

Scrutiny Panel

Tuesday, 13 February 2024

Attendees: Councillor Tracy Arnold, Councillor Darius Laws, Councillor Sam McCarthy, Councillor Sam McLean, Councillor Fay Smalls, Councillor Dennis Willetts
Apologies: Councillor Thomas Rowe
Substitutes: Councillor William Sunnucks (for Councillor Thomas Rowe)

445 Items requested by members of the Panel and other Members

The Chair noted talk in the press regarding a third-sector partner of the Council, Community360, and its financial arrangements. The Council had raised questions, and received answers that had generated further questions. The Chair stated that more answers were needed, that councillors expected to be briefed in coming days, and requested that the Panel receive a report urgently, for the next meeting on 12 March 2024, to ensure that the Council could be satisfied with the financial arrangements in place. Further work might be needed following that meeting.

The Panel considered this request, with a member noting that there was currently no indication of any legal issues, but asking whether an extraordinary meeting should be arranged to consider this matter before 12 March 2024, to address the public perception of the situation. The organisation in question did much on behalf of the Council and other partners, with a number of former and current elected members having been involved. The Chair stated that he would be happy for this to be added to the agenda of the 12 March 2024 meeting, rather than schedule another meeting.

RESOLVED that the SCRUTINY PANEL, at its meeting on 12 March 2024, receives a report on the Council's current relationship with Community360, questions issued, and answers received regarding the financial arrangements, funding provided to that charity via the Council, and matters recently covered in local press publications.

446 Minutes of Previous Meeting

A Panel member raised concern that the Panel had not received information in regard to the recommendations it had previously made about additional financial information to be produced to aid the Council's Budget-setting process, and councillors' deliberations on this. These included a statement of reserves, Treasury Management Strategy Statement, and information about the cumulative deficit projected for coming years. Another Panel member confirmed that the requested information had been provided to councillors with the Budget report to the coming Full Council meeting.

RESOLVED that the minutes of the meetings held on 23 January 2024 be approved as a correct record.

Have Your Say!

Ms. Carla Hales addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to ask questions regarding the Castle Park bandstand, and its use by community groups. Speaking as a District Lead Music Tutor and Chair of the Essex Concert Band, Ms. Hales asked what constituted a community group and would therefore not incur a charge for use of the bandstand, for how long the Castle Park café would continue its sponsorship, and whether anyone would take over from them, if sponsorship ended. Many local groups wanted to support the Council's aim at fostering a positive local image, whilst involving local suppliers and groups, and Ms. Hales suggested that charging groups for use of the bandstand could be seen as an insult, and asked that the approach to charging be rethought.

The Chairman committed to ensure that the Panel's discussions would seek to ensure youth and community groups were encouraged and welcomed.

Mr. Robert Johnstone addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to raise previous consideration of the playing of music at the bandstand by Full Council on 19 July 2023. The Portfolio Holder had then said he would consider further the fees and grants involved. Mr Johnstone urged for councillors to be mindful that the bandstand needed bands to play in it. Southend's bandstand hosted 56 performances in the past year, whilst Colchester only proposed six for the year. Mr Johnstone recommended that the Council's policy on events be reviewed, having last been updated four years ago. The work needed to do concerts and events, which were beneficial to the Council, businesses and public, was highlighted.

Ms. Rachel Matthews addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to ask if the Panel had scrutinised the Climate Emergency called by Full Council in the past, and urge the Panel to examine the basis for this. Ms. Matthews accused the Intergovernmental Panel on Climate Change of not publishing accurate data and asked if the Council was discharging its duty to provide land for food growth.

The Chair confirmed that the Council provided and administered allotments, and offered to seek a Scrutiny Panel meeting on the Climate Emergency in the 2024-25 Municipal Year.

Ms. Carinna Cooper addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to allege that she had not had a response from the Council to her questions previously raised about the Deputy Mayor halting a member of the public's speech to Full Council, and the legal guidance regarding searches of public attendees at meetings. Ms. Cooper then suggested that the City Council be dissolved. Ms. Cooper claimed that officers of the Council were complicit in allegedly fraudulent applications for new 5G telecommunication masts in the name of dissolved companies.

