risk management implications raised by this report.

## 2010

		May		June		July		August
<b>Mon</b>								
<b>Tue</b>			1					
<b>Wed</b>			2	Licensing Committee				
<b>Thu</b>			3	Planning Committee	1	Planning Committee		
<b>Fri</b>			4	<sup>1</sup> Licensing Sub-Ctte Hearing	2			
<b>Sat</b>	1		5		3			
<b>Sun</b>	2		6		4		1	
<b>Mon</b>	3		7	Local Development Framework Committee	5	Groups	2	
<b>Tue</b>	4		8	Strategic Overview and Scrutiny Panel	6	Training	3	Training
<b>Wed</b>	5		9		7	Cabinet	4	Reserve meeting date
<b>Thu</b>	6	Borough Council Elections	10		8		5	
<b>Fri</b>	7		11	<sup>1</sup> Lic Sub-Ctte (am) Standards Ctte (pm)	9	<sup>1</sup> Licensing Sub-Ctte Hearing	6	<sup>1</sup> Licensing Sub-Ctte Hearing
<b>Sat</b>	8		12		10		7	
<b>Sun</b>	9		13		11		8	
<b>Mon</b>	10		14	Policy Review and Development Panel	12	Groups	9	Policy Review and Development Panel
<b>Tue</b>	11		15		13		10	
<b>Wed</b>	12		16		14	Council	11	
<b>Thu</b>	13		17	Planning Committee	15	Planning Committee	12	Planning Committee
<b>Fri</b>	14	Mayor's Banquet	18		16		13	
<b>Sat</b>	15		19		17		14	
<b>Sun</b>	16		20		18		15	
<b>Mon</b>	17		21	Local Highway Panel	19		16	Local Development Framework Committee
<b>Tue</b>	18		22	Reserve meeting date	20	Strategic Overview and Scrutiny Panel	17	Finance and Audit Scrutiny Panel
<b>Wed</b>	19	Annual Meeting	23		21	Licensing Committee	18	
<b>Thu</b>	20	Planning Committee	24		22		19	
<b>Fri</b>	21		25	<sup>1</sup> Licensing Sub-Ctte Hearing	23	<sup>1</sup> Licensing Sub-Ctte Hearing	20	<sup>1</sup> Licensing Sub-Ctte Hearing
<b>Sat</b>	22		26		24		21	
<b>Sun</b>	23		27		25		22	
<b>Mon</b>	24	Groups	28		26		23	
<b>Tue</b>	25		29	Finance & Audit Scrutiny Panel/ Accts & Reg Ctte	27	Finance and Audit Scrutiny Panel	24	Strategic Overview and Scrutiny Panel
<b>Wed</b>	26	Cabinet	30		28		25	Licensing Committee
<b>Thu</b>	27				29	Planning Committee	26	Planning Committee
<b>Fri</b>	28				30		27	
<b>Sat</b>	29				31		28	
<b>Sun</b>	30						29	
<b>Mon</b>	31	Civic Service					30	
<b>Tue</b>							31	

