

# **Cabinet**

**Grand Jury Room, Town Hall**

**22 October 2008 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

**22 October 2008 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 Theresa Higgins (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 to off or to silent;
- location of toilets;
- introduction of members of the meeting.

#### **2. Urgent Items**

To announce any items not on this agenda which the Chairman has agreed to consider because they are urgent and to give the 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 1 October 2008.

#### **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. A Joint Parking Service for Colchester Borough Council, Braintree District Council and Uttlesford District Council**

**1 - 43**

See report from the Head of Street Services



**ii. Local Authority Carbon Management Programme - Phase 1 Funding** **44 - 49**

See report from the Head of Resource Management and the Head of Street Services

**8. Neighbourhoods**

**i. A New Housing Strategy for Colchester** **50 - 96**

See report from the Hed of Strategic Policy and Regeneration

**9. Regeneration and Planning**

**i. Review of the Local Development Scheme** **97 - 138**

See report by the Head of Strategic Policy and Regeneration

**10. General**

**i. Progress of Responses to the Public** **139 - 143**

To note the contents of the Progress Sheet.

**11. Exclusion of the Public**

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





## Cabinet

Item  
**7(i)**

22 October 2008.

<b>Report of</b>	<b>Head of Street Services</b>	<b>Author</b>	<b>Peter Greig-Smith</b>
<b>Title</b>	<b>A Joint Parking Service for Colchester BC, Braintree DC and Uttlesford DC</b>		<b>07984 585758</b>
<b>Wards affected</b>	All wards affected		

This report seeks approval to proceed with the establishment of a joint Parking Service for Braintree, Colchester and Uttlesford Councils, hosted by Colchester BC and overseen by a Joint Committee. The target for introducing the joint service will be 1 April 2009.

### 1. Decisions Required

1.1 To approve in principle the formation of a Joint Committee to oversee the provision of parking services on behalf of the three authorities, delivered by a joint service hosted within Colchester Borough Council.

1.2 To delegate authority to the Portfolio Holder for Resources and Business to develop the arrangements with the partner authorities and agree the Agreement that specifies the scope of joint arrangements, responsibilities and financial implications for the three authorities.

1.3 To agree that consultation with staff and Trades Unions will be carried out in order to effect the transfer of relevant Parking Service staff from Braintree DC and Uttlesford DC to Colchester BC.

### 2. Reasons for Decisions

2.1 There is a need for change to ensure that parking services in the three authorities are effective and financially viable. Both Braintree and Uttlesford councils are currently operating interim arrangements that are not sustainable. All three are constrained in their current capacity to develop the services and tackle deficits in on-street parking.

2.2 An options appraisal concluded that creating a joint service would be the best solution. It would meet all the councils' objectives, including improved quality of service and on-going financial savings (£ 60k in the first year). It has modest one-off investment costs and provides rapid pay-back within one or a few years.

2.3 It would not be necessary to create a separate entity to deliver the joint parking service. A partnership arrangement based on a Joint Committee, similar to many examples elsewhere, would provide appropriate governance, and is preferable to the alternative options.

2.4 This issue was considered at meetings of the joint Braintree/Colchester Programme Board on 16 July and 27 August and at UDC's Environment Committee on 16 September. The recommendation to proceed with the creation of a joint service was agreed in principle, based on a detailed Options Appraisal Report.

### 3. Alternative Options

3.1 The alternative of continuing with existing stand-alone arrangements is not sustainable. For all three parking services to be viable as separate operations would require substantial additional investment, and it represents a last resort that would not be appropriate unless all other options were unacceptable.

3.2 Letting a contract for provision of a service by one authority to the others would have some advantages, including removal of the need for an additional external audit, and the costs of the Joint Committee. However, it would entail an EU procurement exercise and would give less flexibility for all three authorities to jointly guide strategy.

3.3 Combinations of two, rather than three authorities' services could meet some, but not all objectives, and benefits would be smaller than for the full joint service. Nevertheless, if one authority decides not to participate, it would be sensible to consider creating a joint service initially between the other two, with the possibility of expanding later.

### 4. Background

4.1 All three councils operate a number of urban car-parks, and are responsible for off-street and on-street parking enforcement (the latter on behalf of Essex County Council under an agency agreement). This involves teams of Parking Attendants ('Civil Enforcement Officers') and staff involved in the operation of car-parks, as well as office-based staff dealing with parking-charge case management, permits, customer information, performance etc. The scale of the operations varies considerably, according to the nature of the districts, the provision of parking spaces and the extent of local parking restrictions.

4.2 Colchester BC (CBC) has recently reviewed and re-organised its parking service, which is designed to be scaled up for additional work if required. CBC is currently providing a parking service on behalf of Forest Heath DC. The other two Councils are operating under interim arrangements. Braintree DC (BDC) has made temporary adjustments in response to the recent departure of the BDC Parking Manager, pending a conclusion to the present joint study. Uttlesford DC (UDC) has also lost a Parking Manager, and is currently receiving part-time management support from BDC. Until these are resolved, they cannot develop the services nor plan investments (e.g. in order to help reduce deficits for on-street enforcement).

4.3 In recognition of these issues, various options were evaluated by a joint team of officers. The common objectives are: to resolve **short-term financial and resilience issues**; to make **improvements in performance and efficiency**; and to advance a **long-term vision** for a wider Parking Service. This resulted in a preferred option that was approved in principle by the Braintree/Colchester Joint Programme Board and by UDC's Environment Committee.

4.4 The County Council has also indicated that it is in favour of joint service partnerships, seeing them as a positive step towards elimination of the need for deficit support, which they provide through the agency agreement. The partnership would also allow acquisition of new technology that will help to clarify the resources required to operate Decriminalised Parking Enforcement.

## 5. Proposal

5.1 The preferred option is for a joint service for all three councils, hosted by one authority and overseen by a Joint Committee. It would be run from a central office, with front-line staff based locally in each area. Each council would retain responsibility for car-park assets, and make decisions on policy and strategy issues. The main features are as follows.

5.2 **Management arrangements.** All the staff involved in parking activities in the three authorities would come under a single management structure. Given the relative size of the three councils' teams, and the location of current management expertise, the joint service would be hosted by CBC, with its headquarters in Colchester. It is proposed that all posts involved in parking in BDC and UDC would transfer under TUPE to CBC.

5.3 **Back-office operations.** The staff involved in these functions would be amalgamated into a single team based in Colchester, flexibly undertaking work generated in all three districts.

5.4 **Parking attendant teams.** These staff would continue to be based locally, with on-site supervision and remote management by a co-ordination team in Colchester. They would generally cover the areas where they currently deal with enforcement, although cross-boundary working could be undertaken if appropriate.

5.5 **Car-park management.** Local arrangements for managing and operating town car parks (e.g. servicing ticket machines; providing information for the public) would also fall under the joint service. However, the ownership and stewardship of each council's assets would remain as separate responsibilities, including maintenance and upgrading of facilities.

5.6 **Strategy and policy.** Each council would retain responsibility for decision-making on policy issues such as car-park charges and opening hours. This would be supported by information and advice from the joint service, including an overall strategic framework, modelling of car-parking charges and usage, and analyses of performance for all three councils.

5.7 **Systems and processes.** Present arrangements include independent back-office systems, separate contracts for the hand-held computers used by Parking Attendants, and three different approaches to cash collection from ticket machines. These and other processes would be merged to allow work for all three councils to be handled efficiently together, yet still distinguished when necessary (e.g. for reporting numbers of cases by District, and allocating income).

5.8 **Governance.** Proposed arrangements for the Joint Committee, and client-side responsibilities within each council are specified in the draft Agreement (Annex 1). This

would include an annual meeting to approve the Business Plan prepared by the joint service, and the individual authorities would take decisions on their financial contributions.

5.9 **Brand and identity.** The service would need an identity that demonstrates partnership, allows scope to include other areas in the future, yet also preserves local relevance and a link to each of the Councils. It is proposed to call the service the 'Parking Partnership'. Branding material to be used on stationery, uniforms, equipment etc is currently being developed.

5.10 **Financial arrangements.** The finances of this option are based on the additional expenditure by CBC (as the host of the joint service) being met by annual contributions from BDC and UDC when they pass over their functions. The contributions will be determined by a rolling three-year Business plan developed by CBC as service provider, and agreed through the Joint Committee, for budget decisions by each Authority.

5.11 It is anticipated that there will be savings compared to the costs of current operations, and the three councils would share equally any net benefits or costs arising from the joint service.

5.12 Thus in a year when there is an overall net saving compared to current costs, each council would benefit by one-third of the surplus. CBC would use this sum to cover contingencies, additional resource (if needed) and investment in the further development of the service. BDC and UDC would each be able to direct an equivalent amount to other purposes.

5.13 This equality principle would be applied also in circumstances when the joint service generates improvements that save costs, and if significant special investment is required beyond the level covered by the annual contributions.

5.14 Practical arrangements for handling the Accounts relating to parking would be as follows:

- The three Decriminalised Parking Enforcement (DPE) accounts would remain separate, and would continue to be administered by each council
- Income from parking charges, permit fees and enforcement would be credited directly to the separate councils. (This includes cash in ticket-machines, automatic debits, cheques etc)
- Decisions about the contributions to be made by each council would be taken annually by the Joint Committee, on the basis of predicted costs
- A schedule would be established for regular (quarterly) payments from BDC and UDC to CBC.

5.15 **Service Development.** A joint service would spread the cost of investment in new opportunities. It would also provide an opportunity to consider whether certain Highways Authority responsibilities (maintaining the 'lines and signs' indicating parking restrictions, and making associated Traffic Regulation Orders) could be transferred to the joint service under an agency agreement. This would provide an holistic approach to parking management. There would be clarity and transparency for drivers seeking parking in Permitted and Restricted parking spaces, and it would also help to improve the effectiveness of enforcement, because challenges would be fewer and unambiguous.

## 6. Benefits

6.1 The benefits expected from the proposal include :

### ***Short term financial savings and resilience***

Economies of scale. A single team should allow savings in managerial supervision, accommodation and other overheads

Continuity and Resilience. Pooled resource would help to buffer the effects of staff absences and sudden changes in workload.

Joint procurement. Shared contracts for aspects such as purchase of new equipment and cash collection should be more cost-effective

### ***Improvements in performance and efficiency***

Shared technical expertise. For example, in relation to performance analysis and pricing strategy

Spread of good practices. Where one authority has already developed improved ways of working, the others would be able to adopt similar standards and practices.

Efficiency gains. There would be improvements from better performance analysis, logistical and workforce planning, aided by flexible working.

Investment in innovation (e.g. new technology that will bring efficiency improvements) would be more viable for a larger joint operation

### ***Long-term vision for a wider Parking Service***

Joint strategic planning A joint approach to the development of strategies such as pricing models and planning future car park needs

Greater influence A single voice speaking for all three authorities would carry more weight with other organisations, politically and commercially

## 7. Strategic Plan References

7.1 Effective management of car parking facilities will directly help to influence the Key Aim of tackling traffic congestion within Colchester's Strategic Plan 2006-09.

## 8. Consultation & Communication

8.1 Any staff potentially affected by changes in service provision will be kept informed and consulted according to the Councils' established policies and procedures. Press releases and other publicity will be issued when the Councils take the decision to establish the joint service, and when the new service is launched.

## 9. Financial Implications

9.1 The immediate financial implications are summarised in Table 1, which shows the current level of spending on Parking, estimates of the contributions to the joint service to be made in the first three years, and resulting savings to each Council. These figures are indicative estimates, that will be decided through the Authorities' 2009/10 budget-setting procedures.

9.2 Within the first full year of joint operation, an overall cashable benefit of £60k is expected across the three councils combined. This is in addition to the savings already

achieved by BDC and UDC by deciding not to refill their previous Parking Manager posts (£16k and £25k respectively). Both councils would also make small efficiency gains through freeing up accommodation and managers' time that could be diverted to other activities. However, the saving in management time would be partly offset by the inputs required for the work of the Joint Committee.

9.3 Further savings and efficiency gains would be expected as a result of service development and process improvements in later years. New investment in the joint service would be expected to improve efficiency through routing & scheduling software and other enhancements. The changes currently envisaged will be incorporated in a provisional three-year Business Plan. At this stage, transport expenditure has not been transferred to the joint service; this is expected to be addressed during 2009/10.

9.4 The one-off implementation costs are estimated to be about £ 17k for changes to systems and processes, plus staff-related costs of up to £59k (depending on the numbers of posts affected by relocation or redundancy). It is hoped that staff-related costs would be small in practice; - few staff are in posts that are planned to relocate, and redundancies would be minimised through redeployment as far as possible. Even with a substantial contingency allowance, implementation costs would be paid back within one to two years.

<b>Table 1. Financial implications of creating a joint parking service</b>			
	<b>Colchester BC</b>	<b>Braintree DC</b>	<b>Uttlesford DC</b>
<b><i>Current Finances (08/09) £</i></b>			
Total Direct Expenditure	2,197,800	519,400	184,650
Total income	(5,423,900)	(1,100,560)	(990,980)
Total Indirect Expenditure	1,585,700	250,130	490,180
Net surplus	(1,640,400)	(331,030)	(316,150)
<b><i>Estimated Annual Contributions to the joint service £</i></b> <span style="float: right;"><i>Note 1</i></span>			
2009/10	1,324,980	309,600	264,120
2010/11	1,364,730	318,890	272,040
2011/12	1,405,670	328,450	280,200
<b><i>Potential initial set-up costs (all in 2009/10) £</i></b>			
Systems/processes <i>Note 2.</i>	5,666	5,666	5,666
Staff-related costs <i>Note 3.</i>	0	≤14,190	≤ 44,296
<b><i>Predicted Net costs (+) or savings (-) £, after transfer of funds to the joint service</i></b>			



2009/10	<i>Note 4.</i>	- 14,247	+ 57	+ 30,069
2010/11		- 20,510	- 20,510	- 20,510
2001/12		- 21,125	- 21,125	- 21,125

Note 1. Estimates of costs and savings in 2008/09 prices are increased by 3% each year for inflation

Note 2. Each Council bears an equal share of the estimated common set-up costs for changes to systems and practices.

Note 3. Braintree DC and Uttlesford DC incur specific costs due to the transfers of their staff. The maximum potential costs are used; in practice, they are expected to be lower.

Note 4. The figures for BDC and UDC are a worst-case scenario, because of the use of maximum staff-related costs.

9.5 Table 1 shows that after taking account of estimated initial set-up costs, CBC will enjoy a financial saving in the first year of operation of the joint service, and all three Councils will make savings from year 2 onwards. It is likely that the net position for BDC and UDC will be more favourable than indicated, if staff-related costs are lower than the worst-case assumption used.

## **10. Community Safety Implications & Equalities Implications**

10.1 Enhanced enforcement will help to reduce problems of dangerous parking and the misuse of disabled parking facilities.

## **11. Health & Safety Implications & Human Rights Implications**

11.1 None identified.

## **12. Legal Implications**

12.1 Each Council will remain accountable for the delivery of their responsibilities under the agency agreements with Essex County Council for on-street parking enforcement. The Joint Committee will take over dealing with cases from their districts going to the Traffic Penalty Tribunal.

## **13 Risk Management Implications**

13.1 Risks of creating a new service include:

- Loss of direct Council control over practical operations
- Potential difficulties in remote management of locally-based staff
- Complications in accounting for the operation of DPE on behalf of the County Council
- Dips in performance and efficiency during transition

All of these are containable if the new service is well-designed and managed, with contingency plans in place. No risks are regarded as high probability or high impact.

Colchester, Braintree and Uttlesford

# **The Parking Partnership**

**A Combined Parking Service for Colchester, Braintree and Uttlesford**

## **Joint Committee Agreement 2008-2014**

Between:

**Colchester Borough Council**

**&**

**Braintree District Council**

**&**

**Uttlesford District Council**

October 2008

## **Introduction**

This is a Joint Committee Agreement, concerning a combined parking service for Colchester Borough Council, Braintree District Council and Uttlesford District Council.

1. **This Agreement** made the            day of            2008 Between:  
  
    (1) **Colchester Borough Council** of Town Hall, High Street, Colchester, CO1 1FR (“Colchester”) (2) **Braintree District Council** of Causeway House, Bocking End, Braintree, CM7 9HB (“Braintree”) and (3) **Uttlesford District Council** of Council Offices, London Road, Saffron Walden, CB11 4ER (“Uttlesford”) who are collectively referred to in this Agreement as “the Partner Authorities”.
2. This Agreement for an initial period of 5 years from 1 April 2009, subject to the terms and conditions of this agreement with the option for the Partner Authorities to extend it for a further period of up to 5 years.
3. The Partner Authorities have agreed that Colchester shall be the lead Authority for the Joint Parking Service.

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## **1. Preamble**

### **1.1 Operational/Policy context for the funding partners**

Prior to this agreement, the partner authorities all operated their own discrete parking services. In planning their services, each authority has taken into account the need to achieve sustainability, to set out what is considered to be a fair pricing structure for their service and how any surpluses generated by the service are to be used to help support both the parking services and the other services offered by the council.

Parking operations are crucial to the vitality of the towns they serve, but are also linked closely to transport policy. Off-street parking strategy is closely linked with the county council's decriminalised Civil Parking Enforcement scheme.

This document aims to outline the control and leadership of the joint parking service parking governance strategy for the partner authorities and is based on principles that reflect:

- National, regional and local objectives for regeneration, transport and the environment;
- Implementation in accordance with the Local Plan objectives, and those of the County Council's Local Transport Plan and wider Transport Strategy, including the national transport strategies; and
- How the partner authorities shall fund and operate the Joint operation.

It defines the starting position with regard to off-street parking operations and on-street enforcement in the level and quality of the baseline services provided originally by the partner authorities before merger, and the actions required to operate the service through a Joint Committee.