The Chair explained that planning officers did not have a duty to carry out examinations of the financial situation of any planning applicant, and stated that it was his understanding that an answer had been given to the queries raised by Ms.

Cooper. Ms. Cooper then admitted that she had indeed received a response from the Council, but did not consider it sufficient.

Councillor David King, Leader of the Council, confirmed that the response had been provided, and underlined the trust in officers working to the law. Regarding trust, members of the public could participate in Scrutiny Panel meetings and seek answers.

Ms. Cheryl Taylor addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to raise a complaint that she had made regarding her dissatisfaction with a search carried out on her prior to the Scrutiny Panel meeting on 6 June 2023 and alleged that she had still not received a response to her complaint. Ms. Taylor explained that she had received a receipt for her complaint made on 16 June 2023, expressed concern that any CCTV footage would no longer be available, and asked whose job it was to follow up on complaints.

The Chair gave his understanding that a response had been made to the complaint, and that the Council had amended its procedure, to ensure that there were always female members of security staff engaged to staff meeting security. The Chair recognised the need for searches to be carried out respectfully and offered to check on the policy regarding retention of CCTV footage.

Councillor Goacher attended and, with permission of the Chairman, addressed the Panel to raise a letter to councillors, sent by the Middlewick Residents' Group, and formally requested that the Scrutiny Panel examine the allegations that a letter from Natural England was withheld from councillors prior to the Local Plan being approved. Councillor Goacher expressed concern that the Middlewick Group had not received a response from the Planning Department regarding the Natural England report, and asked what legal redress there might be to which he would have recourse regarding not having had the letter provided to him prior to the Local Plan being approved. Councillor Goacher asked if the Scrutiny Panel would be scrutinising this matter and, if so, when.

The Chair committed to speak to planning officers regarding the relevant protocols and encourage that the relevant information be provided to all councillors. This matter was not currently on the Scrutiny Panel's work programme and the Chair suggested that, at this stage, it might be more appropriate to discuss this internally with planning officers.

A Panel member raised concern that there had been a number of claims made that responses from the Council had not been provided to questions raised, and asked who was responsible for ensuring answers were provided to members of the public and councillors. A suggestion was made that a recommendation could be laid down to call for the Council's communications plan to be reviewed and updated. Concern was raised at talk of reducing the Council's capacity to communicate and respond to questions and issues raised by the public in the future. The Chair confirmed that correspondence had been despatched to some of the members of the public in attendance, and that the issue had been that those members of the public were not satisfied with the content of the responses. The Leader of the Council agreed that this was an important matter, and that it was right that the public could challenge councillors and the Council's Administration, but asked that the Panel view any issues

in the context of the Council's customer contact service being highly-rated by public feedback.

RECOMMENDED to CABINET that Cabinet reviews the Council's approach to its corporate communications with members of the public.

448 Review of Colchester City Council's Strategic Arts Partners

The representatives of the Arts Partners were introduced, and each in turn presented the work done by their respective organisations.

Anthony Roberts, Director at Colchester Arts Centre, covered the recent highlights of the Arts Centre, including the Blur gig in 2023, which was the biggest event ever held by the venue. Tickets had sold out in four seconds and the event had brought civic pride to the venue and City. Attendees had come from across Europe. Other high-profile events had been a Sixth Form College 'Battle of the Bands', and performances by acts such as 'Butterfly Handshake.'

The Council's funding to the Arts Centre was described, and the use of this to leverage additional funding. For every £1 of Council funding, a further £20.26 additional funding and income had been gained. The key areas of income were from ticket sales, bar trade, bookings for events, and Arts Council England. 356 shows had been performed in the last year, and the comparisons between the funding agreements and actual performance were shown. 'Pay what you can afford' events were held to ensure that those on lower incomes were not excluded.

A description was given of collaborative work betwixt the Arts Centre and First Site, which had attracted a wide range of artists. The Director stressed the importance of providing a space and content for older people, as well as the young. Friday afternoon events were run to appeal to older audiences.