<sup>1</sup> Daytime meeting      Light shading = Essex school holidays

**2010**

		<b>September</b>		<b>October</b>		<b>November</b>		<b>December</b>
<b>Mon</b>					1			
<b>Tue</b>					2	Reserve meeting date		
<b>Wed</b>	1				3		1	Cabinet
<b>Thu</b>	2				4	Planning Committee	2	Planning Committee
<b>Fri</b>	3	Opening of the Oyster Fishery	1	<sup>1</sup> Licensing Sub-Ctte Hearing	5	<sup>1</sup> Licensing Sub-Ctte Hearing	3	
<b>Sat</b>	4		2		6		4	
<b>Sun</b>	5		3		7		5	
<b>Mon</b>	6	Groups	4		8	Policy Review and Development Panel	6	Groups
<b>Tue</b>	7		5	Reserve meeting date	9		7	Training
<b>Wed</b>	8	Cabinet	6	Licensing Committee	10	Training	8	
<b>Thu</b>	9	Planning Committee	7	Planning Committee	11		9	Council
<b>Fri</b>	10	<sup>1</sup> Licensing Sub-Ctte Hearing	8	<sup>1</sup> Licensing Sub-Ctte Hearing	12		10	<sup>1</sup> Licensing Sub-Ctte Hearing
<b>Sat</b>	11		9		13		11	
<b>Sun</b>	12		10		14	Remembrance Sunday	12	
<b>Mon</b>	13	Local Highway Panel	11	Groups	15		13	Local Development Framework Committee
<b>Tue</b>	14	Training	12	Training	16	Strategic Overview and Scrutiny Panel	14	Strategic Overview and Scrutiny Panel
<b>Wed</b>	15		13	Council	17		15	
<b>Thu</b>	16		14		18	Planning Committee	16	Planning Committee
<b>Fri</b>	17	<sup>1</sup> Lic Sub-Ctte (am) Standards Ctte (pm)	15		19	<sup>1</sup> Licensing Sub-Ctte Hearing	17	<sup>1</sup> Licensing Sub-Ctte Hearing
<b>Sat</b>	18		16		20		18	
<b>Sun</b>	19		17		21		19	
<b>Mon</b>	20	Policy Review and Development Panel	18	Groups	22		20	Local Highway Panel
<b>Tue</b>	21	Strategic Overview and Scrutiny Panel	19	Finance & Audit Scrutiny Panel/ Accts & Reg Ctte	23	Finance and Audit Scrutiny Panel	21	
<b>Wed</b>	22		20	Cabinet	24	Licensing Committee	22	
<b>Thu</b>	23	Planning Committee	21	Planning Committee	25		23	
<b>Fri</b>	24		22	<sup>1</sup> Licensing Sub-Ctte Hearing	26	<sup>1</sup> Lic Sub-Ctte (am) Standards Ctte (pm)	24	
<b>Sat</b>	25		23		27		25	Christmas Day
<b>Sun</b>	26		24		28		26	Boxing Day
<b>Mon</b>	27	Local Development Framework Committee	25		29	Groups	27	
<b>Tue</b>	28	Finance & Audit Scrutiny Panel/ Accts & Reg Ctte	26		30		28	
<b>Wed</b>	29		27				29	
<b>Thu</b>	30		28				30	
<b>Fri</b>			29	Oyster Feast			31	
<b>Sat</b>			30					
<b>Sun</b>			31					
<b>Mon</b>								
<b>Tue</b>								

<sup>1</sup>Daytime meeting Light shading = Essex school holiday; Party conferences: Lib Dems 18-22 Sept; Cons 4-7 Oct; Lab 26-30 Sept

## 2011

		January		February		March		April
Mon								
Tue			1		1	Training		
Wed			2		2			
Thu			3	Planning Committee	3	Planning Committee		
Fri			4		4	<sup>1</sup> Lic Sub-Ctte (am) Standards Ctte (pm)	1	
Sat	1		5		5		2	
Sun	2		6		6		3	
Mon	3		7		7	Local Highway Panel	4	
Tue	4		8	Strategic Overview and Scrutiny Panel	8	Reserve meeting date	5	Licensing Committee
Wed	5		9		9	Licensing Committee	6	
Thu	6	Planning Committee	10		10		7	
Fri	7	<sup>1</sup> Licensing Sub-Ctte Hearing	11	<sup>1</sup> Licensing Sub-Ctte Hearing	11	<sup>1</sup> Licensing Sub-Ctte Hearing	8	<sup>1</sup> Licensing Sub-Ctte Hearing
Sat	8		12		12		9	
Sun	9		13		13		10	
Mon	10	Policy Review and Development Panel	14	Groups	14	Groups	11	
Tue	11	Strategic Overview and Scrutiny Panel	15		15		12	
Wed	12	Licensing Committee	16	Council	16	Cabinet	13	
Thu	13		17	Planning Committee	17	Planning Committee	14	Planning Committee
Fri	14		18		18		15	<sup>1</sup> Licensing Sub-Ctte Hearing
Sat	15		19		19		16	
Sun	16		20		20		17	
Mon	17		21		21	Local Development Framework Committee	18	
Tue	18	Training	22	Finance & Audit Scrutiny Panel/ Accts & Reg Ctte	22	Strategic Overview and Scrutiny Panel	19	
Wed	19	Reserve meeting date	23		23		20	
Thu	20	Planning Committee	24		24		21	
Fri	21	<sup>1</sup> Licensing Sub-Ctte Hearing	25	<sup>1</sup> Licensing Sub-Ctte Hearing	25	<sup>1</sup> Licensing Sub-Ctte Hearing	22	Good Friday
Sat	22		26		26		23	
Sun	23		27		27		24	
Mon	24	Groups	28	Policy Review and Development Panel	28	Groups	25	Easter Monday
Tue	25	Finance and Audit Scrutiny Panel			29	Finance and Audit Scrutiny Panel	26	
Wed	26	Cabinet			30	Council	27	
Thu	27				31	Planning Committee	28	Planning Committee
Fri	28	<sup>1</sup> Licensing Sub-Ctte Hearing					29	<sup>1</sup> Licensing Sub-Ctte Hearing
Sat	29						30	
Sun	30							
Mon	31	Local Development Framework Committee						
Tue								