### **1.2 Key Contacts**

Each Partner Authority will identify a key contact who will be the first point of contact for communications about this Agreement and parking operations between the Partner Authorities and the management of the combined service. Schedule 1 lists the contacts at the time the Agreement is signed; this schedule will be kept updated as changes occur.

## 2. Service Level

### 2.1 Strategic

The vision and aim of the combined parking service will be to provide a parking service that:

***“In 5 years the result of merging services will be a single, flexible enterprise providing full parking services for a large group of partner authorities. It will be run from a central office, with outstations providing bases for local operations. There will be a common operating model, adopting best practices and innovation, yet also allowing variation in local policies and decision-making. Progress will be proportional to the level of investment in the annual business plan”.***

Underlying this vision is a set of values that express:

#### **Efficiency**

- Flexible & innovative working practices will minimise office overheads
- The combined pool of staff will provide a critical mass giving resilience between the partners;
- Expanded purchasing power on shared contracts will generate savings to be reinvested which authorities on their own could not contemplate;
- Supervision from a central location will reduce the need for managers in every locality, while extra travelling will be minimised through use of mobile communications;
- Investigation of multiple offenders, across partner boundaries, will lead to the more efficient use of bailiffs;
- Off-street car park operations will be streamlined by central monitoring of CCTV, an effective out-of-hours system, and security staffing to replace call-outs;
- Economies of scale and a just-in-time approach will reduce costs of ticket-machine operations and enable advertising revenues to be realised;

#### **Innovation**

- A single central database, accessible from a wide area network, will provide real-time updates whenever penalties are issued;
- A routing & scheduling server will optimise enforcement investigations by using the latest software to schedule tasks for operational staff;
- Back-office functions will be fulfilled by a combined team able to handle correspondence, accessible from any partner area, using software that automatically tailors responses to that authority's own policies.

#### **Service**

- Pooled specialist expertise will be available to all authorities, and sharing of in-house skills in maintenance and engineering will reduce reliance on contractors;
- All partners will use common systems, facilities and processes, rather than replicating them;

## **Joint Committee Agreement – 10 Oct 08 Draft**

- Public expectations will be surveyed and addressed through adjusting service quality and managing perceptions;
- Accreditation to the Park Mark (or equivalent) standard, and other quality schemes will be spread across all operations;
- On-street restrictions will be checked, mapped and made available to the public on the internet. Shared web pages will promote the joint service and individual partner authorities.
- Paperless parking will be possible by implementing best practice in technology, joining up parking meters, mobile phone technology and officers' handheld computers.

### **Outcomes for Customers**

- Less inconvenience and danger from illegal parking
- More responsive to customer requirements when issuing permits, dealing with enforcement and appeals
- Greater value for money for Council Tax-payers

### **Strategic Leadership**

- Strategic performance analysis and pricing strategy will be carried out centrally, to advise decision-makers within each authority. This will save duplication and consultancy costs, and ensure consistent, high-quality outcomes;
- A single voice speaking for all partners will carry more weight in both political and commercial negotiations;
- A case will be made for the joint service to take on responsibility for the 'signs & lines' that designate parking restrictions, and the management of Traffic Regulation Orders;
- The on-street enforcement function will be reviewed from first principles, to inform levels of staffing and patterns of patrols. This will lead to renegotiation of the contract with the Essex County Council ("ECC"), to make best use of funding under the DPE scheme.

## 2.2 Baseline Services

The baseline services in relation to the Partner Authorities parking functions are as follows:

Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
<b>Back Office</b> – staff	✓	✓	✓	Retain services in-house with distance management	Transfer staff posts to Colchester Back Office.
<b>Back Office</b> – Case management notice processing	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester Back Office.
<b>Back Office</b> – Email monitoring generic inbox for council parking	✓	✓	✓	Examine technology and transfer to Colchester if possible	Transfer to Colchester permanently
<b>Back Office</b> – Generation of exemption permits (waivers, dispensations, etc.)	✓	✓	✓	Transfer to Colchester	Transfer to Colchester permanently
<b>Back Office</b> – Generation of Season Tickets	✓	✓	✓	Transfer to Colchester	Transfer to Colchester permanently
<b>Back Office</b> – Incoming Post & Allocation	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester (and redirect the PO Box delivery)
<b>Back Office</b> – incoming telephone – Advice and guidance on Penalty Charge Notices and the enforcement legal system through to Appeal and collection	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester (and redirect the telephone line/number)
<b>Back Office</b> – Invoice receipt checking, coding, signing off	✓	✓	✓	Retain services in-house with own management	Retain at client authority for joint committee invoicing, income, asset related invoices. Transfer



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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
					elements to Colchester where this relates to the service functions.
<b>Back Office</b> – Make decisions on challenges within the remit of the TMA2004/RTRA1984 (etc.) as appropriate (according to local protocols)	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester permanently
<b>Back Office</b> – Manage the progression of all caseload correspondence (from first challenge through to Debt collection)	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester permanently
<b>Back Office</b> – Monitoring Performance: Pro-active reporting of potential problems noted throughout the service area – trend analysis contraventions/compliance	✓	✓	✓	Transfer to distance management from Colchester	Transfer to Colchester permanently
<b>Back Office</b> – NPAS/TPT Appeals	✓	✓	✓	Transfer to Colchester	Transfer to Colchester permanently
<b>Back Office</b> – location of person able to give advice	✓	✓	✓	Retain a Reception/Customer service desk function but limit this to provision of a form to complete for 'appeals'.	Retain at client authority for walk-in 'appeals' (at Reception customer service desk) where a form to fill in should be provided, these to be sent to Colchester. Transfer other elements to Colchester where this relates to the service functions.

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
<b>Back Office</b> – Receive and deal with 'post in' banking / cost centre queries	✓	✓	✓	Retain services in-house with own management	Transfer postal PO Box to divert to Colchester
<b>Back Office</b> – Receive cash and cheque (etc.) payments and reconcile	✓	✓	✓	Retain services in-house with own management	Transfer to Colchester.
<b>Back Office</b> – Receive telephone payments to cash receipting system/Customer Service Office & reconcile with system	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester.
<b>Back Office</b> – Renewal of exemption permits (waivers, dispensations, etc.)	✓	✓	✓	Transfer to Colchester	Transfer to Colchester.
<b>Back Office</b> – Renewal of Season Tickets	✓	✓	✓	Transfer to Colchester	Transfer to Colchester.
<b>Back Office</b> – Resident Permit issuing	✓	✓	✓	Transfer to Colchester	Transfer to Colchester (investigate outsourcing printing and posting).
<b>Back Office</b> – Scanning	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester.
<b>Back Office</b> – Smart Card/M-Parking/Multi ticket Sales	✓			Retain services in-house with distance management	Sales and top-ups as Permits
<b>Back Office</b> – Use of IT system and database	✓	✓	✓	Retain services in-house with distance management	Transfer database to new merged (but separately reportable district) system at Colchester.
<b>Back Office</b> – Banking & Cost Centre coding of car park income	✓	✓	✓	Retain services in-house with own management	Transfer to Colchester. Some client function to be retained at authorities where it relates to

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
					asset and direct payment.
<b>Front Office (CSC)</b> – solution of customer queries in person, e.g. parking penalties, permits	✓	✓	Provision of forms or via Internet. No personal contact with back office as all has to be in writing.	Retain services in-house with own management	Retain at client authorities. Provision of forms or via enhanced Internet. No personal contact with back office as all has to be in writing.
<b>H&amp;S</b> – Report aspects and impacts of environmental occurrences and take any immediate actions necessary.	✓	✓	✓	Retain services in-house with own management	Transfer to Colchester.
<b>H&amp;S</b> – Responsible for all equipment issued and security and continuity of all data therein	✓	✓	✓	Retain services in-house with own management	Transfer to Colchester.
<b>H&amp;S</b> – Toolbox talks	✓	✓	✓	Retain services in-house with own management	Transfer to Colchester.
<b>H&amp;S</b> – Written fault/damage reports and knowledge of emergency system	✓	✓	✓	Retain services in-house with own management	Transfer to Colchester.
<b>H&amp;S</b> – Written reports and statistics			✓		Transfer to Colchester.
<b>Strategy</b> – Formulation and review of Development Plan and Strategic Policies			✓		Transfer to Colchester.
<b>Strategy</b> – Formulation of fees and charges updates and implementation of special	*	*	✓	* - Review not required until after joint committee arrangements in place, except at	Transfer to Colchester.

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
offers and promotions				Colchester.	
<b>Strategy</b> – Formulation of parking, enforcement, operational, and cancellation policies, harmonisation of codes of practice.	*	*	✓	* - Review not required until after joint committee arrangements in place, except at Colchester.	Transfer to Colchester.
<b>Strategy</b> – developing ideas for the longer term vision for the service	*	*	✓	* - Review not required until after joint committee arrangements in place, except at Colchester.	Transfer to Colchester.
<b>Strategy</b> – Responsible for all necessary steps to ensure status is maintained under investors in People and national awards such as Park Mark and consider other appropriate accreditations such as the Institute of Parking Professionals and British Parking Association and continue to be a partner in the East Anglian Parking Forum	*	*	✓	* - Review not required until after joint committee arrangements in place, except at Colchester.	Transfer to Colchester.
<b>Strategy</b> – Provide all appropriate performance figures in order to allow authorities to report Best Value Performance Indicators to the Audit Commission, Essex County Council, Department for Transport, Transport Penalty Tribunal	*	*	✓	* - Review not required until after joint committee arrangements in place, except at Colchester.	Transfer to Colchester.

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
<p><b>Strategy</b> – Continue to implement all the service specific actions in the current business plan; working with the business partners and the county council, contribute to the development of the next Business Plan; and report as required by the committee, development plan and legislation</p>	*	*	✓	* - Review not required until after joint committee arrangements in place, except at Colchester.	Transfer to Colchester.
<p><b>Strategy</b> – Give advice and support to the wider parking community, in accordance with the requirements of a TMA and RTRA and in recognition of the status and size of the joint service, commensurate with the amount of resources available at any one time</p>	*	*	✓	* - Review not required until after joint committee arrangements in place, except at Colchester.	Transfer to Colchester.
<p><b>Manager</b> – Implement and comply with the Business Plans and Development Plans approved by the Partner Authorities' Executives and/or the Joint Committee from time to time.</p>	*	*	✓	* - Review not required until after joint committee arrangements in place, except at Colchester.	Transfer to Colchester.
<p><b>Manager:</b> Appraisals – of reporting staff, assessment of training needs (IIP)</p>	✓	✓	✓	Retain services in-house with own management	Transfer to Colchester.
<p><b>Manager</b> – Contribute as appropriate to the broader objectives of client authorities as set out in their Corporate and/or Strategic</p>	✓	✓	✓	Retain services in-house with distance management, referring to own management	Transfer to Colchester.

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
Plans and Transport Strategy documents and to work with appropriate service areas of client authorities or the county council to achieve this				in escalated cases	
<b>Manager</b> – In relation to parking matters, represent client authorities as appropriate at County; Regional; National; and International level and take a lead both regionally and nationally in the field of enforcement issues in parking including TMA/RTRA	✓	✓	✓	Retain services in-house with distance management, referring to <b>own</b> management in escalated cases	Transfer to Colchester.
<b>Manager:</b> Communication (written, verbal, face to face) with public, to and from colleagues at all times (mobile, radio and in meetings) advice, guidance, clarification, problem solving.	✓	✓	✓	Transfer <b>face-to-face</b> contact entirely to front office <b>reception</b> with <b>own</b> management	Client authorities retain face-to-face contact entirely to front office reception with own management, with recourse to Colchester for advice if necessary.
<b>Manager:</b> Image: corporate, clothing, uniform, letterhead	✓	✓	✓	Retain services in house with existing stock	Transfer to Colchester with local identifier on corporate image
<b>Manager:</b> Receive and deal with escalated incidents and intervene to diffuse potential conflict situations	✓	✓	✓	Retain services in-house with distance management, referring to <b>own</b> management in escalated cases	Transfer to Colchester.
<b>Manager:</b> Recruitment	✓	✓	✓	Refer to Joint Committee for vacancy planning	Transfer to Colchester – distance management with appropriate representation from each council

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
<b>Manager:</b> Responsible for Staff and work planning for managed staff	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester.
<b>Manager:</b> supervision of PAs/CEOs	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester under distance management.
<b>Operations</b> – Cones & signage scheduling as appropriate and setting out to order, e.g. suspensions, football, special events, suspensions)	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester.
<b>Operations</b> – Enforcement staff, fully equipped, correctly and fully attired for duty (in accordance with guidance, local procedures & regulations)	✓	✓	✓	Retain in locality	Transfer to Colchester but retain in locality, distance managed.
<b>Operations</b> – Manage <i>Just in Time</i> service stock of spares and ticket stock	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester but retain small in locality if possible.
<b>Operations</b> – Provide cover for other senior/supervisor/PAs/CEOs leave and sickness	✓	✓	✓	Retain services in-house with distance management and assistance (planned) from partner organisations	Transfer decision making to Colchester.
<b>Operations</b> – Training to NVQ2 standard and local processes and procedures	✓	✓	✓	Retain services in-house with distance management and assistance (planned) from partner organisations	Transfer to Colchester.
<b>Operations</b> – Data transfer & storage (inc. pocket books, unit upload/download, cameras, charging, etc.)	✓	✓	✓	Retain services in-house with distance management and assistance (planned) from partner organisations	Transfer to Colchester. Downloading to be connected to Colchester database.

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
<b>Operations</b> – Supervisors responsible for ensuring team is fully equipped and correctly and fully attired and prepared for duty (inc. all daily requirements, sector allocation list and identification)	✓	✓	✓	Retain services in-house with distance management and assistance (planned) from partner organisations	Transfer to Colchester but retain in locality, distance managed by roaming supervision.
<b>Operations</b> – Use of IT system and database	✓	✓	✓	Retain services in-house with distance management	Transfer database to Colchester.
<b>Operations</b> – Work as part of a team buddy system (inc. H&S responsibility for buddy)	✓	✓	✓	Retain services in-house with distance management	Transfer decision making to Colchester.
<b>Operations</b> – Work under own initiative with buddy under minimal supervision	✓	✓	✓	Retain services in-house with distance management	Transfer decision making to Colchester.
<b>Operations</b> – Maintain an operate stock and storage for tickets and parking machine and handheld computer spares including an appropriate storage facility at Colchester and any storage facility provided by Braintree and Uttlesford for the purposes of the Joint Parking Service from time to time	✓	✓	✓	Retain services in-house with distance management	Transfer decision making to Colchester.
<b>Operations</b> – Provide a signage, design and coning service both to meet a range of in-house needs (and as a commercial service)	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester.
<b>Project</b> – Assist with setting up new Joint Committee operation	✓	✓	✓	Transfer any management capability to Colchester	Temporary during project transfer.



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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
<b>Car Park</b> – opening hours baseline	Georges Yard: open 24 hrs and staffed 0800-1730	Pay & display only	St Mary's: open 24 hrs and staffed 0800-1730 St John's: open and staffed 0720-1900	Retain services in-house with distance management	Transfer decision making on opening hours to Colchester. Any lesser hours only to be in consultation with the client authority.
<b>Car Park</b> – Care for, manage and make accessible the parking stock held by authorities	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester
<b>Car Park</b> – operate and staff customer service role in staffed off street car park (e.g. multi-storey)	✓		✓	Retain services in-house with distance management	Transfer staff to Colchester to remain locally based, with roaming supervision from Colchester.
<b>Car Park</b> – Daily maintenance of pay and display machines	✓	✓	✓	Retain services in-house with distance management	
<b>Car Park</b> – Repair and improvement of pay and display machines	✓	✓	✓	Retain services in-house with distance management	Transfer decision making to Colchester and harmonise process. Recommendations for machines changes or updates to be made by Colchester to the Joint Committee.
<b>Car Park</b> – Maintenance of pay on foot machines			✓ (contract)	Retain services in-house with distance management	Transfer decision making to Colchester and harmonise process. Recommendations for machines changes or updates to

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Task	Current arrangement			Interim arrangement whilst project underway	Future joint committee arrangements (to be delegated to Colchester)
	Braintree	Uttlesford	Colchester		
					be made by Colchester to the Joint Committee
<b>Car Park</b> – Collection of cash	✓ (in- house by CEOs)	✓ (contract)	✓ (in-house by Car Park staff)	Retain services in-house or as contract with distance management	Transfer decision making to Colchester and harmonise process. Uttlesford contract ends June 2009. Recommendations for changes to be made by Colchester to the Joint Committee
<b>Car Park</b> – Provision of appropriate technical advice to the building maintenance processes	✓	✓	✓	Retain services in-house with distance management	Transfer to Colchester (not to include any responsibility for the assets). Recommendations for changes or updates to be made by Colchester to the Joint Committee
<b>Car Park</b> – Develop and conduct appropriate offers and strategies detailed in the Development Plan and any subsidiary documents to not only increase visits and usage but also to improve the perception of parking					

## **2.3 Specific Limits and Requirements**

### **Colchester (as the Lead Authority) shall ensure that:**

- 2.3.1 A register will be maintained of the assets owned by the Partner Authorities relating to parking services, in order that assets used or stored by Colchester can be disposed appropriately if the Agreement is terminated (see Section 6).
- 2.3.2 Any significant change to the machines, signage, surface or lines in any Partner Authority's area would be subject to prior agreement and form part of the business plan which will be agreed by all Partner Authorities.
- 2.3.3 The Joint Parking Service will be operated in such a way that the car parks or any part of them are open to the public only where all risks to the health and safety of the public or any employee or Councillor of the Partner Authorities are, so far as reasonably practicable, avoided.
- 2.3.4 Each Partner Authority's car parks receive a fair share of the available management, enforcement and operational resources, as agreed in the Business Plan for the joint service.
- 2.3.5 Any goods services signage, tickets, spares, stock, computers, other equipment or property purchased as part of the Joint Parking Service and which is wholly or partly funded from the Joint Parking Account will, so far as possible, be procured so that if this agreement ends:
  - (a) The body or bodies who funded the purchase of the property (including jointly funded property) can be identified and the ownership dealt with that time.
  - (b) Any title to the item can be transferred to Colchester, Braintree or Uttlesford without any further payment having to be made to any supplier (e.g. a software supplier or the owner of goods under an operating lease).
  - (c) Where goods or services are purchased specifically for use at Colchester, Braintree or Uttlesford then they are recorded in Colchester, Braintree or Uttlesford's name and be so attributable at the dissolution.
  - (d) All acquisitions or additions to the Joint Parking Service shall be acquired in the name of Colchester but the ownership by district for the intended use shall be clearly recorded in the asset register.