A digital programme provided weekly content to the 795 subscribers. 46,000 ticket purchases had been recorded, which did not include those sold for third-party events, with around half of audience members coming from outside of Colchester. Of attendees from Colchester, around 40% came from the two lowest-income demographics, although it was noted that multiple ticket purchases by the same individuals were all counted as separate logs in the statistics compiled.

The Lawrence Walker Gallery and Greenstead Community Centre were noted as venues for additional events and exhibitions, including ballroom dancing. A touring show had also visited a range of venues, with 42 shows around the Colchester area.

Upgraded facilities had been installed at the Arts Centre, and the Director picked out highlights of the Centre's work with youth groups and groups representing and made up of vulnerable members of society.

Steve Mannix, Executive Director of the Mercury Theatre, provided a presentation on the Theatre's work during 2022-23. Creative industries in the UK had grown by 12 percent between 2021-22 and 2022-23, even after the effects of the Pandemic and

the high rates of inflation. Increased costs of materials and salaries had increased the Mercury's costs by £80,000.

Challenges were noted, which had led to a lower filling of capacity than in the 2021-22, achieving around 60-65 percent capacity. Events and tours were still conducted, and around 38,000 people had attended unticketed events on top of ticketed events, including events held in cooperation with First Site and the Arts Centre.

The Creative Engagement Project was described, which had involved around 36,000 children and adults, including youth and seniors in activities. This had been the final year of the Project at the Mercury, which had been funded by the European Union. 116 new creative businesses had been formed as a result of the Programme. New funding arrangements now meant that the Project could continue for the next three years.

The Mercury Rising Project had been completed, albeit ten-months behind original schedule. Thanks were given to Council officers who had helped to achieve a good sustainability score, which was in the top 25 percent of new builds in the UK. There was now a lack of space in the building, so a second-storey extension was being proposed.

The programme of civic activities which had been run was outlined, including for the mourning of Her Majesty, the late Queen Elizabeth, and the coronation of King Charles II.

Highlights included a Derren Brown show, the Mercury's first West End transfer. The StageText service, which provided captioning, was now headquartered at the Mercury, and supported disabled, deaf and neurodivergent people.

Plans for 2024-25 were briefly outlined, and the money invested by the Council and Essex County Council was underlined in being crucial. The Mercury employed 143 staff and generated £5.4m turnover. The cost to the taxpayer of the Council funding was given as 87p per Colcestrian taxpayer per year. 80 percent of the Theatre's income came from tickets and sales, with every £1 of funding generating £4, and audiences spending millions in the wider Colchester economy. The Mercury itself had spent £10.6m in the local area.

Sally Shaw, Director of First Site, described the exhibitions staged over the past year, including the 'Big Women' exhibition, curated by Sarah Lucas and featuring the work of 25 artists. This generated significant income for Colchester and Sarah Lucas also provided a personal donation to First Site. First Site was now one of the few galleries in the UK to be able to still deliver a full programme of exhibitions. 110 events had been held in the previous year, with 440 completed in this current year, with a focus on evening opening hours and collaborative events. Ticket sales for events were strong. Workshops and art classes were tailored to respond to audience demand, and were starting to generate a profit.

The target of 124,000 visitors were set to be met. The success came partly due to the success of new ideas and later opening hours. Galleries used to close at 5pm, which excluded those who worked full-time days. An increase in visits by the working

population had been recorded, with a drop in the average age of visitors. A new membership scheme went live in November 2023, offering free entry to the cinema, and significant discounts in the venue. Greater use of the cinema led to more visits to the gallery and café.

Governance arrangements, under the venue's Board, were outlined. A tough decision had been taken to restructure, following the increase of electricity costs from £70,000 per year to £580,000 per year. An issue had also been identified, with the success rate of achieving funding from trusts and foundations dropping from 80% to 10%. Feedback was being analysed in order to discern the reasons for this. A new team was working to generate funding outside of these usual funding streams. First Site was examining the transferable impacts from the arts and creative sector.