<sup>1</sup> Daytime meeting; Light shading = Essex school holidays

## 2011

		May
Mon		
Tue		
Wed		
Thu		
Fri		
Sat		
Sun	1	
Mon	2	
Tue	3	
Wed	4	
Thu	5	Borough Council Elections
Fri	6	
Sat	7	
Sun	8	
Mon	9	
Tue	10	
Wed	11	
Thu	12	
Fri	13	
Sat	14	
Sun	15	
Mon	16	
Tue	17	
Wed	18	Annual Meeting
Thu	19	
Fri	20	
Sat	21	
Sun	22	
Mon	23	
Tue	24	
Wed	25	
Thu	26	
Fri	27	
Sat	28	
Sun	29	
Mon	30	
Tue	31	

<sup>1</sup> Daytime meeting      Light shading = Essex school holidays

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

(i) Have Your Say speakers

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Council, 14 October 2009	Andy Hamilton	Sale of 15 Queen Street	Oral response provided by the Portfolio Holder for Culture and Diversity, written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Council, 14 October 2009	Essex County Councillor Jeremy Lucas	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Council, 14 October 2009	John Loxley	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Council, 14 October 2009	Will Quince	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Council, 14 October 2009	David Kennedy	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Cabinet 21, October 2009	Mal Nicholson	Highway improvements to Boxted Road, Colchester. Petition presented to leader of the Council	Oral response provided by the Leader of the Council at the meeting and written response sent on 3 November 2009. Petition forwarded to Essex County Council on 3 November 2009.	3 November 2009
Cabinet 21, October 2009	Paul Ost	Highway improvements to Boxted Road, Colchester.	Oral response provided by the Leader of the Council at the meeting and written response sent on 3 November 2009.	3 November 2009



Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 21 October 2009	Paula Whitney	Cutting back of trees on Crouch Street; issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Cabinet, 21 October 2009	Andy Hamilton	Visual Arts Facility and sale of 15 Queen Street	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Cabinet, 21 October 2009	Neil Darcy -Jones	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Cabinet, 21 October 2009	David Kennedy	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 21 October 2009	Mr Richards	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Cabinet, 21 October 2009	Mr Barrow	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Cabinet, 21 October 2009	Richard Pettit	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009
Cabinet, 21 October 2009	Tim Oxtan	Issues relating to the Schools Investment Programme and the creation of a new access road to Philip Morant School	Written response sent by the Leader of the Council on 3 November 2009	3 November 2009

**(ii) Petitions**

**Petition presented to Cabinet on 21 October 2009 in relation to highway improvements on Boxted Road (see entry re Mal Nicholson above). Petition forwarded to Executive Director for Environment, Sustainability and Highways, Essex County Council, on 3 November 2009.**