### **2.4 Inclusions - the Partner Authorities agree that:**

- 2.4.1 Colchester, Braintree or Uttlesford signage, tickets, spares, stock, computers and other equipment may be stored at Colchester storage facilities without any charge over and above the Annual Contribution.

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- 2.4.2 Colchester signage, tickets, spares, stock, computers and other equipment may be stored at Braintree and Uttlesford storage facilities without any charge over and above the Annual Contribution.
- 2.4.3 The Partner Authorities will co-operate with each other (or their auditors or contractors) and give full access to documents, premises and records to the extent that the Partner Authorities (or their auditors or contractors) reasonably require such access or co-operation in order to:
- (a) Monitor the operation of this Agreement.
  - (b) Audit the performance and systems in the joint parking service.
  - (c) Investigate complaints about the operation of the Joint Parking Service.
  - (d) Respond to requests for information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2005.
- 2.4.4 Colchester grants Braintree and Uttlesford a permanent irrevocable licence to use and to allow others to use for any purpose and without payment any intellectual property created by or on behalf of Colchester as a result of the this Agreement (except to the extent that the intellectual property exclusively relates to parking and/or assets owned by Colchester).
- 2.4.5 Neither this agreement nor the operation of it gives Colchester any legal estate (leasehold or otherwise) or rights or title to over any real or personal property belonging to Braintree and Uttlesford or the right to grant the same on behalf of Braintree and Uttlesford, except for the granting of access licenses under Road Traffic Regulation Act 1984.
- 2.4.6 Any intellectual property created by or on behalf of the Joint Parking Service shall, to the extent that it relates to Colchester, Braintree and Uttlesford's asset base or Colchester, Braintree and Uttlesford's sites belong to Colchester, Braintree or Uttlesford respectively.
- 2.4.8 Each Partner Authority will handle and respond to Freedom of Information Act requests concerning their respective Authority aspects of the Joint Parking Service.
- 2.4.9 Each Partner Authority will notify the lead authority of any FOI requests received which relate to the functions of the Joint Committee.
- 2.4.10 All employees employed in the Braintree and Uttlesford Parking Services on 31 March 2009 shall transfer to Colchester with effect from 1 April 2009.

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### **2.5 Exclusions – the Partner Authorities agree that:**

2.5.1 The following areas are excluded from the Joint Parking Service and remain the responsibility of the respective Partner Authorities as they apply to the parking asset base and parking sites and buildings of each respective Partner Authority:

- (a) The disposal or permanent transfer of title of any item in each Partner Authority's car park sites.
- (b) The decision to levy fees and charges to the general public at any of the parking sites.
- (c) Changes to the opening times of the parking buildings (as set out in paragraphs 2.2 and 2.3) apart from when there is an overriding operational issue, such as a health and safety matter, that necessitates a short-term closure

2.5.2 Decisions in these areas to will be agreed through the usual political decision making process of each Partner Authority.

2.5.3 Each Partner Authority shall inform the others of any proposals to make any decision under paragraph 2.5.1 above so that the Business Plan might be revised at the Joint Committee.

2.5.4 The following functions will not be delegated to the Joint Committee:

- (a) Ownership/Stewardship of Car-park assets, including maintenance, repair and upgrading, other than minor work carried out during day to day operations.
- (b) Responding to customers who contact the Partner Authorities directly. The Authorities' response will be limited to provision of a form to complete for 'appeals', provision of e-forms or via enhanced Internet. Other elements will be transferred to Colchester where they relate to the functions of the joint service. The Partner Authorities will not have direct access to back office staff (except recourse to Colchester for telephone advice if necessary).

2.5.6 Each Partner Authority agrees that they will not dispose of any of their respective car parks without six months prior written notification to the Joint Committee of its intention.

### **3. Funding Arrangements**

#### **3.1 Annual Contribution**

- 3.1.1 The level of funding for each year from 2009/10 in relation to the Joint Parking Service will be decided annually by the Partner Authorities, based on a rolling three-year Business Plan developed by the Joint Committee.
- 3.1.2 Colchester as the operational provider of the Joint Parking Service in consultation with the other Partner Authorities will prepare an annually updated three-year Business Plan. The Joint Committee will consider and endorse the Plan and recommend the relevant financial contributions to each of the Partner Authorities in accordance with the decision making procedure set out in Section 5 of the Agreement subject to a condition precedent that the Joint Committee will approve a Plan only if it is agreed by all three Partner Authorities.

#### **3.2 Schedule of payments**

- 3.2.1 Braintree and Uttlesford shall pay its annual contribution to Colchester in four equal quarterly instalments payable on (or as near as working days allow) to the following dates each year:
- 1<sup>st</sup> April
  - 1<sup>st</sup> July
  - 1<sup>st</sup> October
  - 1<sup>st</sup> January

#### **3.3 Insurance**

- 3.3.1 The costs of Public Liability Insurance and employee insurance for the combined service will be covered by Colchester's corporate insurance arrangements and so is not contained within the contributions as set out in 3.1
- 3.3.2 In relation to insurance for buildings & contents and other assets, it is the responsibility of the Councils separately to ensure that the insurance cover that they feel is appropriate is provided. Consequently the insurance cost for buildings and assets shall not be charged to the Joint Parking Account.
- 3.3.3 Colchester shall comply with any request made by Braintree or Uttlesford for the purpose of facilitating the procurement, administration and maintenance of any insurance relating to the parking service.

#### **3.4 Accounting**

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3.4.1 Colchester shall maintain a ring fenced cost centre within its general fund to be referred to as the Joint Parking Account. The account shall include:

- (a) money paid by, Braintree and Uttlesford to Colchester under this Agreement
- (b) money approved to be transferred into the account by Colchester as part of its annual budget setting process (which for the 2009-10 year shall be the amount set out in paragraph 3.2.1).
- (c) Income received by Colchester with respect to the Joint Parking Service.
- (d) Expenditure incurred by Braintree, Uttlesford or Colchester with the consent of the Joint Committee on the direct provision of the Joint Parking Service (but not expenditure which this agreement prevents from being charged to the Joint Parking Account).
- (d) Other expenditure incurred by Braintree, Uttlesford or Colchester other than on direct provision of the Joint Parking Service but which is properly chargeable to the Joint Parking Service in accordance with proper accounting practices.
- (e) Expenditure on any legal claim brought against the joint parking service (whether against the Joint Committee or Colchester, Braintree or Uttlesford and whether or not arising out of premises).

3.4.2 Colchester shall ensure that money paid or transferred into the Joint Parking Account is only applied to the expenses of the Joint Parking Service and shall not transfer or pay any money out of the Joint Parking Account except in accordance with this agreement or with the written permission of Braintree and Uttlesford.

3.4.3 Revenue Income due to any Partner Authority from the cashbox or enforcement will be credited to the respective Authority and retained in a separate account in the meantime.

### **3.5 Budget Surplus or Deficit**

3.5.1 In the context of a net budget of close to £15 million it will be impossible to achieve an end of year result that is exactly on budget, though the objective will be to be within budget. It is therefore agreed that:

If any variance exceeds £100,000 Partner Authorities may agree that the surplus or deficit is to be eliminated by making an adjustment to the annual contribution.

### **3.6 Employee Savings**

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3.6.1 Savings in relation to employee costs may arise during the financial year as vacancies arise or there are delays in recruitment. These savings will be credited in equal shares to each Partner Authority in the same way as other net savings or costs are treated. However, Colchester may wish to use some of its share during the financial year to contribute to corporate targets for savings in employee costs. It is agreed that with the approval of the Joint Committee employee savings up to the limit of Colchester's share can be taken during the year, rather than as an end-year adjustment.

### **3.7 Budget Setting for the Joint Parking Service**

3.7.1 In 2008 and subsequent years of this Agreement the Partner Authorities shall, when they each set their annual general fund budget, fix the amount that they commit to pay or transfer into the Joint Parking Account ("the Annual Contribution") during that financial year, and in recommending the final contribution to their council, each Partner Authority's appropriate decision making body shall have regard to any recommendations made by the Joint Committee.

3.7.2 The same provisions as mentioned in paragraph 3.7.1 shall apply to ECC's Decriminalised Parking Surplus Fund.

### **3.8 Capital Expenditure**

3.8.1 The Joint Committee may from time to time seek capital funding from any or all the Partner Authorities in accordance with any of the Partner Authorities' capital approval processes. Any capital monies which are spent on the Joint Parking Service may be spent only on the purpose for which it was approved by the respective Partner Authority.

3.8.2 Any Partner Authority may at any time require the repayment of any capital money paid by that Partner Authority to Colchester for the purposes of the Joint Committee where one or more of the following applies:

- (a) the money has not been spent; or
- (b) no legal obligation which commits the Partner Authority to spend that money has been entered into.
- (c) ECC or legislation does not require it so.

### **3.9 Audit**

3.9.1 The Partner Authorities agree to contribute in equal proportion to any costs incurred by the Joint Committee by any audit required by the Audit Commission in relation to the accounting records and accounts of the Joint Committee.



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3.9.2 Internal Audit requirements will be agreed and co-ordinated between the Partner Authorities.

### **4. Joint Committee Governance Arrangements**

4.1 Both Colchester and Braintree are operating executive arrangements and Uttlesford is operating alternative arrangements all in accordance with the Local Government Act 2000.

4.2 The Partner Authorities have agreed to form a joint committee to manage the Joint Parking Service in accordance with the provisions contained in sections 101 and 102 of the Local Government Act 1972, section 20 of the Local Government Act 2000, the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and The Local Authorities (Alternative Arrangements (England) Regulations 2001 (as amended) and any other enabling legislation.

4.3 The Partner Authorities have agreed:

- (a) to form a Joint Committee with effect from 8 December 2008 to be known as the “Colchester, Braintree and Uttlesford Joint Parking Committee” and which is referred to in this Agreement as “the Joint Committee”;
- (b) to agree and monitor the strategy and policy framework; and
- (c) for the functions set out in section 2 of this Agreement to be delegated to the Joint Committee and be discharged by the Joint Committee on behalf of the Partner Authorities.
- (d) that the Joint Committee is authorised to delegate any of its functions to any officer of any of the Partner Authorities.

4.4 This Agreement, and any future amendments to it, have been (or will be in the case of future amendments) put before a meeting of the appropriate decision making body of each of the Partner Authorities and has been (or will be) adopted by each such Partner Authority committing that authority to membership of the Joint Committee and to the terms and conditions of this Agreement.

4.5 This Agreement is without prejudice to each Partner Authority’s other powers and responsibilities for their respective areas but each Partner Authority agrees that it will not exercise its functions in relation to the functions of the Joint Committee except:

- (a) via the Joint Committee
- (b) via powers delegated to an officer by the Joint Committee; or
- (c) after consulting the other Partner Authorities.

### **5. Constitution of the Joint Committee**

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### **5.1 Membership**

- 5.1.1 The membership of the Joint Committee will comprise six members two from each of the Partner Authorities (“the Committee Members”).
- 5.1.2 Colchester and Braintree shall each appoint an Executive Member whose portfolio responsibilities includes parking and or resources.
- 5.1.3 Uttlesford shall appoint a member of a policy committee whose terms of reference includes parking.
- 5.1.4 The term of office of each Committee Member shall be determined by the Partner Authority appointing them, provided that for the duration of their appointment in relation to Colchester and Braintree they remain a member of the Executive and in relation to Uttlesford they remain a member of the appropriate policy committee and have been appointed by the Partner Authority to be or remain a Committee Member.
- 5.1.5 Each Partner Authority shall notify the Clerk to the Joint Committee of the name and contact details of its Committee Members and Substitute Members.
- 5.1.6 Each Partner Authority may change its appointed Committee Members at any time provided that written notice of any such change is given to the Clerk to the Joint Committee, taking effect upon receipt. Such written notice may be given by electronic mail.
- 5.1.7 Each Partner Authority may send appropriate officer(s) to meetings of the Joint Committee (or any Sub-Committee) to support its Committee Members.
- 5.1.8 Subject to paragraph 5.19, each Committee Member shall have one vote at meetings of the Joint Committee or any Sub-Committee.
- 5.1.9 In the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.
- 5.1.10 All voting shall be by a show of hands, unless the provisions of paragraph 5.1.11 below apply. Any question coming before the Joint Committee shall be decided by a simple majority of those present and voting.
- 5.1.11 Recorded votes shall be taken if requested by any Committee Member, and any member shall have the right to have the way he/she voted (or abstained) recorded in the minutes.

### **5.2. Support to the Joint Committee**

- 5.2.1 The Clerk to the Joint Committee shall be a senior officer of Colchester or otherwise as agreed from time to time by the Joint Committee.

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5.2.2 The functions and responsibilities of the Clerk to the Joint Committee shall be as follows:-

- (a) to make all necessary arrangements for the convening of meetings of the Joint Committee and any Sub-Committees;
- (b) to provide, or, where necessary, procure the provision of, all necessary advice on the technical, legal and financial implications of matters under consideration by the Joint Committee or relevant to the Joint Committee's functions;
- (c) to bring to the attention of the Joint Committee matters which are relevant to the Committee's functions and which merit consideration by the Joint Committee ;
- (d) to arrange for the taking and maintenance of minutes of meetings of the Joint Committee and any Sub-Committee s, and ensure that the business of the Joint Committee at its meetings are conducted in accordance with legal requirements;
- (e) to manage and co-ordinate the day-to-day affairs of the Joint Committee and its administrative support.

5.2.3 The business address for all communications relating to the administration of the Joint Committee's affairs shall be:

“The Clerk to the Colchester, Braintree and Uttlesford Joint Parking Committee, Town Hall, High Street, Colchester, CO1 1FR”

### **5.3. Meetings of the Joint Committee**

5.3.1 The Joint Committee will meet at least four times in each municipal year. The 2008-09 meetings are scheduled for: January 2009; and March 2009. These timed meetings are designed to allow budget proposals for the Joint Parking Service to be accommodated within the annual budget setting processes for each of the Partner Authorities with the intention of a draft budget being presented in October and the final budget being agreed in January. It will also allow forward plans to be approved in March; and to fit around the May elections. This does not preclude other meetings being held throughout the year as required.

5.3.2 The first meeting of the Joint Committee on or after 1 June in any year shall be the Annual General Meeting at which the Chairman, Vice-Chairman and any Sub-Committees of the Joint Committee shall be appointed, but nothing in this paragraph prevents the Joint Committee establishing a Sub-Committee at any other time.

5.3.3 The quorum for a valid meeting of the Joint Committee shall be three members at least one of whom must be from each Partner Authority.

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- 5.3.4 The Chairman of the Joint Committee will be alternated between Partner Authorities. In the second and subsequent years of the Joint Committee's operation the Chairman shall be a Committee Member appointed by a different Partner Authority from the previous year's Chairman.
- 5.3.5 At each Annual General Meeting the Joint Committee shall determine and approve the programme of meetings to take place over the following year.
- 5.3.6 The Chairman may call other meetings as necessary in addition to those set out in the schedule of meetings approved at the relevant Annual General Meeting provided each of the Partner Authorities approve the date and time of any such additional meetings.
- 5.3.7 The Chairman may cancel / rearrange a meeting if there is insufficient business to justify this being held or if other circumstances make it appropriate for this to be held at a different date/time, provided each Partner Authority agrees to the cancellation of any meeting and approves the date and time of any rearranged meeting.
- 5.3.8 The meetings of the Joint Committee will whenever possible alternate between venues in Colchester, Braintree and Uttlesford, and so if one is held in Colchester then the next will be held in, Braintree then Uttlesford.
- 5.3.9 A printed copy of the summons, the agenda for each meeting, any relevant reports and the minutes of the previous meeting shall be despatched by the Clerk to the Joint Committee, at least five (5) clear days before such meeting to each Committee Member.
- 5.3.10 At the same time, such papers will also be despatched to:
- (a) the Proper Officer of each Partner Authority
  - (b) Chairman of each of the Partner Authority's Scrutiny Committee with responsibility for scrutiny in respect of parking and/or finance matters and to the Chief Executive of each Partner Authority or such other senior officer of a Partner Authority as may be nominated in writing by a Partner Authority to the Clerk of the Joint Committee ; or
  - (c) such other addressees as a Partner Authority may nominate in writing from time to time to the Clerk to the Joint Committee .
- 5.3.12 The summons shall contain notice of all business, except urgent business, which is required to be brought before the Joint Committee either in the ordinary course of business, or which is brought by the Chairman, the Vice-Chairman or the Clerk to the Joint Committee.
- 5.3.13 Meetings of the Joint Committee will be open to the public and press except where the Joint Committee resolves that the press and public

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be excluded (which may only be during consideration of items containing confidential or exempt information within the meaning of Schedule 12A of the Local Government Act 1972). Each meeting will have a public question time of not exceeding 15 minutes in which members of the public may ask questions or make statements on a matter within the remit of the Joint Committee.

5.3.14 Minutes of the Joint Committee shall (subject to the provisions of paragraph 5.3.13 above) be available to the public and press as though they were minutes of a meeting of a Partner Authority.