The Director informed the Panel that she had recently been appointed as the Arts Council England Chair for the South-East Region. This helped First Site gain further information from across the wider Arts Council England organisation. Work on diversity, including LGBTIQ+ representation and groups, showed the venue to be performing above the UK's national average. Health and wellbeing work was proceeding with The University of Essex.

The lighting programme to replace all bulbs with LED lights was nearing completion, and was a key way to reduce electricity costs and as an environmentally friendly measure.

The Panel discussed the presentations which had been given. The representatives were asked what work was being done to cross-fertilise activity across the artistic and creative sector. The Director of First Site described a project which had been carried out in Clacton, which had now ceased due to lack of funding, and the intent to do more in the future, if possible. All organisations were seeking to work more closely with each other, to survive the perilous climate. The Director of the Arts Centre expressed interest in using the High Street for events, and looking at how communities could work to make use of assets. A suggestion made was to seek to use the old Marks and Spencer premises to host a community space, with an Arts Centre pop up. Whilst much shopping was now done online, live experiences with the arts could not be done online, such as live music, seeing paintings, attending the theatre. The Arts Centre premises on Priory Walk had improved diversity of participants, activities and life experiences.

The Panel raised the importance of supporting and engaging young people, with curriculums being squeezed, especially around the arts. A Panel member praised the disability access at the Mercury Theatre and asked if the Arts Centre was looking to improve their access and offer disability access tickets. The Director of the Arts Centre explained that the Centre now offered the option for ticket buyers to request an access host, with options to help. The worst situation was for wheelchair users at standing gigs, but the situation was not so difficult at other types of events and performances. Councillor Michelle Burrows, Portfolio Holder for Leisure, Culture and Heritage, added that the Arts Centre had run a focus group to look at improving access for disabled audience members and wheelchair users. The Centre had been very responsive to the group and had brought in access host options, which offered a host to talk through access issues prior to an event, and then assist the audience member at the event

itself. Early entry was also offered for those who needed assistance. The Executive Director of the Mercury Hotel informed the Panel that he sat on the board for the national scheme to improve support and access options for disabled and neurodivergent people.

The Panel noted that the Mercury's target for recruiting women was at 70 percent, with one member asking if there was currently a deficit in this area and, if so, whether this was in particular parts of the organisation, such as the craft and construction areas. The Executive Director noted that their Deputy Workshop Manager was a woman, and the Theatre was trying to address the deficit in such areas by using apprenticeship schemes, highlighting backstage roles to improve diversity, working with the local and national BBC.

The Director of the Arts Centre was asked if there were more opportunities for the church yard there to be open for use, and explained that this was run by the Council and had been closed due to antisocial behaviour issues, with one group in particular causing trouble, with drug use being noted. This space had been used for displays in the past, but could be seen to be a nice thing as a space to which humans did not use.

In answer to questioning, the Director of First Site explained that the removal of the onsite shop from the front of the venue was a temporary measure to allow the progression of light replacement. The shop would return to that location, and funding had been sourced for a pop up café at the front of the venue, in addition to the existing café.

The guests were asked for more information on what was being done to ensure workforce diversity. The Executive Director of the Mercury expressed confidence that the Theatre's diversity targets would all be surpassed. The Director of the Arts Centre highlighted the appointment of Vijay Patel to lead on diversity matters, and their work. The Director of First Site described the changes in their creative team, where diversity had been difficult to improve. The overall workforce at the venue was around 75 percent women, with good representation on the Board of Directors. There had been challenges in getting global diversity and disability/neurodivergent representation on the creative team. Examples were given of the work done to try to improve accessibility for neurodiverse people, including language used, colours and design. This had been led by a neurodivergent person hired specifically to do this, following them visiting and giving suggestions for improvements. The Executive Director of the Mercury underlined the continuous nature of improving diversity, equality and inclusion. The Theatre had increased the number of accessible performances held at the venue. Regarding diversity in income demographics, the cost and availability of transport were given as major issues. Ways to ensure transport options were being looked into. The Director of the Arts Centre underlined the gender issue in the music industry, where almost all tour managers, engineers and technical staff were men, and the experiences of the Centre's Production Manager, who was a woman, and the sexist behaviour she had experienced from touring act staff. The Panel were told that all needed to challenge such prejudice.

A Panel member noted the successes of the three organisations, but also the huge challenge of escalating energy costs. The guests were asked whether an appropriate

funding balance had been set, given the need for the Council to save money. The Executive Director of the Mercury emphasised that the funding was an investment, and allowed Essex County Council and Arts Council England to authorise further funding to the venues. Council funding was key to leveraging further funding at local and national levels. The argument was further made that a reduction in Council funding, and the mothballing of sites providing artistic and creative content would cost the Council more in the long term.

The Executive Director was asked if he felt the funding balance was fair, given the Council's intended budgeting for the Leisure World North site on Colchester Sports Park, and stated that he had no objection to the Northern Gateway development site, as residents should be given a choice. There were opportunities for shared services, promotions and retail. The director of First Site called for thinking about new creative partnerships to increase uptake of all activities, including sports. The Director of the Arts Centre agreed, positing that sport was creative, just in a different way.

The Chair summarised that the Scrutiny Panel was seeking to ascertain whether the Council was getting value for money from the funding it provided. The creative sector was key in making Colchester a vibrant, special place, and to generate income and employment. The work of the arts organisations was praised.

RESOLVED that the SCRUTINY PANEL considers that the arts organisations in receipt of Council funding are succeeding and adding to the local economy, but notes the challenge of high energy costs which imperil the organisations, and the potential need to review the funding provided in order to reflect these costs and enable the organisations to continue their positive work.

449 Middle Mill Weir Collapse - Briefing

The Chair announced his intention to alter the agenda order, and consider the item on Middle Mill Weir earlier than planned. This was an interim report, with a more substantive report to follow at a later meeting. Fiona Shipp, Parks, Countryside & Greening Operations Manager, took questions on the report.

A Panel member asked for an explanation of the fish path that had been mentioned as part of two options within the report. The fish path was explained as a requirement stipulated by the Environment Agency, for fish and eel movement along the river.

The Panel asked about the options for a temporary bridge. The Council was examining possible options, but the interlinked nature of weir and existing bridge meant that there were worries about further collapse potentially damaging the bridge. The Council was examining what parts of the weir could be saved, and options for bridging.

The Panel enquired as to what the inspection procedure was for edifices such as the weir, whether there was a team responsible and a formal reporting process with inspection records. The Operations Manager explained that staff from the Parks and Open Spaces Team carried out day-to-day visual inspections and operated the weir daily. The most recent major inspection had been carried out in 2016, followed by

ongoing inspection of the weir to check for any changes. When an issue had been identified, it was initially thought that the problem was caused by items stuck in the weir, which was a common issue. Unusual bubbling was seen emanating from underwater, followed by a rapid collapse. The fabric was hard to check, as the site had to be de-watered in order to show the underwater parts.

The Operations Manager answered questions about timescales, which were dependent on what course of action was taken. The main stakeholders were being consulted, such as the Environment Agency, Natural England, and local community groups. Feedback was requested by 25 February, after which the wants, pros and cons would be compiled, and options costed. The likely cost would be in the hundreds of thousands of pounds, as modern design standards would need to be met. A member of the Panel compared this to the approach a private-sector company might take, which would not need to consult with local groups or residents.

The swift ballasting of the damaged site was commended by the Panel, with the Chair noting that the Environment Agency had proffered the view that the collapse would not cause riverside flooding. The Operations Manager confirmed that there was no risk of such flooding, due to the operation of the Eastgate weir's automatic opening and closing to manage water levels. The Chair gave a reminder of the Panel's wish to ensure that effects along the length of the Colne were examined.

Councillor David King, Leader of the Council, acknowledged the concerns regarding cost and impacts on the environment. The scope had to be understood, and best price found to mend the situation. Details would be shared with members when these became available. It was not expected that this would carry on into 2025, but the process would not be a quick one. A Panel member asked how the Council would avoid 'overspecifying' for a solution, and gave the view that the Environment Agency and Natural England were a drag on achieving a solution. The Panel member argued that contractors should be brought in swiftly to start work, before any consultation was done. The Leader of the Council made an undertaking to set the best pace possible and to manage costs, seeking the best plan at the best pace, to give a solution that lasted.