5.3.15 The Chairman in consultation with the Vice Chairman or a Partner Authority may invite any person to attend a meeting of the Joint Committee for the purpose of making a presentation, or participating in discussion, on any item relevant to the Joint Committee's functions where that person is able to provide a professional or commercial viewpoint, which the Chairman or the Partner Authority considers would be of assistance to the Joint Committee.

### **5.4. Level of Joint Committee Decision Making**

5.4.1 The Joint Committee will be responsible for:

- (a) managing the provision of the Baseline Services contained in section 2 of this Agreement
- (b) agreeing Three Year Development Plans for the Joint Parking Service.
- (c) agreeing all new, or revised, policies (such as enforcement and operational policies)
- (d) agreeing level of service provision as agreed through the annual budget setting process and as set out in the Joint Committee Agreement
- (e) annually agreeing the level of fees and charges pertaining to the Joint Parking Service to be proposed to each Partner Authority's appropriate decision-making body for final approval
- (f) agreeing annual budget proposal to be made to each Partner Authority's appropriate decision making body for final approval
- (g) making budget decisions related to the use of/funding of end of year surplus or deficit situations and transitional employee savings
- (h) determining whether the Joint Service should continue as a member of the British Parking Association and any other partnership arrangements.
- (i) accounting to ECC for decriminalised parking funds on behalf of each of the Partner Authorities.

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(j) functions under Traffic Management Act 2004, Road Traffic Regulation Act 1984, section 111 of the Local Government Act 1972 and section 2 of the Local Government Act 2000.

(k) delegating any of the functions of the Joint Committee to an Officer of , Colchester, Braintree or Uttlesford

5.4.2 The Joint Committee may not delegate:

(a) The functions referred to in 5.4.1(a)-(i) above;

(b) Any decision to cease to provide any of the Baseline Services contained in section 2 of this Agreement.

5.4.3 The Joint Committee will not have responsibility for staffing decisions but the Partner Authorities agree that the appointment of a replacement for the most senior employees in the Joint Parking Service will be carried out in consultation between all Partner Authorities and an officer from each of the Partner Authorities shall be invited to attend the final interview if they choose to do so.

5.4.4 Operational details will be delegated by the Joint Committee to officers as set by the annual Joint Committee Agreement and the three year Development Plan (initially in 2008/2009 by a one year interim plan) will be determined within this framework with operational implementation and decisions being taken by appropriate officers from the Partner Authorities.

### **5.5. Monitoring and Assessment**

5.5.1 The Joint Committee will be responsible for monitoring and assessing the Joint Parking Service in terms of its:

(a) general performance as measured by a range of indicators as the Partner Authorities may agree from time to time including but not limited to, financial performance, ticket sales figures, income, National Indicators, customer satisfaction levels, funding leverage and key achievements

(b) performance in carrying out this Agreement

(c) progress in fulfilling the three year Development Plan (during 2008-09 the joint parking service will be covered by an interim one year development plan only)

5.5.2 The Joint Committee will receive presentations and progress reports on key issues and notable projects.

### **5.6 Scrutiny Arrangements**

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- 5.6.1 The decisions made by (and, for the avoidance of doubt, not mere recommendations of) the Joint Committee shall be subject to the individual scrutiny arrangements of each Partner Authority.
- 5.6.2 Decisions or actions of the Joint Committee shall be notified to the Proper Officer of each Partner Authority together with all those to whom agenda papers etc are despatched in accordance with this Agreement within seven (7) Working Days of the decision being reached or the actions being taken, as the case may be
- 5.6.3 Committee Members and their officer advisers shall fully co-operate with the relevant scrutiny Committee of the Partner Authorities and shall, where requested, attend any meeting of any relevant scrutiny committee.

### **Call in**

- 5.6.4 Any decision or other action taken of the Joint Committee may be called in for scrutiny by members of a Partner Authority. A decision is called in by members of a Partner Authority in the same way in which they would call in a decision of in the case of Colchester or Braintree their Executive, and in the case of Uttlesford a Policy Committee except that:
- (a) decision or other action taken may not be called-in after 5pm on the 5<sup>th</sup> working day after the date upon which the decision is published; and
  - (b) a call in of such a decision or other action taken may only be made if the decision or other action taken concerned affects that Partner Authority whose membership wishes to call in the decision or action.
- 5.6.5 Once a decision or other action taken has been called in it may not be implemented until the scrutiny arrangements of the relevant Partner Authority whose membership has called in the decision or action has been completed. Where a relevant scrutiny committee (or full Council) makes recommendations to the Joint Committee, the Joint Committee shall arrange for the decision or action to be reconsidered in the light of comments made by the relevant scrutiny committee (or full Council) and the final decision or action of the Joint Committee shall not be subject to call in.
- 5.6.6 The call-in procedure set out in paragraph 5.6.5 above shall not apply where the decision or action being taken by the Joint Committee is certified by the Joint Committee as urgent.
- 5.6.7 A scrutiny committee of a Partner Authority must notify the Joint Committee if it includes in its work programme any aspect of policy development or review relating to the work or functions of the Joint Committee.

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- 5.6.8 Where a scrutiny committee of a Partner Authority has formed recommendations on proposals for policy development as referred to in paragraph 5.6.7 above, a scrutiny committee shall prepare a formal report and submit it for consideration by the Joint Committee.
- 5.6.9 The Joint Committee shall consider the report of a scrutiny committee within fifteen (15) working days of it being submitted to the Clerk to the Joint Committee and shall issue a formal response to such a report.
- 5.6.10 Where any Partner Authority member or officer is required to attend a scrutiny committee, the Chairman of that Committee will inform the Monitoring Officer of his/her own authority.
- 5.6.11 That Monitoring Officer shall inform the Partner Authority member or officer in writing giving at least ten (10) working days notice of the meeting at which he/she is required to attend, such notice to state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the scrutiny committee.
- 5.6.13 Where the account to be given to the scrutiny committee will require the production of a report, the Partner Authority member or officer concerned will be given sufficient notice to allow for preparation of that documentation.
- 5.6.14 Where, in exceptional circumstances, the Partner Authority member or officer is unable to attend on the required date, the scrutiny committee shall in consultation with the Partner Authority member or officer arrange an alternative date for attendance which shall be as soon as practicable in relation to the original date specified.
- 5.6.15 If, having considered the decision or action, a scrutiny committee remains concerned about it, then it may refer it back to the Joint Committee for reconsideration, setting out in writing the nature of its concerns. If referred back to the Joint Committee for reconsideration the Joint Committee will have a further seven (7) working days to consider whether to amend the original decision or revise the original action taken before reaching a final decision or taking final action.
- 5.6.16 The operation of the provisions relating to call-in and urgency shall be monitored annually by the Clerk to the Committee, and a report submitted to the Joint Committee with proposals for review if necessary.

## **5.7 Conduct and expenses of members**

- 5.7.1 All Committee Members shall observe at all times the provisions of the Code of Conduct adopted by their respective Authorities.
- 5.7.2 Each Partner Authority shall be responsible for meeting any expenses to which any Committee Member or officer appointed by them, as its representative, is entitled as a result of their attendance at meetings of



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the Joint Committee.

### **5.8. Liability of Joint Committee Members**

- 5.8.1 Committee Members appointed by each of the Partner Authorities shall have the same responsibilities and liabilities as those which apply when sitting on other Committees and bodies as appointed representative on behalf of their respective Authorities.
- 5.8.2 Where any contractual arrangements are authorised by the Joint Committee, any liabilities arising under those arrangements will be met by the relevant Partner Authority.
- 5.8.3 Indemnification for any liabilities which arise shall be resolved as a matter between the Committee Member and their respective Authority.

## **6. Dissolution Arrangements**

### **6.1 Criteria**

- 6.1.1 A Partner Authority may terminate its participation in this Agreement and the Joint Committee in writing on the expiry of six months' written notice terminating on 31 March in any year served on the other Partner Authorities .
- 6.1.2 A Partner Authority may terminate this Agreement if another Partner Authority commits a fundamental breach of this Agreement.
- 6.1.3 A Partner Authority may terminate this Agreement with immediate effect if another Partner Authority, without the consent of the other Partner Authorities, sets its Annual Contribution at a level which is less than:
  - (a) ninety per cent (90%) of the amount recommended by the Joint Committee
  - (b) ninety per cent (90%) of the previous year's contribution.
- 6.1.4 The Partner Authorities may agree alternative termination arrangements from time to time.
- 6.1.5 The provisions of section 6 of this Agreement shall survive the termination of this Agreement.

### **6.2 Financial liability on dissolution**

- 6.2.1 At the termination of this Agreement Colchester shall as soon as practical draw up accounts showing the financial out-turn of the Joint Parking Account.

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6.2.2 The Joint Parking Service shall be managed so that as the final out-turn of the Joint Parking Account is as close to zero as possible.

6.2.3 Any surplus or deficit on the Joint Parking Account shall be settled/distributed in the following shares:

Braintree 33%: Uttlesford 33%: Colchester 34%

### **6.3 Transfer of Staff**

6.3.1 In this paragraph “Braintree and Uttlesford’s New Provider” means the person operating Braintree and Uttlesford’s parking from the date upon which this Agreement terminates (Braintree and Uttlesford’s New Provider may be Braintree or Uttlesford).

6.3.2 All employees who, during the last year of operation of this Agreement, spent more than 50% of their time on issues specifically relating to, Braintree and Uttlesford’s parking shall transfer to Braintree and Uttlesford’s New Provider.

6.3.3 Other employees shall continue to be employed by Colchester, unless the parties agree otherwise.

6.3.4 Colchester shall use all reasonable endeavours to ensure that their employees co-operate with , Braintree and Uttlesford’s New Provider for a period of 1 year after the termination of this Agreement in order to effect a seamless transfer of Braintree and Uttlesford’s parking’ to Braintree and Uttlesford’s New Provider.

6.3.5 For the purpose of facilitating the transfer of any person’s employment from Colchester to Braintree and Uttlesford’s New Provider, Colchester shall supply to Braintree and Uttlesford promptly on request such information as Braintree and Uttlesford shall reasonably require (including information required under TUPE legislation) in order to facilitate the transfer of employees from Colchester to Braintree and Uttlesford’s New Provider.

### **6.4 Assets**

6.4.1 Subject to paragraph 6.4.2, when this Agreement is terminated for any reason, any assets which belong to one Partner Authority but which are in the custody of the other Partner Authority shall, if requested, be returned to the other Partner Authority.

6.4.2 Where this Agreement terminates and assets are stored by one Partner Authority on behalf of another Partner Authority, then to the extent that those assets are not collected by the Partner Authority within one (1) month from the date of termination, the Partner Authority storing the assets shall continue to store the assets for up to one (1) year from the date of termination, subject to the payment of reasonable storage charges by the Partner Authority.

## **Joint Committee Agreement – 10 Oct 08 Draft**

### **6.5 Property**

- 6.5.1 Title to the following property shall be transferred to Braintree and Uttlesford on the termination of this agreement:
- (a) All property belonging to Colchester which is or used at in Braintree and Uttlesford's premises (other than temporarily) on the termination of this agreement
  - (b) All property belonging to Colchester to the extent that it relates to Braintree and Uttlesford's parking asset base (including the relevant part of any database records).
- 'property' in this paragraph includes plant, software licenses and operating leases
- 6.5.2 All property belonging to Braintree and Uttlesford but in Colchester's possession shall be returned to Braintree and Uttlesford immediately upon termination of this Agreement.
- 6.5.3 Colchester shall promptly supply Braintree and Uttlesford with a copy of all intellectual property which belongs to Braintree and Uttlesford or which Braintree and Uttlesford are entitled to use (such copy to be supplied in such format as Braintree and Uttlesford shall reasonably require).
- 6.5.4 Colchester shall provide reasonable assistance with the installation of any software on any computer equipment.
- 6.5.5 The duties in paragraph 6.5.4 shall continue for one year from and after the date of termination.
- 6.5.6 If plant equipment or services has been purchased for the use (directly or indirectly) of the Partner Authorities parking then the parties shall sell the equipment and split the proceeds of sale in the percentage in which the Joint Parking Account is to be split between Braintree, Uttlesford and Colchester contained in paragraph 6.2.3 above.

### **7. Review of this Agreement**

- 7.1 The Partner Authorities shall keep this Agreement under review. The Joint Committee may from time to time make recommendations about changes to this Agreement.
- 7.2 The Partner Authorities agree to:
- (a) consider any recommendations for changes to this Agreement made by the Joint Committee including increasing the number of partner authorities.

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- (b) consider any proposals for change made by another Partner Authority (after taking account of any views expressed by the Joint Committee).
- (c) co-operate with each other and the Joint Committee in the undertaking of reviews of this Agreement.
- (d) any changes to this Agreement shall be recorded in writing signed on behalf of each of the Partner Authorities.
- (e) Undertake a review 2 years after the commencement of this Agreement in order to evaluate the effectiveness of the initial arrangements and identify any changes that each of the Partner Authorities wish to recommend.

The Common Seal of )  
**Colchester Borough Council** )  
was hereunto affixed )  
in the presence of: )

Mayor

Proper Officer

The Common Seal of )  
**Braintree District Council** )  
was hereunto affixed )  
in the presence of )

Authorised Officer

Authorised Officer

The Common Seal of )  
**Uttlesford District Council** )  
was hereunto affixed )  
in the presence of )

Authorised Officer

Authorised Officer

## **Joint Committee Agreement – 10 Oct 08 Draft**



**Schedule 1 – Key Contacts** *[to be added]*



## Cabinet

Item  
**7(ii)**

22nd October 2008

<b>Report of</b>	<b>Head of Resource Management and Head of Street Services</b>	<b>Author</b>	<b>Sean Plummer</b>  <b>282347</b> <b>Lee Spalding</b>  <b>282118</b>
<b>Title</b>	<b>Local Authority Carbon Management (LACM) Programme – Phase 1 Funding</b>		
<b>Wards affected</b>	All		

**This report asks the Cabinet to agree to release funding for projects in the  
Local Authority Carbon Management programme – Phase 1**

### 1. Decisions Required

- 1.1 To agree to use £305k from the Housing Planning Development Grant (HPDG) to support LACM Phase 1 projects as set out at paragraph 5.1.

### 2. Reasons for Decisions

- 2.1. The Council is committed to reducing its CO<sub>2</sub> emissions by 25% by 2012 when compared against the baseline of FY 06/07, as outlined within the Council's Strategy and Implementation Plan for Carbon Management.
- 2.2. The Council has agreed also to reduce carbon emissions in line with its commitment under the Nottingham Declaration signed 21<sup>st</sup> February 2007.
- 2.3. The proposal release of funding will contribute to energy savings, reduced carbon emissions and cost efficiencies.

### 3. Alternative Options

- 3.1. This report sets out alternative approaches to funding the remaining cost of Phase 1 projects such as use of Salix Finance Ltd loans and use of prudential borrowing. Due to the restrictions attached to the Salix Finance Ltd loans, this report concludes it is preferable at this stage to use our own funding to deliver these projects. This proposal does not mean that future use of Salix Finance Ltd funding is ruled out.

### 4. Detailed Considerations

#### *The LACM Programme*

- 4.1 The Local Authority Carbon Management Programme (LACM), is a framework within which the authority works in partnership with the Carbon Trust who provide us with technical and change management support and guidance to help us realise carbon emissions savings. The primary focus of the work is to reduce emissions under the control of the local authority such as buildings, vehicle fleets, street lighting and landfill sites.

- 4.2. Participating councils benefit from consultant support in the form of workshops and limited dedicated support tailored around a five step process. This process guides authorities through a systematic analysis of their carbon footprint, the 'value at stake' and the opportunities available to help them manage carbon emissions in a strategic manner.
- 4.3. Cabinet agreed the Council's carbon management Strategy and Implementation Plan (SIP) on 12 March 2008. This set out an anticipated funding gap in the region of £0.4m which would be required to be funded from a combination of allocation of the Council's capital funding and potentially match funding through Salix Finance Limited, which is the funding subsidiary of the Carbon Trust.
- 4.4. As the LACM programme has progressed we have been able to consider in more detail the projects that form part of Phase 1 and assess the options for meeting this funding shortfall and specifically whether the option of using Salix Finance Ltd is the preferred route.
- 4.5. The Salix Finance Ltd funding can provide an interest free loan. However, there are strict criteria in place in order to obtain the funds which include:-
- The Council must match fund projects.
  - A separate ring-fenced fund must be set up and administered.
  - Funding is limited to projects that meet certain criteria including;
    - how long the technology used can be considered to be effective,
    - payback of  $\leq 5$  years and cost of up to £100 per tonne CO<sub>2</sub> saved for energy efficiency projects or
    - payback of  $\leq 7.5$  years and a maximum cost of up to £75 per tonne CO<sub>2</sub> saved for energy efficiency and renewable projects.
  - A formal audit is required on a regular basis and regular reporting produced for Salix Finance Ltd monitoring.
  - A minimum 75% of any savings estimated must be paid into the ring-fenced fund in order to fund further projects.
  - There is a risk of "claw back" if 25% of the ongoing fund is not drawn in each financial year for further projects.
- 4.6. We have assessed the Phase 1 projects which require additional funding and concluded that most are not compliant in terms of Salix criteria. Appendix A sets out the proposed funding position on Phase 1 projects, the estimated costs and savings involved and whether each would be eligible under Salix Finance Limited funding criteria.
- 4.7. As the Salix Finance Ltd funding is not considered deliverable for Phase 1 projects consideration has been given to alternative sources. On 10 September 2008 Cabinet agreed the allocation of the Housing and Planning Delivery Grant (HDPG) which included the decision to defer the allocation of £420k and consider use of this as part of the budget strategy.
- 4.8. The two main projects which have a funding gap are the works to the Fitness Pool at Colchester Leisure World and the installation of PowerPerfector voltage optimisation equipment. It is estimated that these projects will save in the region of £100kpa. Therefore, if the HDPG is used the savings that accrue from these projects can contribute to providing resources to support emerging budget proposals.