The Operations Manager explained that, due to the timings of the consultation, a substantive report would not be possible for the meeting of the Panel scheduled for 12 March 2024.

RESOLVED that the SCRUTINY PANEL receives a substantive report on the Middle Mill Weir situation at its first meeting in the 2024-25 Municipal Year.

450 Councillor Michelle Burrows, Portfolio Holder for Leisure, Culture and Heritage

Councillor Michelle Burrows, Portfolio Holder for Leisure, Culture and Heritage, explained the challenge to budgets, but also the positive opportunities. Highlights included the Year of Celebration, King's visit, Siege event, and Gladiatorial exhibition, which had gained international coverage. £19.6m in levelling up funding had been received, as well as National Lottery Heritage funding, and improved Arts Council funding for the museums. The Visitor Information Team were assessing the annual

cultural grant scheme.

Colchester Castle had been nominated as a finalist in the Tourism and Accessibility Awards. The Castle Park light trail would return for Christmas 2024. The Council would continue to support the visitor economy, assist visitors, and provide information to help visitors and residents to attend events that were held. The work to support visits and the tourist experience was outlined.

The Council continued to support cultural and artistic events, having supported a diverse range of 25 different events, some involving celebrities, and worked with the NHS to improve health and wellbeing and cohesion. Grants to artistic partners had been administered. Arts Council England were seeking to improve accessibility, which was supported by the Council. Examples were given of the work done with the dementia group, with practitioners available to provide expert advice. The Mercury Theatre was seeking to roll out Dementia Awareness courses.

Guided archaeological walking tours had increased, with an increase in visitors up to 7,550 in the year. Sites throughout Colchester were being promoted and new interpretation panel installed, such as at St. Michael's Church in Myland, the Roman Circus, and other sites. The Roman walls, Gosbecks Archaeological Park, St. Botolph's and Jumbo were key sites.

The Portfolio Holder was asked what the effect would be on visitor numbers to Hollytrees Museum, if plans to implement entry fees were enacted, and was further asked whether she would prefer it to remain free of charge. Frank Hargrave, Head of Museums, explained that a 50% reduction in visits was expected, with the possibility of a 'Residents' Pass' for access to all museums. Demographics of visitors were not expected to change with the introduction of charging. This had been evidenced through research on cultural attractions which had moved from being free to enter and had introduced entry charges. Income needed to improve in order for the Council to continue to provide this service. Other venues, such as the Natural History Museum, would remain without an entry charge. A range of groups were being consulted regarding improving the offer and access at Hollytrees Museum.

The Panel discussed concerns as to whether sufficient time was spent searching for archaeological finds where planning applications were submitted. A Panel member suggested that a supplementary planning document might be produced to lay out how Roman flooring should be treated and preserved, if found. The Portfolio Holder offered to discuss this with Karen Syrett and Simon Cairns, Joint Heads of Planning. Another Panel member cautioned that Colchester did not want the reputation of being obstructive to developers. The Portfolio Holder explained that the plans to display the mosaic for Red Lion Yard had encountered issues relating to its cost. The cost of removing cabling had been estimated at £60k, and consideration needed to be given to its financial viability. A smaller mosaic had been estimated to cost around £50k in total. The Leader of the Council noted that suggestions had been made that the cable removal costs might be able to be reduced considerably, which would improve the viability of the original proposal.

The Portfolio Holder gave an update on the Gosbecks Archaeological Park, and the potential for a visitor centre to be constructed. This might possibly be done in

partnership with Durham University.

The Panel discussed how the artifacts held by the Council could be best displayed. The Head of Museums described the huge quantity of artifacts held, with some available to access and more being digitally available. The best items were displayed in museums, with work being done to increase the amount available online.

The Panel asked for an update on the Moot Hall roof. The Leader of the Council explained that this dated back to an issue regarding past care of the asset.

The Portfolio Holder was asked what was causing the cost of the Northern Gateway project, answering that the cost of the project would be less than the costs caused by not providing the exercise and sporting facilities, and the lost opportunity to help people improve their physical and mental health. A Panel member asked for the capital costs and expected return on investment.

RECOMMENDED to CABINET that Cabinet commissions and receives a report on losses made at Northern Gateway, the investments made in the site, what Cabinet intend to do about the site, and what social benefit is expected from the site.

RESOLVED that the SCRUTINY PANEL receives a report to assess whether sufficient time is allocated to the seeking of items of archaeological interest, as part of the planning framework

451 Corporate Key Performance Indicator Targets for 2024-2025

The Panel noted the significant improvement in average time to relet empty residential properties [void properties].

Richard Block, Chief Operating Officer, presented the proposed suite of key performance indicators [KPIs] for the Council in 2024-25, brought before the Panel for pre-decision scrutiny. The proposed targets would need to be assessed in light of Office for Local Government [OfLoG] oversight.

The Panel noted the slight improvement seen in sickness rates in the Environment Service, and asked the Chief Operating Officer to investigate whether a separate KPI for sickness rates in this part of the Council could be given, in line with a recommendation made previously by the Panel.

The Chief Operating Officer was asked if it was reasonable for the Council Tax collection target to be maintained. The Chief Operating Officer explained that current performance was always examined when targets were set. This indicated what performance could be maintained, and the Council continued to seek ambitious targets for revenue collection.

The Panel discussed the Council's response to the declared climate change emergency, with a Panel member arguing that it seemed as though this was not being treated as an emergency, with a delaying in moving towards a more environmentally friendly fleet of waste collection vehicles. The Chief Operating Officer acknowledged

the importance of this point and gave assurance that, in addition to the KPIs, a report would be brought forward to measure achievement against the Strategic Plan, including progress on reducing carbon emissions and the work done to pursue such a reduction. A Panel member noted the time spent on climate matters by the Environment and Sustainability Committee, but posited that the Committee had displayed no urgency.

The Panel discussed the KPIs relating to the local economy. It was noted that these only covered the delivery of additional homes, and social value delivered via procurement. A Panel member argued that there should also be targets for increasing retail and attracting new businesses, increasing the size of the local economy. There was a discussion as to what factors were within the Council's power to influence, and whether information could be provided by local partners as to the overall success achieved in these areas. The point was made that the Council had an economic development team, making it a prime influencer with a need to measure factors such as the effect of levels of inflation. The Leader of the Council agreed that the Council had a small, but effective, economic development team which understood the local economy and funding sources, working with partners such as the Business Improvement District. The Leader expressed willingness to look at how economic vitality could be shown, in cooperation with partners if possible. The Chief Operating Officer suggested that this could be examined further in the report detailing progress against the Strategic Plan.

452 Fit for the Future

Initial questions raised by the Panel included queries about the likely effects on staff, and need to provide more support, and the consequences should the planned savings not be achieved. Pam Donnelly, Chief Executive Officer, addressed the challenges to support staff, with the need for good communications, workforce support, information, and strong governance. Flexibility and adaptability would be needed as the situation developed.

A concern was raised that, given the short amount of time remaining for this meeting, insufficient time was available for the Panel to consider such a large subject. The suggestion was made by a Panel member that an additional one or two meetings dedicated to this subject would be needed.

The Chief Executive explained that the Fit for the Future [FfF] Programme had always been seen as an integral part of the Budget; a decrease in operational costs of around 25% was expected, and this was fully supported by the Section 151 Officer and his Deputy. Details had been provided in the supplementary papers, around the eleven strands of work across five key areas.

A Panel member asked if the £1.75m projected reduction in the Environment Service costs in 2026-27 would come from the end of the idVerde contract or the reduction or cessation of services such as verge mowing. The Chief Operating Officer explained that this would be from a combination of the Waste Strategy Review outcomes, and the revised operations of the street care and greening team. There would be a balance sought, and elected members would need to be involved in setting the final

plans and details. The final details would not be predetermined. A Panel member queried why the £1.75m saving could not be made earlier. The Chief Executive explained that the Council was a political organisation, and needed to ensure that councillors were consulted and led the decision making, as they held democratic mandates to lead on this. The Leader emphasised the need for a process to ensure that councillors could consider and come to a decision.