## **5. Proposals**

5.1 To agree to allocate funding from the HPDG to support the following projects:-

Fitness Pool refurbishment	£172k
PowerPerfector	£133k
<b>Total</b>	<b>£305k</b>

5.2 To include efficiency savings from Phase 1 projects in the budget strategy for 2009/10

## **6. Strategic Plan References**

6.1 The membership of the LACM programme and the adoption of the SIP fully supports the Council's priority objective to be the cleanest and greenest borough in the country

6.2 It also supports the Council's commitment under the Nottingham Declaration and shows commitment to community leadership in the area of carbon reduction.

## **7. Consultation**

7.1 The Carbon Trust has been regularly involved throughout the development of the SIP commenting on drafts and advising on content. This support will continue during the lifetime of the plan.

7.2 As projects are developed all stakeholders will be consulted to ensure that there is a wide understanding of the reasons for undertaking works or installing systems. Their responses will shape the delivery of the projects to ensure that the benefits in terms of CO<sub>2</sub> reduction are maximised.

## **8. Publicity Considerations**

8.1. The list of communication methods below are being employed following the SIP's adoption;

- Press release
- Dedicated area of the website
- Articles in the 'Courier' and 'Common Ground' (Town and Parish Council magazine)
- Awareness events and/or presentations with members, Town & Parish Councils, Colchester 2020 and community groups
- Attendance at and/or presentations to Colchester business forums

8.3 It should be noted that this list is not exhaustive and may be subject to change throughout the programme. Promotion of the SIP to Council staff is not listed as this will be covered in the continuing awareness campaign (Colchester's Big Clean-Up).

8.4 Promotion of the SIP and the Council's wider Climate Change, Waste and Travel Plan activities will be a continual process and will peak when phase 1 and phase 2 projects start to get off the ground. It is anticipated that the SIP will be further promoted externally when the Council starts working with the community and external agencies on the Nottingham Declaration.



## **9. Financial Implications**

- 9.1. This report sets out the financial implications of Phase 1 of the LACM. This shows that the proposed use of the HPDG will help deliver annual efficiency savings.
- 9.2. There remain a number of assumptions over funding some other projects within Phase 1 and later stages of the programme. These will be considered as part of the budget strategy / capital programme proposals over the next few months.
- 9.3. It should be noted the savings attributed to each of these projects have been calculated on unit rates for gas and electricity that were in place for the 0708 financial year. It is extremely likely the Authority will incur higher unit rates in this financial year and in future. This will make the cost avoidance/saving a higher figure and the projects therefore more attractive, although the Authority will still potentially face an increase in overall energy costs.

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

- 10.1 None directly arising from this report.

## **11. Community Safety Implications**

- 11.1 None directly arising from this report.

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

- 12.1 Any works undertaken as a result of the implementation of the projects detailed in the SIP will be subject to Health and Safety regulations and the necessary measures put in place

## **13. Risk Management Implications**

- 13.1 The major risk is that the planned carbon reductions are not achieved and therefore the 25% reduction target is not met.
- 13.2 Each project will have its own risk management plan to ensure that potential risks are identified and mitigated where possible.

**APPENDIX A**

Project Description	Estimated Project Delivery Cost £'000	CBC Capital Resources	Bldg. Maint./R&R Prog. Contribution £'000	3 <sup>rd</sup> Party Capital Resources £'000	Revenue Budget £'000	Proposed Use of HPDG £'000	Estimated Annual Revenue Savings £'000	Estimated Annual CO2 emissions saved tonnes	Compliance With Salix Criteria	Project Status
<b>Fully funded projects</b>										
Provision of bespoke "snooze" software for Council PCs	1.5	-	1.5	-	-	-	5.0	39.0	Compliant	Software currently being trialled by Carbon Reduction Champions. Rolled out to all staff October 2008.
Time control for vending machines and hot water boilers	0.9	-	-	-	0.9	-	7.0	56.0	Compliant	Complete. Timers have been in place since May 2008.
Installation of "Eco Flow" fuel conditioning equipment at Colchester Town Hall	1.0	-	-	-	1.0	-	1.0	6.0	Compliant	Complete.
Draught sealing of Colchester Town Hall windows	10.0	-	10.0	-	-	-	3.0	23.0	Compliant	Start on site January 2009.
Staff awareness campaign	LACM Core Team officer time only.	-	-	-	-	-	7.0	57.0	N/A	Ongoing. To date campaign has saved 56 tonnes CO2.
Replacement of existing cremators, Colchester Crematorium (note 1)	750.0	-	-	750.0	-	-	23.0	167.0	Not Compliant	Project being tendered via Procurement Hub. Project Programme TBC.
<b>Part Funded Projects</b>										
Replacement of heating system and insulation of roof at Colchester Castle (note 2)	368.0	-	50.0	318.0	-	-	3.0	18.0	Not Compliant	Project expected to be undertaken in conjunction with planned re-display 2010.
<b>Proposed Funding from HPDG</b>										
Refurbishment of Fitness Pool building, Colchester Leisure World	522.0	-	350.0	-	-	172.0	60.0	412.0	Not Compliant	Currently at final design stage. Project due to start on site January 2009.
"PowerPerfecor" voltage optimisation equipment installed at top ten electricity usage sites	133.0	-	-	-	-	133.0	42.0	313.0	Compliant	Pending confirmation of funding equipment could begin to be installed early in New Year.
<b>Unfunded</b>										
Replacement of lighting at Rowan House offices (note 3)	150.0	150.0	-	-	-	-	5.0	36.0	Not Compliant	Project hoped to be undertaken as part of Accommodation Review.
<b>Totals</b>	<b>1,936.4</b>	<b>150.0</b>	<b>411.5</b>	<b>1,068.0</b>	<b>1.9</b>	<b>305.0</b>	<b>156.0</b>	<b>1,127.0</b>	<b>-</b>	<b>-</b>

**Notes**

1. Funding for the scheme has been partly provided through a surcharge on cremations and the funding strategy assumes that this will remain in place and will be used to meet the borrowing costs to deliver the project.
2. This project is currently reliant on bids for external funding.
3. Funding for this project has not yet been included within the capital programme, although this will be considered as part of planned accommodation changes



<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Richard Hughes</b>
<b>Title</b>	<b>A new Housing Strategy for Colchester</b>		<b>☎ 282571</b>
<b>Wards affected</b>	Not applicable		

**This report concerns a new Housing Strategy for the Borough of Colchester**

**1. Decision(s) Required**

- 1.1 To adopt a Housing Strategy for the Borough of Colchester.

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

- 2.1 Colchester Borough Council currently does not have a Housing Strategy in place. A new Housing Strategy will provide the Council and its partners with a clear statement of direction for its housing related activities. The Housing Strategy can show how the Council will undertake the detailed implementation of its priorities and those laid out in the Sustainable Community Strategy, Colchester 2020.

**3. Alternative Options**

- 3.1 Not to adopt a Housing Strategy for Colchester. As a Comprehensive Performance Assessment rated 'excellent' authority, Colchester Borough Council has the freedom to choose not to produce a local housing strategy and instead rely on the Greater Haven Gateway sub regional Housing Strategy. The Council has worked effectively sub regionally for some time and was instrumental in producing the Greater Haven Gateway Housing Strategy 2005-2010. However as a sub regional document it does not contain sufficient detail to articulate all of Colchester's local priorities.
- 3.2 There are however clear risks to not having a robust evidence based strategy in place such as not achieving the local priorities, not being able to evidence and articulate Colchester Borough Council's wider vision for housing and not providing a strong focus to our partners about their contribution to meeting our priorities.

**4. Supporting Information**

- 4.1 The Housing Strategy (Appendix 1) was developed by the Housing Strategy Partnership with an emphasis on involvement, consultation and listening to our partners. The partnership led on the process of pulling together the evidence base for the Housing Strategy and directed the consultation and involvement before setting the priorities and reviewing the action plans.
- 4.2 The evidence base is attached to this report in the form of a Powerpoint presentation (Appendix 2) and has also been considered by the Policy Review and Development Panel, along with the Housing Strategy Priority and Action Plan document. The Policy

Review and Development Panel suggested amendments to the Strategy, some of which have been incorporated in the document to Cabinet for approval.

4.3 Colchester's Housing Strategy was developed in the following way:

- Research commissioned to establish current need, such as the Strategic Housing Market Assessment and the Private Sector Stock Condition Survey again adopting a partnership approach through the creation of the Braintree, Chelmsford and Colchester Housing Market Partnership.
- A wide ranging evidence base and facts and figures about housing in Colchester developed
- Housing Strategy Partnership set up and chaired by the Portfolio Holder for Neighbourhoods to ensure that key partners and other stakeholders are involved in the development of the Housing Strategy's priorities and action plans.
- Consultation carried out with the public on the priorities for the housing strategy.
- Action Plan developed for the implementation of those priorities and consulted on.
- Housing Strategy signed off by the Housing Strategy Partnership and to be adopted by Colchester Borough Council.
- Publish and promote the Housing Strategy through web based electronic media and through the Council's publications.

4.4 The Housing Strategy for Colchester will be produced as a web based document with a separate page on the Colchester Borough Council website. The design of the page and the uploading of the information will cost half the price of a traditional printed document. In response to feedback from stakeholders it will also be available in a variety of other formats.

4.5 Each chapter of the strategy will be accessed via a button on the webpage and behind it the information in each chapter will follow the same structure using the following sub headings:

- Evidence Base
- Involvement, Consultation and Partnerships
- Equality and Diversity
- Priorities and Resources
- Action Plans and Performance Management
- Background Information and Useful Links

This consistent and clear structure will enable partners and residents to easily find the information they are interested in and enable Colchester Borough Council to clearly publicise the achievements made as a result of the Housing Strategy. An electronic format also allows information to be updated much faster and in a more cost effective way.

4.6 In July 2008 the government published statutory guidance 'Creating Strong, Safe and Prosperous Communities'. The guidance provides advice about establishing a strategic vision of local areas through Sustainable Community Strategies and sets out the importance of the Local Authority strategic housing role in place shaping. It allows local authorities discretion on how, when and in what format they will document their Housing Strategies but suggests that, where possible, housing and homelessness strategies will be incorporated within the Sustainable Community Strategy. In Colchester's case this is developed by the Local Strategic Partnership known as Colchester 2020. There are challenges in working at the different district, sub regional, county and regional administrative levels to achieve a strategic vision for housing. However, the priorities and actions set out in the Housing Strategy contribute to the Regional Housing Strategy, the Local Area Agreement housing targets and the Sustainable Community Strategy.

## **5. Proposals**

- 5.1 The Housing Strategy document attached sets out the full range of proposals being recommended to Cabinet for their approval. The attached document outlines the priorities and action plans. The full online strategy will contain a range of information following the sub headings set out in 4.5 above. The proposals are summarised in the following paragraphs:
- 5.2 Our Vision for Housing is to make Colchester a place where people want to live, in a decent, safe home which meets their needs, at a price they can afford and in locations and neighbourhoods which are sustainable. Our work seeks to balance the housing market ensuring that the right kind of homes are provided which are suitable for Borough residents and where supply and demand for each tenure and type of housing is balanced. The Action Plan breaks down how we will achieve this vision into the following themes:
- 5.3 New Market and Affordable Housing. This section seeks to ensure that supply meets demand for market housing and that affordable homes are provided for those in need, especially during the credit crunch. This is done in partnership with developers, Housing Associations and funders.
- 5.4 Private Sector Housing. This section seeks to ensure that the housing stock in the borough is safe and sustainable and is not in a state of disrepair. This is done in partnership with owners and private landlords.
- 5.5 Managing and Improving publicly owned homes. This section seeks to ensure council and housing association tenants are provided with excellent services and are involved in making decisions about the services they receive. It also addresses the long term maintenance and repair of the affordable rented housing stock.
- 5.6 Preventing and Tackling Homelessness. This chapter seeks to address how we will prevent and tackle homelessness in the Borough and will be a high level summary of the Homelessness Strategy 2008 -2013 recently adopted by Cabinet.
- 5.7 Housing with Support. This section seeks to ensure that people can access the support they need to live independently and improve their quality of life as well as preventing any potential threat of homelessness. It seeks new sources of funding for the level of support needed and will describe the kinds of supported housing which are most needed in the Borough.
- 5.8 Sustainable Communities. This section seeks to understand what we can do to make the neighbourhoods we live in more attractive places, where less anti social behaviour is experienced, poverty and specifically fuel poverty is reduced and where a positive contribution can be made to tackle the negative effects of climate change.

## **6. Strategic Plan References**

- 6.1 A key priority in the emerging strategic plan is the delivery of new affordable housing. The Housing Strategy sets out how the Council will implement this strategic priority.

## **7. Consultation**

7.1 The Housing Strategy has been developed with the involvement of a range of partners who participate in the Housing Strategy Partnership including Colchester Borough Homes, Colne Housing Society, Swan Housing Association, Mersea Homes (developer) Anchor Staying Put, (Home Improvement Agency), Essex County Council's Director of Strategic Commissioning for Adult Health and Community Well Being and the Citizens Advice Bureau.

7.2 In addition the partnership has consulted with groups of tenants who live in affordable rented housing, and hosted a series of focus groups with people in housing need. Feedback has been given to these groups on what they told us and how it relates to the priorities in the strategy. We have also made use of existing research and surveys.

## **8. Publicity Considerations**

8.1 The Strategy will be supplemented with a Communications Plan to promote involvement in the strategy and to communicate key achievements to partners, residents and stakeholders. We will also be reviewing housing partnerships for their effectiveness, for their relevance to our housing priorities and to identify any key gaps which may exist. This will be available on the website within two months.

## **9. Financial implications**

9.1 All actions in the strategy will be accounted for within the current approved budget unless it specifically states otherwise and where this is the case the source of any funding is identified.

9.2 Having a clear strategy with identified priorities will assist Colchester Borough Council in leveraging further resources from our partner organisations to achieve our goals, this can be across the range of activities from the prevention of homelessness and the provision of support to the delivery of new affordable housing and meeting the Decent Homes standard in both the public and private sector.

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

10.1 A number of the actions in the strategy will help tackle discrimination and disadvantage. Consultation with community groups has not identified any adverse impacts which would specifically affect already disadvantaged groups. Achievement of the Housing Strategy is likely to have positive equality and diversity implications.

## **11. Community Safety Implications**

11.1 A number of actions in the Housing Strategy will have a positive impact on community safety and are intended to prevent and lessen the impact of anti social behaviour.

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

12.1 No specific health and safety implications exist to this report.

## **13. Risk Management Implications**

13.1 Risks to achievement of the strategy where they exist are identified in the action plan. Currently the risks are centred around the credit crunch, its implications with regard to the delivery of new affordable housing and its impact on the level of housing need. In addition, the downturn in the economy may lead to increased demand for housing and support services and there may be a risk of reduced resources available to tackle these

issues. Central government has recently made an additional £1 billion available to tackle some of these risks. A summary of these measures can be seen at Appendix 3 of this document.

## **Background Papers**

Housing Strategy Action Plans and Priorities  
Summary of New Measures for Housing market  
Summary Evidence Base for the Housing Strategy



## A Housing Strategy for Colchester

### Vision for Housing in Colchester Borough

To make Colchester a place where people choose to live in a decent, safe home which meets their needs at a price they can afford and in locations and neighbourhoods that are sustainable and desirable. To balance the housing market so that supply of housing meets market demand and housing need.

### Chapter 1: Delivering Market and Affordable Housing to meet Housing Need and Demand

Our Strategic Housing Market Assessment identified the need for 1,082 units of affordable accommodation across the Borough each year for the next 5 years. This is a level of need identified by following a prescribed process of measuring need. It is not a target for the delivery of new affordable housing. As at September 2008 there are more than 5,000 applicants on the housing need register. The housing market, following the national and international 'credit crunch', has declined sharply with many fewer sales of properties and new build properties remaining unsold. New building is expected to decline sharply.

Most new affordable housing is achieved through negotiation with developers who are required to provide a percentage of homes as affordable on all sites over a qualifying size. From December 2008 there will be a requirement for 35% of all new homes to be affordable on sites with 10 or more units, in urban areas, in accordance with the Local Development Framework. This delivery is threatened because of the reduced building likely to occur following the 'credit crunch'. In addition, where it would achieve more than this basic requirement, Colchester Borough Council can support grant applications where this will meet identified housing need, to the Housing Corporation, soon to become the Homes and Communities Agency. We work with the Local Authorities and Housing Associations in the Greater Haven Gateway and the Housing Corporation to deliver grants for housing schemes in the Borough.

The 'credit crunch' has exacerbated the housing need experienced in the Borough. Due to the restriction of lending, fewer people are able to purchase a property. Despite the price drop experienced since September 2007, there is likely to be an additional demand for affordable homes.

## Priorities

- 1 Develop a balanced housing market in the Borough of Colchester where supply meets demand at a price that is affordable to residents of the Borough. Ensure that interventions in the housing market are based on a robust evidence base and set out clearly in the Local Development Framework.
- 2 Deliver 35% of all new homes as affordable on qualifying sites over the lifetime of the strategy.
- 3 Colchester Borough Council will support the application for grant funding intelligently and creatively to maximise the supply of new affordable housing, which meets the Council's needs as set out in the Affordable Housing Supplementary Planning Document.
- 4 Prioritise the provision of affordable housing on the same site as market housing to ensure sustainable mixed communities. Where this is not possible set out clear priorities for investment decisions on the use of any commuted sums which may be received. Ensure that any commuted sums received will provide equivalent amounts of affordable housing.
- 5 Investigate new ways of developing or funding the delivery of new affordable housing including reviewing CBC's land use, land sales policy and the use of capital receipts.
- 6 Clearly set out what kind of housing is needed in terms of size and quality of properties and associated facilities to ensure the housing delivered in the market is attractive and meets the needs of Borough residents, creating neighbourhoods and communities which are sustainable.
- 7 Develop new initiatives and housing products, which meet housing need and demand between affordable rented and outright home ownership, to enable a fully functioning housing ladder where demand meets supply at a price that is affordable to households on below average incomes.
- 8 Ensure the needs of the most vulnerable households are met when delivering new market and affordable housing, including people with disabilities and wheelchair users.

## Actions

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
2 4 6 7	A balanced housing market based on a robust evidence base. An Affordable Housing Supplementary Planning Document will clearly specify what housing is needed in the borough by size and tenure. The Strategic Housing Market Assessment identified a need for 1,082 new affordable homes p.a.	Draft Affordable Housing Supplementary Planning Document to be developed to specify housing needed. To be approved by Local Development Framework Panel. A Housing Developers Partnership will be set up to develop strategic relationships between CBC and housing developers to make them aware of housing markets and what kind of housing is needed and where. The Strategic Housing Market Assessment will be updated every 6 months and shared with partners across the Borough to ensure they understand the information we have available on the market. From December 2008 35% of all new homes to be affordable on sites with 3 or more dwellings in rural areas and 10 or more dwellings in urban areas of the Borough.	2009  September 2008 and ongoing  October 2008 Ongoing  December 2008 Ongoing	CBC  Housing Developers / CBC / Housing Associations  Housing Market Partnership  CBC
2 3 4 6 8	Meeting housing need to ensure mixed tenure sustainable communities New affordable housing will exceed 35% of all new homes over the lifetime of the strategy	Support grant funding applications creatively and intelligently where this will achieve either more affordable housing than would have been secured as part of Planning Gain or of a better standard such as the provision of homes adapted to meet the needs of disabled people. Where on site provision of affordable housing is not possible maximise the commuted sums received to ensure the delivery of new affordable housing in line with Govt circular 05/2005 and identified community need. Develop priorities for the investment of any commuted sums received. (possibly a later appendix)	Ongoing  Ongoing	Housing Corporation / Homes and Communities Agency / CBC/ Developers
1 5 6 7	Deliver housing which meets demand in the market Deliver more than the RSS minimum of 855 new dwellings per year in the Borough	Participate in a review of publicly owned land in the Borough in partnership with the new Homes and Communities Agency to release available land supply in order to build more dwellings needed in the Borough.	2009  Identify ownership of land 2010. Review completed	Homes and Communities Agency / CBC / Landowners

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
7 8	Meeting the housing need of those who can afford more than the cost of affordable rented properties but are unable to obtain suitable market housing. Promote shared ownership and sub market rented housing options in the Homechoice shop and through the offices of all affordable housing providers.	<p>Advertise all vacancies for shared ownership options in the Borough in each fortnightly bidding cycle.</p> <p>Publicise adverts for intermediate housing on Homechoice and CBC website.</p> <p>Explore the option of shared ownership for adults with learning disabilities so that with support they may live independently.</p> <p>Set out clear affordability criteria for market housing costs and average household income in the Borough.</p> <p>When negotiating for the provision of affordable housing, require that shared ownership / shared equity and sub market rented housing costs less than the cost of equivalent market housing (either to rent or to sell) in order for it to qualify as affordable. Otherwise all affordable housing need reverts to affordable rented housing.</p> <p>Time taken to sell – 1 year from completion if not tenure reverts to affordable rented we will support application for grant funding to subsidize the cost.</p>	<p>2011</p> <p>End 2008</p> <p>Periodically</p> <p>Feasibility reviewed 2009.</p> <p>Options developed 2010</p>	<p>Zone Agent – Moat Housing / Homechoice Partnership</p> <p>Essex County Council / Colchester Borough Council</p> <p>CBC / Developers / RSLs</p>
6	Improve the quality and design of new market and affordable homes. Poor space standards identified as a factor negatively affecting the desirability of newly built homes.	<p>Conduct a survey of occupiers of new homes to understand issues and satisfaction and share results with Developers Forum – Housing Association do this – make use of the results from their surveys – Partnering list Council to be copied in.</p> <p>Ensure that Local Development Framework Policies specify good quality design and space standards for new homes which enable householders to recycle easily.</p>	<p>2009</p> <p>2010</p>	<p>Housing Developers / RSL's / CBC</p>
6 7	Improve the image of affordable rented housing and reduce the level of neighbour nuisance to create mixed and sustainable communities.	<p>Publicise good news from affordable rented housing providers and <b>developing partners</b> across the Borough through publications such as the courier and local newspapers.</p> <p>Produce good neighbour guidelines for new tenants so that</p>	<p>Ongoing</p> <p>End 2008</p>	<p>CBH / CBC / Homechoice Partners</p> <p>CBC /</p>

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
		they clearly understand their responsibilities and can make a positive contribution to their neighbourhood. Develop a sensitive lettings policy to ensure that the tenant mix is sustainable and will improve the quality of a neighbourhood.		Homechoice Partners
7	The SHMA identified that up to 235 households in housing need could afford more than the costs of affordable rented but could not afford to purchase or rent their own home	In partnership with the Greater Haven Gateway sub regional partners develop a model of housing which genuinely meets need for part buy part rent homes or sub market rented, which is affordable to households on below average incomes in the Borough.	End 2009	Greater Haven Gateway partners
8	Deliver 4 units of affordable housing for households with disabilities A stronger more robust partnership approach to working with our Housing Association partners	Participate in the pilot HOLD scheme with Family Mosaic Housing Association by bidding for funding to pilot 4 units in the Borough. Revise and update the RSL partnering list. Evaluate all potential RSL partners to develop a list of partners who will be encouraged to develop properties in the Borough based on any innovative approaches and positive practice they have delivered.	End 2009 completion of purchases 2009	CBC / RSL Partners / Sub Regional partners

## Chapter 2: Managing and Improving Existing Private Sector Stock

### Priorities

- 1 Improve access to private rented properties and make private rented housing costs more affordable, by encouraging landlords to rent out good quality properties at affordable rents through our choice based letting scheme, Homechoice, while still making the same amount of profit.
- 2 Seek Empty Dwelling Management Order on empty properties left empty for a significant period of time where the offer of loans and grants, enforcement and negotiations with the landlord has not been successful.

- 3 Make best use of the existing housing stock by returning as many long term empty properties to use in the private sector through a combination of advice, grants, enforcement and loans.
- 4 Empower and involve private landlords through a partnership with Colchester Borough Council to make informed choice about the management and improvement of their properties with the objective of expanding the private rented sector and achieve good quality accommodation and management of tenancies.
- 5 Provide good quality information to both tenants and landlords in the private rented sector on help available to let and manage tenancies.
- 6 Use regulation to improve standards and improve the desirability of private rented accommodation by setting up and managing a private rented accreditation scheme for local landlords.
- 7 Use private rented housing to meet need and offer more housing choice to households in the Borough.
- 8 Reduce the number of vulnerable people such as older people, people with disabilities and families with children who live in non decent housing or experience fuel poverty because they spend more than 10% of their household income on fuel costs.

## 80 Actions

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
<b>1</b>	Reduce the number of vulnerable households as defined by the Private Sector Stock Condition Survey (PSSCS) living in non decent homes in the private sector from 652 in 2008 to below 400 in 2013	Develop a landlord accreditation scheme in partnership with private landlords. Landlords with accreditation will be given the opportunity to let their properties through Homechoice, which will save on the costs of letting.	2010	CBC/ Landlords Forum
<b>4</b>		Publicise the availability of grants and loans in areas identified by the PSSCS as having high levels of disrepair and tackle disrepair at an early stage before it becomes costly to repair.	2009	
<b>6</b>		Undertake a Private Sector Stock Condition Survey every 5 years to assess the effectiveness of this work.	2013	
<b>8</b>				

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
2 3 5 7	Make best use of existing housing stock by returning empty properties to use. By April 2013 we will have reduced the number of long term empty private properties in the borough from 883 in 2008 to 441 or less.	Use negotiation, enforcement and where appropriate, grants and loans to return long term empty properties to use, but where this is unsuccessful make use of Empty Dwelling Management Orders Publicise the availability of advice, grants and loans to return long term empty properties to use through mail shots to empty property owners through the Council Tax Register. Use a Private Sector Leasing Scheme to return empty properties to use which meet the most urgent housing need. Develop an Empty Homes Strategy which sets out in detail what will be done to reduce the number of empty private sector homes in the Borough.	Ongoing 2010 2009 2008/09 End 2008	CBC CBC/Landlords Forum Colne Housing Society / CBC CBC
1 4 5 6	Increase the supply of good quality rented accommodation and improve the quality of private rented accommodation in the Borough.	Develop a comprehensive financial assistance policy which sets out what help and support is available to owners and occupants. Target financial assistance to properties built before 1919, which the PSSCS indicates will be of poorer quality and more in need of repair. Where necessary take enforcement action against owners of properties to improve the quality of their stock if they refuse to take advantage of advice and assistance available.	End 2009 Ongoing Ongoing	CBC / Landlords / Residents
8	To reduce by 2% by 2013, the number of people experiencing fuel poverty. Fuel Poverty exists where a household has to spend more than 10% of their income on fuel costs. Currently 7% of private sector households are estimated to be in fuel poverty <sup>1</sup> . This will also increase the environmental sustainability of	Target Warm Homes help available to residents on low incomes and to areas where the PSSCS has identified that high levels of fuel poverty may exist. Identify remedial action owners can take to make their homes cheaper to heat and light. Prioritise the installation of efficient heating systems in the new Financial Assistance Policy and target this help to those households on low income or who may be more adversely affected by excess cold, such as pensioner households or those with children.	2009 onwards 2010 onwards	Warm homes Agency / Anchor Staying Put / CBC/PCT

<sup>1</sup> Private Sector Stock condition Survey, 2008

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
	homes.			
<b>1</b> <b>4</b> <b>6</b>	Reduce the number of homes with a Category 1 hazard from 3117 to less than 2400 in 2013. The Private Sector Stock Condition Survey identified a number of shared houses and Houses in Multiple Occupation (HMO's) which may need improvements for the health and safety of the occupants.	In partnership with HMO landlords develop a specific policy and accreditation scheme for Houses in Multiple Occupation designed to improve health and safety in these dwellings.  Through the financial assistance policy target enforcement action to ensure the least safe properties are brought up to reasonable standard.	2010  2010 onwards	CBC / Private Landlords
<b>5</b> <b>7</b>	Ensure private tenants are more involved in decisions about services they receive and can influence service providers to meet their needs.	Set up a Private Tenants Consultation Forum to involve private tenants in decision making about issues such as planning for new homes, anti social behaviour, and important changes to landlord / tenant law.	Terms of reference Agreed and first meeting 2009	Landlords forum / CBC

### Chapter 3: Managing and Improving Council and Housing Association Owned Homes

#### Priorities

- 1 Ensure all affordable rented housing providers in the borough to be 'excellent' housing management organisations and are beacons of resident involvement and community development.
- 2 Work in partnership with all affordable rented providers to maximise the best use of their stock and assets to meet housing need.



- 3 Maintain the decency of all housing stock and have a robust evidence base and Asset Management Business Plan to ensure this, with priorities for maintenance following on from Decent Homes, incorporating the views of tenants.
- 4 All providers of social housing to take co-ordinated and systematic action to improve the life chances of their tenants.
- 5 Improve the appearance and attractiveness of affordable rented housing and enable tenants to take a more direct role in improving the quality of their homes and neighbourhoods. Develop a positive image for renters, both privately and affordably ensuring that renting is genuinely a tenure of choice.
- 6 Develop a robust partnership approach to enable affordable housing providers to ensure effective help reaches those who need it most particularly in areas such as tackling anti social behaviour and improving the life opportunities of tenants.
- 7 Work through a public service village to improve the proportion of tenants obtaining and sustaining employment to increase incomes and life chances and creating sustainable mixed income communities.
- 8 Ensure that tenants with disabilities who make up 32% of the affordable rented population have a repairs, maintenance and management service which is tailored to their needs.

### 83 Actions

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
<b>1</b>	Improved tenant satisfaction levels with affordable rented landlords and all affordable rented housing providers to operate to excellent housing management standards	All providers to develop a Tenant Engagement Compact, setting out what involvement activities they will undertake and how the results will feed into their service planning processes. Registered Social Landlords to be invited to participate in the Public Sector Partnership and the Local Strategic Partnership Set up a regular Registered Social Landlord (RSL) Forum to share good practice on a range of management and service delivery issues across providers.	End 2010	RSL Forum
<b>2</b>			2009	LSP
<b>6</b>			1st meeting to agree Terms of Reference by end 2008.	RSL's / CBC
<b>5</b>				

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
4 6 7	Reduce worklessness and increase opportunities for tenants to obtain suitable employment. Life chances and income levels of affordable rented tenants are significantly below those of people who own their home or rent privately.	Undertake a survey of tenants who rent affordable housing to establish how many are in paid employment to use a baseline against which improvements can be measured and to target help and support more effectively. All affordable housing providers to participate in the development of a Public Service Village enabling people to empower themselves by accessing a range of help and support to improve their life chances. Provide people with clear and straightforward information about any employment opportunities at the point of sign up for a new tenancy.	2009  2012	RSL Forum  LSP
1 2 3	Improve the quality of affordable rented housing by completing the Decent Homes programme by 2010.	Review any stock condition information held to identify where homes are not decent and specify what work will need to be done to make them decent. Identify what resources are available to complete the Decent Homes programme and develop a work plan for the delivery of the programme, where possible making use of shared services with other affordable housing providers. Consider developing a joint maintenance programme with other affordable housing providers to maintain Decent Homes after 2010 Appoint a new repairs and maintenance contractor to complete the Decent Homes programme, with a clear suite of Performance Indicators and Quality Standards. Plan all outstanding works and develop a detailed area based action plan and a communications plan to keep all tenants informed about progress on achieving the decent homes standard.	End 2008  End 2008  2010  End 2008.	Colchester Borough Homes / Colchester Borough Council
8	Higher tenant satisfaction ratings as measured by the STATUS survey from 83% satisfied in 2006 to 85% satisfied in 2008/09 Tenants with disabilities may be	Full and accurate data to be held on IT system about tenants with disabilities and to be checked when a tenant is reporting a repair. When resources become available an expansion of the handyperson scheme from the current 37 hours per week to	End 2008	CBH / CBC

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
	less able to undertake small scale repairs which are the responsibility of tenants.	74 hours per week to reduce waiting times.		
<b>4</b> <b>6</b> <b>7</b>	A well developed housing 'ladder' which enables tenants to purchase a suitable home when their economic circumstances allow will free up suitable housing for those in housing need and maintain the affordable rented housing stock	Publicise the availability of other housing options such as shared ownership and shared equity to tenants through the Homechoice shop. Support tenants who are able to purchase their own homes either outright or through a shared ownership scheme to move into market housing in an affordable and sustainable way. Provide tenants with information about the responsibilities and costs of home ownership including repairing obligations and the effect of changes to interest rates on their housing costs enabling them to make housing choices which are sustainable in the long term.	2009 ongoing  Ongoing  2009 ongoing	CBH / CBH /RSL's
<b>4</b> <b>6</b> <b>7</b>	Improved Partnership working with all affordable rented providers. Equality of service received by tenants regardless of landlord and more efficient service delivery which achieves Value for Money	Through the RSL forum explore opportunities to work together on preventing homelessness while collecting rent, maintaining decent homes, tenant and leaseholder involvement, shared services to achieve value for money and efficiency savings. Review effectiveness of partnership within one year of set up.	Work programme set up by March 2009.  March 2010	CBC / RSL's / CBH
<b>3</b> <b>5</b> <b>6</b>	Enable leaseholders to have choice and control over the services they receive and ensure their needs are met	Deliver a high quality service to leaseholders which compares favourably in terms of value for money and efficient service delivery with that received in the Private Sector.	Ongoing	CBH / RSL's

On July 9<sup>th</sup> 2008 Colchester Borough Council's Cabinet adopted the Homelessness Strategy 2008-2013. This strategy contained a detailed action plan and evidence base, along with a report on the consultation work that had been undertaken to review homelessness in the Borough in line with our statutory responsibilities in the Homelessness Act 2002. Progress achieved on the actions will be regularly reported to stakeholders and residents and implementation will be managed by the Homelessness Strategy Partnership. The Homelessness Strategy is part of the Housing Strategy and links to a range of other documents.

## **Chapter 5: Housing with Support**

### **Priorities**

- 1 Ensure people can access the support they need to live independently.
- 2 Enable those people who need permanent supported housing to have equal access to suitable housing which meets their needs.
- 3 Ensure investment including Supporting People directed investment meets the strategic priorities of CBC based on a robust understanding of our residents needs and is an effective use of resources. By 2012 establish clear targets for new supported housing supply for the main client groups and the capital and revenue requirements to achieve these targets.
- 4 Deliver a nominations agreement, consulted on with partners, which enables move on from supported housing into more independent living and enables the best use of supported housing stock to meet need.
- 5 By April 2009 make use of the information we have available to improve our understanding of people's housing and support needs, particularly older people and develop an Older Persons housing strategy to meet the identified need. Develop an appropriate range of housing options for older people which meet their aspirations and needs including leasehold properties, improved extra care, and homes to purchase.
- 6 Develop temporary supported housing placements which enable people to be discharged from hospital and have support to move back to independent living.
- 7 Ensure that residents in need of housing and support receive a robust assessment of their needs and a plan to move towards independent living where that is the desired outcome. Include the use of an agreed Common Assessment Framework with partners, supported by a common information sharing protocol across all providers of supported accommodation including risk assessments and plans for move on.

- 8 Work in partnership with the Primary Care Trust to support vulnerable people and prevent drug and alcohol misuse and to reduce the level of teenage pregnancies.
- 9 Enable better sharing of information especially with regard to needs data which is available, through close working with Essex Supporting People.
- 10 Develop a single referral panel for the allocation of supported housing in the borough to ensure the most appropriate placement is made to meet people's housing and support needs.