In response to concerns raised regarding the projected cumulative deficit for the Council, the Chief Executive explained that the FfF Programme was being laid down to avoid the Council developing financial difficulties which would lead to it being added to the Government's list of concern for local authorities. If the Programme did not succeed, then the Council would find itself in a troubling situation. The Section 151 Officer had expressed confidence in the Programme, however a Panel member argued that the Panel needed to question the Section 151 Officer, his work done, and risk assessments carried out, in order to be able to consider if the Panel concurred with his judgement.

A Panel member asked how the Programme could factor in expected cross-party agreement on action in future years, but not bring these actions forward to earlier in the Programme, to help achieve a better financial position more quickly. The Chief Operating Officer used the Waste Strategy review as an example, and the time it would take to go from designing the Strategy, through to implementation. The ordering and receipt of new waste vehicles alone would take around 12 months to complete. The size of the transformative work would mean it would take time to achieve, whilst dealing with asset usage and staffing issues.

The Scrutiny Panel discussed the suggestion of holding an additional meeting, to allow sufficient scrutiny of the FfF Programme, noting the importance of formal scrutiny and the need to allocate sufficient time for this.

RESOLVED that an additional Scrutiny Panel meeting be scheduled for the current Municipal Year, for the purpose of scrutinising the 'Fit for the Future' Programme.

453 Community use of Colchester City Council Assets and Colchester Events Policy

The Chair gave his view that there should be a mechanism via which local groups could request an exemption from charges, such as for using performance spaces such as the Castle Park bandstand. A suggestion was made that this could involve applications to councillors, although this was objected to by one member of the Panel. The balancing of different priorities was raised, with the need to sweat assets on the one hand, but the need to promote social goods on the other. It was argued that the Council needed to decide what it wanted from the wider policy, regarding these different priorities.

RESOLVED that the Community use of Colchester City Council Assets and Colchester Events Policy return to a future meeting of the Scrutiny Panel.

454 Fit for the Future – The Estate Plan

Patricia Barry, Interim Head of Corporate Landlord, explained that the asset review was designed to examine the Council's assets and implement the corporate landlord model. Accountability and reliability would be centralised into one corporate place. Additional expenditure was currently being laid out as a result of a fractured approach and structure overseeing assets. A reactive approach had been employed, rather than one that was strategic. A 'whole life' cost approach had been incorporated into the financial sustainability work. Liabilities, risks and costs had been incorporated into the report. A very long-term approach was needed for many of the assets of which the Council was custodian, which had more historic assets than most local authorities.

Hard decisions needed to be made on how the Council looked at its investments. Capital investment was needed, as well as capital being needed in order to bring in investment and revenue. Long term planning was for the next three years of the Medium Term Financial Forecast. Much was predicated on the Council's planned restructuring, but a discovery piece of work was needed first, examining all assets, including those that did not generate income, and which were therefore financial liabilities. A Panel member urged for the Council's commercial portfolio to be included within this work, to assess its value, income, social benefits, and whether any properties should be scheduled for disposal.

The Interim Head of Corporate Landlord provided an update on the Moot Hall ceiling situation, which was currently assessed as being unsafe. The entire Town Hall was noted as presenting issues, with significant expenditure needed. Civic functions, operational matters and income generation were all affected by the current condition of the building. Cross-party work was proceeding on this, with a business plan being examined.

The cost of the Estate Plan programme of work was discussed, along with the need for it to proceed.

RESOLVED that Scrutiny Panel notes the proposed Estate Plan.

455 Work Programme 2023-24

RESOLVED that the Scrutiny Panel Work Programme be approved, subject to an additional Scrutiny Panel meeting being scheduled for the current Municipal Year, for the purpose of scrutinising the 'Fit for the Future' Programme, and subject to the deferral of a substantive update on the Middle Mill Weir until the 2024-25 Municipal Year.