## Actions

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
4 7 10	Residents in short term supported housing will have an improved range of housing options available to them.	<p>A single referral Panel will be set up for all supported housing in the borough, except sheltered housing. The panel will consist of representatives from all providers and referring agencies and share information to ensure that the most suitable placement is found and that individuals have support plans built in before they move into supported housing.</p> <p>Nominations to supported housing and from it into more permanent housing options will be agreed by partners at the panel.</p> <p>Consult with partners on terms of reference for a Single Referral Panel and Nomination Agreements.</p>	2009	Housing Forum members / CBC / RSL / Supported Housing Providers
1 2 3	Deliver more supported housing and improved partnership working with the Supporting People	<p>Use Private Sector leased properties to meet the housing needs of vulnerable single people who may otherwise find it difficult to obtain suitable accommodation.</p> <p>Where appropriate increase the supply of suitable and sustainable one bedroom accommodation, either through the planning system and section 106 agreements or through the targeted use of grant if appropriate.</p> <p>Identify the strategic priorities for supported housing in the Borough and encourage Essex County Council to reflect this in its Supporting People Strategy.</p> <p>Clarify the bidding procedure for revenue support funding and use this</p>	2008 2008/09 ongoing	CBC CBC / Colne Housing Society CBC CBC / ECC CBC / ECC

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
9	Team at Essex County Council.	information to submit at least one bid to meet identified need for supported housing each year for grant and revenue funding through the Housing Corporation and Supporting People's Funding processes.		
1	Increase the number of people successfully completing a rehabilitation programme and provide sustainable housing options for them on discharge.	In partnership with the Primary Care Trust(PCT), North East Essex Drug and Alcohol Service (NEEDAS) and Open Road introduce a Common Assessment Framework for vulnerable people to ensure they get the support required to move towards a healthier life. Undertake risk assessments when people with substance misuse histories begin tenancies to prevent relapse and ensure their tenancy can be managed in a sustainable way. Develop support options which enable people with complex needs and chaotic lifestyles to live independently by bidding for resources or using existing resources to maximize their impact and effectiveness.	2010 2009 2009/10	NEEDAS / PCT / Open Road / CBC
2	Increase the provision of supported housing in the Borough from 1744 units in 2008 to 1800 in 2013.	Use the Joint Strategic Needs Assessment to identify what type of supported housing is required by client group and number of units. Explore alternative sources of funding such as through the Local Area Agreement, the Department of Health and working in partnership to deliver Essex County Council's Accommodation Strategy for People with Learning Disabilities, People with Mental Health Problems and Older People.	2009 2009	ECC / CBC / Supported Housing Providers
3				
5				
8				
9				
5	Ensure that services received by retired people and that housing options available to them in the Borough meets their needs.	Develop an Older Persons Housing Strategy which clearly identified need, sets out strategic priorities and involves retired residents in setting those priorities. The strategy will set out housing and support options which are deliverable and meet elderly people's housing aspirations.	2008/09	CBC /CBH / Sheltered Housing Providers in the Borough

## Chapter 6: Sustainable Communities

### Priorities

- 1 Share the targets set out in the Borough's plan to reduce carbon emissions with housing organisations with housing organisations, asking them to adopt similar targets and reduce the harmful effect of housing on the environment.
- 2 Tackle fuel poverty by ensuring that vulnerable residents particularly have access to home insulation and benefit from warm homes to keep their energy costs and consumption low.
- 3 Clearly identify the contribution housing providers can make to improving the life chances of disadvantaged residents in the Borough and achieve the improvements agreed by the Local Public Sector Partnership.
- 4 Neighbourhood Action Panel's (NAP) to co-ordinate multi agency involvement in tackling anti social behaviour. The effectiveness of interventions to be measured by the reduction in anti social behaviour across the Borough.
- 5 Housing is an essential factor in residents' sense of place. Clearly identify residents' priorities and involve them in 'place shaping' and determining priorities for housing in the Borough. Use resident involvement and capacity building of residents groups to achieve more efficient and effective service delivery in the public sector.
- 6 Provide and promote an active Credit Union across the Borough by 2010 to promote financial inclusion.
- 7 Increase the number of work placements in the building trade for college students in order to improve the skills and earning potential of young people locally.

## Actions

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
1	Promote modern energy efficient building methods and ensuring homes consume fewer resources to heat, light and power.	Through the Local Development Framework establish an incremental approach to reaching Carbon Neutral homes by 2016. Establish the impact of developing a new dwelling on carbon emissions and negotiate a sequenced reduction in emissions levels with developers.	2009 & 2016	CBC / LSP / Developers
2		In partnership with other authorities in the region and sub region develop an award for the most environmentally friendly homes built.	Ongoing	
		Secure commitment from Developers and RSL's to improve the environmental sustainability of new homes built in the Borough through the Developers Forum and the RSL forum.	Partners agree to	

Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
		Target Warm Home Assistance to residents who may experience fuel poverty and ensure that new housing minimises the cost of heating, by maximising the insulation and minimising the heating cost, by wherever possible using cost effective heating methods such as central heating rather than storage heaters.	Policy end 2009	
4	A reduction in low level cases of anti social behaviour to Colchester Borough Council or Essex Policy by 10% over the period of the strategy.	Develop 'good neighbour' guidelines for residents. Establish where higher than average levels of ASB are reported to the Police or CBC and support the ongoing work of the Neighbourhood Action Panels. A high proportion of neighbour nuisance complaints are made about noise and are as a result of poor sound insulation in flats. Publish information on what can be done to minimise the impact neighbours have on each other.	2013	Essex Police / Neighbourhood Action Panels
4	Housing need caused as a result of hate crime will be reduced over the lifetime of the strategy.	Establish a baseline for housing need caused by 'hate crime' and set appropriate targets for the reduction over the lifetime of the strategy. Work in partnership with the Hate Crime Panel to tackle perpetrators of 'hate crime' and support victims by enforcing a zero tolerance of 'hate crime' approach in the Borough. Develop a clear Policy on how we tackle 'hate crime' and train staff in reporting procedures, supporting victims and working with the Police to prosecute perpetrators.	September 2008 Ongoing  End 2008.	Essex Police / Hate Crime Panel / CBC
3	Improved Life Chances of residents in the Borough.	Encourage all housing providers to adopt the targets set out in the Sustainable Community Strategy which relate to housing and regularly monitor progress on achieving those targets.	Early 2009	RSL Forum
5	Clearly identify residents' priorities for housing in the Borough.	Undertake regular engagement with residents groups and use methods such as the Courier to communicate Colchester Borough Council's plans for housing and gain feedback on them. Provide support to residents groups to develop a vision for their neighbourhood and look at ways in which housing can support that.	6 monthly progress reports	Federation of Residents Associations
6 7	More people in paid employment and fewer people in debt	Support, Promote and Publicise the availability of Credit Unions in the Borough to avoid people on low incomes making use of much more expensive door step credit providers. Publicise and promote the availability of debt advice services to enable people to manage and resolve their financial situation in a	Regularly	CBC / All partners  CAB / CBC /All partners



Priorities	What will be achieved	How will it be achieved	When will it be achieved?	Who will lead?
		<p>sustainable way.            Provide at least two apprenticeships each year to Colchester Institute students to enable young people to gain skills and develop expertise in a maintenance trade such as plumber, electrician or carpenter, adding to the diversity of Colchester's workforce and increasing the individual's long term employability.</p>		Colchester Borough Homes

# Housing Strategy 2008

Welcome and Introductions

# Context and Background

- Local strategy ffp in 2004
- Sub regional working
- Case for local strategy
- Local Position statement
- Shape partnerships and involvement
- ‘Inform, Consult, Involve, Devolve’

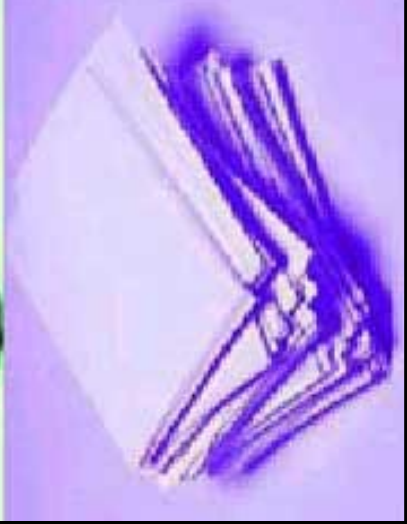


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# What is the Housing strategy connected to?

- Sustainable Communities: Homes for all 2005: 'Decent Homes at prices people can afford, clean safe green environments, access to jobs and excellent local services.'
- Regional Housing Strategy 2005-2010
- The Vision of the RHS is:
  - 'To ensure everyone can live in a decent home which meets their needs, at a price they can afford and in locations that are sustainable'. Which means:
    - 'more, sustainable housing provision, in high quality homes and environments, creating inclusive communities'.
- Local Area Agreement - 4 blocks being consulted on. Seek to increase relevance of housing: Safer and Stronger Communities; children and Young People; Healthier Communities and Older People; Economic Development
- Sub Region (GHG & HGP)
- Colchester 2020 – housing priorities need to feed into the LSP
- Local Development Framework
- Strategic Plan – Tackling Deprivation and Improving Quality of Life



# Strategy format

- Webpage design
- Easily updated over time.
- Central place to gather data
- Place to set out and map partnerships.



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# Introduction & Demographics

- 170,800 people in borough. 71,192 dwellings. Significant in migration. 35% of movers in the last two years moved into the area from elsewhere. Regionally the figure is higher.
- Jobs – there are 113,711 economically active (aged 16-74) residents. unemployment levels are low - Colchester - 2.34%. the gross average earnings in Colchester are £353pw or under £19,000pa
- Net increase in households of 1425 per annum. Average incomes of households moving in are lower than of those moving out.
- Expect to build a minimum of 17,100 dwellings by 2021. More than 4630 of these have already been built.
- The population is expected to grow to 196,500 people in 2021.



## Diverse communities

- 7% of the population come from a Black or Minority Ethnic Community.
- Between 12.5% (census) and 16.8% (SHMA) of the population have a disability.
- 15.2% of the population are over 65.
- More than 11,500 households in the Borough have some kind of support need.
- Around 32% of the borough's population is living in satellite towns, villages and hamlets. 68% in urban areas.



# Housing Market

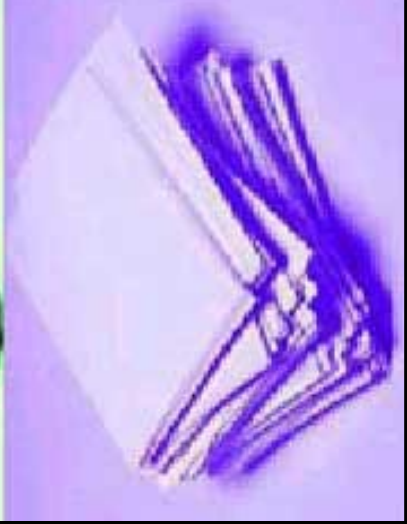
- SHMA outputs
- 72% of dwellings are owner occupied. 13% are social rented. 8% are private rented. 7% other public sector eg. MOD / Uof E.
- 76% of households have an income of less than £20,000pa. 93% of households have an income less than £30,000pa
- Average household income £31,396.  
Median household income £23,874
- 24,990 underoccupied dwellings in the borough across all tenures but mostly owner occupied.
- 965 overcrowded households across all tenures but disproportionately in the social rented sector.





# Dwelling stock

	2004	2005	2006	2007
Total affordable stock	9,445	9,356	9,376	9,120
Total stock	67,990	68,875	69,893	71,192
Change in total stock	+774	+885	+1018	+1299
New affordable dwellings	34	158	84	188
% of new dwellings which are affordable	4.4%	17.8%	8.3%	14.5%
RTB sales	157	64	35	37



# Housing Costs per week

## Annual Costs

Dwelling size	Social rent	Private rent	Owner occupation	New Build
1 bedroom	£663 £3,276	£104 £5,408	£125 £6,500	£171 £8,892
2 bedroom	£77 £4,004	£133 £6,916	£166 £8,632	£206 £10,712
3 bedroom	£90 £4,680	£157 £8,164	£201 £10,452	£275 £14,300
4 bedroom	£103 £5,356	£219 £11,388	£290 £15,080	£356 £18,512



# New Affordable Housing

- SHMA assessed that there is a need for 1082 new affordable dwellings per year. 79% social rented, 21% intermediate housing\*
- Shortfall between planned supply and need is: 654 (60%) 1 bed units, 269 (25%) 2 bed units, 8 (1%) 3 bed units, 152 (14%) 4 bed units.
- 2,789 direct applicants on register in April 2007 .
- 60% for 1 bed, 25% for 2 bed, 11% for 3 bed and 4% for 4 bed.
- Average of 15 properties let per week





# Equalities Data

- SHMA suggests BME households are more likely to live in private rented accommodation and more likely to live in unsuitable housing. BME households are also less likely to live in social housing and are likely to have larger households.
- 24.6% of all households are older person households. 71% are homeowners with no mortgage. 5.6% are homeowners with a mortgage. 20% are rented affordable housing and 3% are renting privately.
- Households with support needs are disproportionately in the social rented sector and owner occupiers with no mortgage.
- 3,991 households with support needs are living in unsuitable housing. If you have a support need you are 5 times more likely to be in unsuitable housing.
- 78% of the borough's need for affordable housing is in urban areas and 22% in urban areas.
- There has been a decline in the number of gypsies and travellers on unauthorised sites, roadsides and open land. There is still a need for further gypsy accommodation in Colchester. The LDF will seek to identify appropriate sites to meet the needs of gypsies travellers.



# Tackling Homelessness

- Strategy must be in place by 30<sup>th</sup> June 2008. Strategy steering group will co-ordinate
- Highlights from Evidence Base:
  - 1225 households applied to us as homeless in 2006/07. we accepted a duty to house 30% of them - 367 households.
  - This means there are 858 households with a housing need, but a low chance of accessing affordable rented housing. These are mostly single people.
  - The three main causes of homelessness in 2006/2007 were:
    - Parents eviction -102 of 367 accepted homeless households.
    - Other friend's & family eviction -49 of 367 homeless households.
    - Relationship breakdown (including violent relationship breakdown) - 56 of 367 accepted homeless households.
- Target of reducing the number of households in temporary accommodation by 50% by 2010 – to 170 from 340 in 2005. currently at 290 households.



# Privately owned and rented homes, Stock condition draft results

- 464 vulnerable households live in non-decent housing
- £5m is needed to ensure no vulnerable household lives in non decent housing.
- 5.1% of private sector dwellings have a category 1 hazard requiring immediate attention.
- Approximately £12m is needed to deal with dwellings with Category 1 hazards
- Levels of unfitnes are very low at 0.5%
- 4,859 households have someone with a disability in them. A DFG requirement of almost £1m has been forecast.
- 11% of private dwellings are classed as an HMO.
- Low rate of empty properties at 1st April 2007 - 2.3% or 1588, 522 of which for more than 6 months.





# Privately rented homes

- 38% of private rented homes are flats (but only 16% of the overall stock is flats)
- 63% of private tenants spend more than 25% of gross household income on rent.
- 14% of renters are in unsuitable housing, and they represent a quarter of all those in unsuitable housing
- 9% of renters are in housing need, and they represent 38% of all need
- 22% of private tenants claim HB



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# Council Owned homes

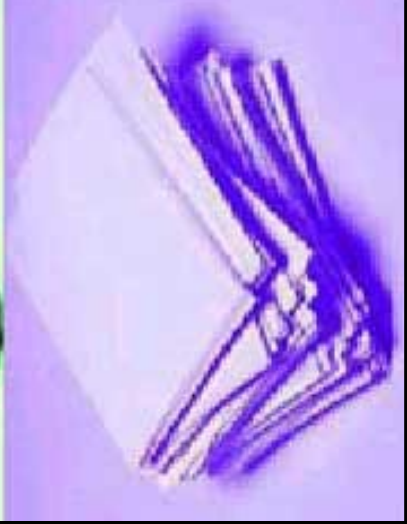
- At 1<sup>st</sup> April 2007 the council owned 6,349 dwellings.
- In 2006/07 we spent £12.9m to make 968 dwellings decent and prevent a further 296 from falling into non-decency.
- At 1<sup>st</sup> April 2007 there were 1,403 dwellings which were non-decent.
- CBC spent £1,079,000 undertaking adaptations to 720 homes for disabled or elderly tenants
- Void relet time is now 27 days
- Of the 685 sheltered properties 99% are let but some hard to lets continue.





# Inspection and Status Survey

- CBH was inspected by the Audit Commission as a good service with promising prospects for improvement
- STATUS survey suggests 82% of tenants are satisfied with the service overall.
- 75% are satisfied with opportunities to participate in decision making



# Housing with Support

- Currently there are approximately 160 households receiving Floating Support in the Borough.
- 1740 households live in supported housing at any one time.
- New development of supported housing?

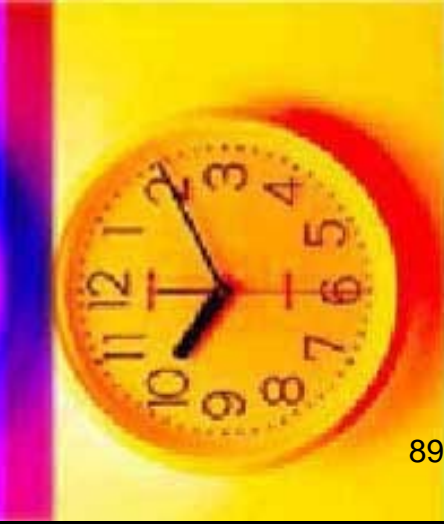


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# Supporting People Services

Service Client Group	Units (%)	Services
Homelessness and related services	201 (11.5%)	18
Learning Disabilities	141 (8.1%)	32
Mental Health	52 (3%)	5
Older People	1148 (66%)	44
Physical Disabilities	117 (6.7%)	4
Young People	81 (4.7%)	11
Total	1740 (100%)	114



# Sustainable Communities

- Colchester has 3 wards in the 30% most deprived wards nationally and 1 in the 10% most deprived wards which has the highest levels of children living in poverty in Essex.
- Best Value Performance Indicators, indicate that there are approximately 240.8 hectares of public open space in the Borough.
- Target to reach at least 2.83ha (7 acres) of public open space in all areas by 2011
- Generally safe place to live. 3<sup>rd</sup> safest borough in the country\* 17 offences per 1,000 of the population, compared to 25 national average
- Community Safety Panels tackle anti social behaviour and low level crime
- New Arrivals. No evidence but anecdotally increase in migration from Europe. What are the housing implications?



# Sustainable Homes and communities

- There has been an annual completion of 735 flats and 515 houses between 2006 and 2007
- High and mixed density developments are delivering more dwellings whilst consuming less land.
- In 2001, flats and maisonettes represented about 15% of total housing stock
- Between 2000 and 2006, about 31% of new dwellings constructed were flats and maisonettes, whilst 69% were houses or bungalows.
- In 2006, flats and maisonettes represented about 17% of total housing stock.



# Questions

- What are the gaps in the evidence base?
- What are the key issues a strategy needs to tackle arising from the evidence base?
- What are the consultation and involvement needs of the strategy?
- What is the time horizon for the strategy?



# Next Steps

- Summarize next steps
- Project Plan
- Dates of future meetings
- Feedback to stakeholder groups



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## Briefing note for Council Members on housing measures announced by the government

### Background

Due to the credit crunch banks have restricted their mortgage lending particularly to higher risk groups such as first time buyers. Because of this, the number of homes purchased has fallen dramatically and house prices have fallen since their high plateau in September 2007. Despite this many people are not able to afford to purchase a home of their own as mortgage lenders require increasingly large deposits, typically a minimum of 10% of the value as a deposit and higher interest rates are being charged on loans. Homebuilders are building less and less as new properties remain unsold and housing starts and completions are going down over time. This has an impact on the housing market, on prices and on employment in the construction industry.

### Local Impacts

Those areas affected more than any other tend to be the market for flats where bigger price drops have been seen than in the market for houses. In addition purchases of new build accommodation has virtually stopped. The Buy to let market has reduced significantly and this group of purchasers are seeing more and more repossessions, this may also have an impact on the availability of rented property. Repossessions overall have increased as the costs of home ownership increase, people are not able to remortgage and are left with negative equity. In Colchester from 354 outright orders in 2006 to 475 in 2007 (2008 figures are not yet available but the upward trend is clear). Possession actions have increased in the same period from 978 to 1174.

### Government response

The Government announced a series of measures to deal with the current housing crisis. The objectives of these measures are to assist first time buyers frozen out of the mortgage market, support vulnerable homeowners facing repossession, particularly those that local authorities would have to re house if they are made homeless and ensure that the economy is well placed to meet long term housing need. In summary the measures are:

- *Offering up to 10,000 first time buyers a new shared equity scheme.*

Homebuy direct is a new shared equity scheme designed to sell completed new build properties which developers are unable to sell by helping up to 10,000 first time buyers into affordable home ownership. £300 million has been allocated to this scheme.

The scheme will be offered on specific sites brought forward by developers through a competitive tendering process. A loan of up to 30% of the purchase price will be available.

It will be administered by the Homebuy agents (in our case Moat housing association)

Eligibility will be restricted to households with a gross income of less than £60,000 p.a. who cannot afford to purchase a property in the area where they live or work. They will be subject to an affordability check and if successful, eligible to purchase one of the homes brought forward by the developer. The loan is free of charge for the first five years and from then on a 3% charge can be made. Purchasers can redeem their equity loan. Homes purchased under this scheme can be sold on the open market and the same share of the sale price is repaid if the price has gone up however if the price has gone down the government and developer will only receive their share after the mortgage has been paid to ensure that negative equity does not affect sellers.

This scheme will help first time buyers who can't get a mortgage in the current market, it will also help builders to maintain their capacity so that housing targets can be met and increase supply when the economy is recovered. Developers will be invited to bid for the scheme in late September and the first properties should be available in January 2009.

- *A mortgage rescue scheme for up to 6000 vulnerable homeowners.*



This scheme is for households who would be rehoused by the Local authority if they became homeless. A partnership of local authorities, housing associations, lenders and debt agencies will be able to offer 3 options to some homeowners at risk of repossession:

Shared Equity – housing association provides a loan to enable the mortgage payments to be reduced to a level which is affordable. This would be suitable where remortgaging is not possible and costs have gone up after a discounted rate has come to an end and where the household is likely to maintain their income.

Shared ownership – housing association buys a share enabling some of the mortgage to be repaid and therefore lower housing costs and issues a shared ownership lease. This would be more suitable where someone's income goes down possibly following a job change or the loss of a job by one partner.

Sale and Rent back – a housing association clears the debt completely by purchasing the property and rents it back to the occupant as an affordable rented tenancy. - This may be suitable for people on unstable incomes who cannot meet lenders requirements and include those who may have purchased a property under the right to buy but could not genuinely afford the mortgage costs.

- *Stamp duty changes*

A one year stamp duty holiday for all dwellings costing up to £175,000. This should reduce the costs of purchasing a home for around 50% of all purchasers.

- *Improved support through the benefit system to homeowners who lose their jobs*

Previously anyone claiming income support would not get help with paying a mortgage until 39 weeks of their claim had elapsed and they would only get help to pay the interest up to a maximum value of a £100,000 property. This maximum has been increased to £175,000 (which is nearer the average price of a property now) and the waiting time has been reduced to 13 weeks. It is expected that this could prevent a further 10,000 repossessions. The maximum period this help will be available for is 2 years and the rules will be reviewed when the housing market improves again.

- *A court repossessions desk in a number of courts (Colchester being one) to prevent homelessness through repossession.*

Bids were submitted by the 4<sup>th</sup> September and the expectation is that Court desks could be up and running by the end of November to help people facing repossession to prevent their homelessness by timely advice.

- *Bringing forward £400 million capital investment in new affordable housing to deliver an extra 5,500 dwellings*

Bids will still be subject to the same value for money criteria but more funding is available earlier to ensure that house building continues and more families in need are provided with homes earlier. This will attempt to overcome the reduced delivery of affordable housing expected as a result of the building slowdown and meet some of the additional housing need caused by the downturn in the housing market.

- *Supporting critical regeneration schemes which have the best chance of transforming their communities.*

Market conditions have led to regeneration schemes in some areas stalling or stopping. Without support this could lead to further deprivation and blight of local communities. To ensure that the benefits to communities of regeneration are achieved the government is investing an extra £2.8 billion capital investment over 3 years. The Regional development Agencies and the newly created Homes and Communities Agency will assess bids against published criteria to ensure they are viable and improve outcomes for local communities.

These packages will be delivered in partnership with Local authorities, Housing Associations, Developers, Lenders and Regional Development Agencies. These measures will have a beneficial effect on those households who are able to access them but given the likely scale of the problem over the next 2 to 3 years their impact could be minimal. The essential problem is the reduced access to affordable credit to purchase homes, until this begins to change the housing crisis is likely to continue. The Chancellor of the Exchequer has asked Sir James Crosby to assess the options available to strengthen the mortgage markets by the end of September.

Regional workshops and discussions between local authorities and housing associations and the Department for Communities and Local Government will develop these schemes and work out more of the detail over the next few months.

For more information about these measures please visit the DCLG website.

Richard Hughes, Housing Strategy Co-ordinator, 15/09/08.



## Cabinet

22<sup>nd</sup> October 2008

Item  
**9(i)**

<b>Report of</b>	<b>Head of Strategic Policy &amp; Regeneration</b>	<b>Author</b>	<b>Karen Syrett James Firth Tel. 506477</b>
<b>Title</b>	<b>Review of the Local Development Scheme</b>		
<b>Wards affected</b>	All wards		

**This report concerns proposed revisions to the Local Development Scheme.**

### 1. Decision(s) Required

- 1.1 Members are asked to agree amendments to the current Local Development Scheme (LDS) and adoption of the document following approval of the Government Office (Go-East).

### 2. Reasons for Decision(s)

- 2.1 The plan making process has recently changed with the publication of The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended in May 2008) which set out the law governing production of development plan documents. These are supported by the revised Planning Policy Statement 12 (PPS12) which sets out government policy on local development frameworks. These changes are a result of Planning White Paper recommendations.
- 2.2 The Government has stressed the importance of keeping Local Development Schemes up to date. Alterations and additions have been made to the proposed timetable for documents that will form part of the Local Development Framework.

### 3. Alternative Options

- 3.1 The Local Development Scheme (LDS) must be agreed and submitted to the Secretary of State. Consideration can be given to the timetable for the production of the various documents.

### 4. Supporting Information

- 4.1 The Local Development Scheme was first adopted in May 2005 and revised in 2006 and 2007. It sets out which documents will form part of the Local Development Framework and the timetable for their preparation and review. The scheme is required to be reviewed annually by the Council. The review will;
- Show how the programme is being implemented against the set milestones
  - Indicate where new matters should be included
  - Provide an updated programme rolled forward for the following 3 years.

- 4.2 As is often the case with new processes unforeseen problems can sometimes arise. Previous revisions were made to the LDS because of changes to the original timetable. The reasons for these changes included, revisions to the timetable of the East of the England Plan, emerging good practice and increased familiarity with the new planning system. The purpose of this report is to explain further changes we now need to make to the Local Development Scheme and how we propose to take things forward.
- 4.3 The Local Development Scheme sets out what documents we will prepare and when. The project chart (which is the third page of the attached Local Development Scheme)) details each document and is supported by text in the document itself. Below are the proposed changes;
- Changes to the Regulations necessitate changes to the procedures for publication, consultation, submission and adoption of each document. These changes are reflected in the revised Gaant chart.
  - Additional Supplementary Planning Documents (SPD) are proposed in light of work on the Core Strategy and with local stakeholders. Additional SPD is proposed to add detail to policies on affordable housing and developer contributions towards community facilities. Essex County Council is revising car parking standards which should be adopted as SPD and local concerns about backland development have prompted us to commence guidance on this subject. In addition more detailed guidance is required for the two growth areas identified in the Core Strategy – Stanway and North Colchester.
  - Changes are required to the timetable for production of the North Station Masterplan. This has resulted from the selection of Colchester as one of 30 stations across the country to trial a Government initiative in travel planning. The two projects will be complimentary and should run alongside each other.
  - Changes to the text and the Gaant chart to reflect the changes referred to above.

## **5. Proposals**

- 5.1 It is proposed that the main changes to the LDS as set out above are included in a revised document. If agreed the LDS will be submitted to the Secretary of State for approval before it can formally come into effect. In bringing the LDS into effect the Council will need to comply with the relevant national regulations by ensuring it is available in both paper and web form.

## **6. Financial implications**

- 6.1 Once submitted the LDS is binding and performance against the milestones may be linked to Housing and Planning Delivery Grant. Other financial implications are related to consultation and production costs for every document. It is considered that these can be met from existing budgets.

## **7. Strategic Plan References**

- 7.1 The LDF helps facilitate the delivery of Colchester's regeneration programme and the Sustainable Community Strategy.

## **8. Publicity Considerations**

- 8.1 Whatever changes may be agreed will need to be publicised on the Councils website.

## **9. Human Rights Implications**

- 9.1 The human rights issues are covered under the statutory consultation process of the Local Development Framework.

## **10. Community Safety Implications**

- 10.1 None.

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

- 11.1 None.

## **12. Risk Management Implications**

- 12.1 The annual review process should ensure that all risks are minimised. There are however several factors which may impact upon the ability of the Council to keep to the timetable. These include the inability of the Planning Inspectorate to deliver examinations/reports to timetable; loss/turnover of staff; financial shortfalls.

## **13. Consultation**

- 13.1 Wide reaching public consultation takes place on every document prepared, in accordance with the Statement of Community Involvement.



# Colchester's Local Development Scheme, 2008 – 2011 October 2008

Submitted to Go-East October 2008

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**If you need help reading or understanding this document, please take it to our Customer Service Centre, High Street, Colchester. Or phone 01206 282300 or text phone 01206 282266. We will try to provide a reading service, a translation, or any other format you need.**







# 1. Introduction

This Local Development Scheme (LDS) has been prepared under the requirements of the 2004 Planning and Compulsory Purchase Act and The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. The first LDS was adopted by the Council in May 2005 and revised in 2006 and October 2007. As a result of changes to the Regulations it was considered necessary to update the original LDS and it is proposed that this document will replace it.

The LDS sets out the council's proposals for implementing the Act, in particular a schedule of relevant documents and a timetable for their production and review. The Scheme covers the period 2008 to 2011. Essex County Council and Colchester 2020 (the Local Strategic Partnership) who are seen as key stakeholders have been involved in the development of the LDS.

## Documents to be produced

The Local Development Scheme will;

- Provide a brief description of all the development plan documents (DPD's) and supplementary planning documents (SPD's) to be prepared and the content and geographical area to which they relate.
- Explain how the different DPDs and SPDs relate to each other, and especially how they relate to the Core Strategy.
- Set out which supplementary planning guidance or SPDs support saved policies.
- Set out the timetable for producing DPDs – giving the timings for the achievement of the following milestones:
  - consulting statutory bodies on the scope of the Sustainability Appraisal
  - publication of the DPD
  - submission of the DPD
  - adoption of the DPD
- Set out the timetable for producing SPDs – giving the timings for the publication of the draft SPD and the adoption of the SPD.

*The glossary at the end describes the types of documents and their acronyms and other technical terms used in this document.*

## Review of the LDS

The scheme is required to be reviewed annually by the council. This is expected to be undertaken early in the year following the publication of the Annual Monitoring Report. The review will;

- Show how the programme is being implemented against the set milestones
- Indicate where new matters are to be included
- Provide an updated programme rolled forward for the following 3 years.

## 2. The content of the Local Development Scheme

The LDS sets out the process and projected timetable for the production and adoption of all documents, including any which will be prepared jointly with other Authorities. It also sets out the resources available for the production of documents and the risks associated with preparation; it sets out the arrangements for monitoring and review; and it identifies those background documents that are to be prepared to inform the production of the LDF.

## 3. Documents to be prepared during 2008 to 2011

### Phasing of work for LDDs

It will be noted from the Project Chart that not all the documents are to be prepared together.

The Statement of Community Involvement (SCI) was the first LDD to be produced, given its importance in setting the scene for the production of future documents of all types. The SCI was submitted to the Planning Inspectorate in October 2005 and adopted by the Council in June 2006.

The Core Strategy will be the first DPD to be produced and is central to all other future documents. The Council is therefore awaiting the Inspectors binding report following an examination of the Core Strategy before it progresses other DPD's further. The binding report is expected in October 2008.

The timetable for the Examination of each document has previously been agreed with the Planning Inspectorate (PINS) and is not expected to change. However, as mentioned above, this will be kept under review.

### Local Development Documents

#### Statement of Community Involvement (SCI)

This document sets out the proposals for involving the public in the LDF process and planning applications. It was subject to consultation and examination itself before being adopted in June 2006.

### Development Plan Documents

#### Core Strategy

The Core Strategy will be the primary statement of the overall spatial strategy for the management of growth and development of the whole borough up to 2021. It will;

- Provide a spatial vision
- Set out strategic objectives
- Set out strategic policies that will contain criteria to be used in determining all planning applications for development across the borough.

#### Site Allocations DPD and Proposals Map

This document will set out designations and site specific proposals for new development in order to meet the vision and objectives or strategic policies of the Core Strategy. It will also set out policies and proposals relevant to the sites including detailed requirements for their development. Allocations are likely to mainly relate to housing, employment, retailing, recreation and community facilities.

The Site Allocations DPD will be published alongside a new proposals map. The map (with appropriate Insets for the main urban areas and villages) will indicate geographically:

- The areas and or sites proposed for new development or redevelopment,
- Areas and/or sites where specific policies will apply
- Any changes to the map that may arise from the adoption of the relevant LDD.

The map(s) will be amended as required when LDDs are in preparation and will be published in amended form once they are adopted.

#### Development Policies DPD

It is proposed that a comprehensive review be undertaken of development control policies following the approval of the Core Strategy. The DPD will set out a suite of policies to be used in Development Control to ensure that all development within the borough meets the vision and objectives set out in the Core Strategy. The policies will cover the whole borough, although it is likely that defined areas such as the coast, countryside and conservation areas will have locationally specific policies. These will be known as “Development Policies”. They will set out criteria that will be applied to control specific forms of development or deal with specific issues if required.

The existing local plan was ‘saved’ in its entirety until September 2007. The Council submitted an application, which was agreed, to extend the life of many of these policies. This ensures that there is no policy gap until the Core Strategy and/or Development Policies DPD are adopted.

#### Area Action Plans (AAP’s)

It is not proposed to produce any AAP’s in the next three years. However, beyond 2011 an AAP may be required for the Town Centre. They are intended to cover those areas where major comprehensive growth or change is planned. AAP’s will accord with the options for growth set out in the Core

Strategy, linked to the required infrastructure and taking account of likely environmental impacts. They will set out the requirements for the area(s) involved in terms of land use, physical infrastructure, environmental management and enhancement and social infrastructure, including any local employment and retailing provision. They will consider phasing and the matters that will need to be resolved to secure implementation in the longer term, including land assembly, funding, and section 106 requirements.

### **Other Local Development Documents to be prepared**

#### Supplementary Planning Documents

SPD supplements either a “saved “policy from the Adopted Local Plan 2004 or new policies in DPDs.

There are a considerable number of SPG/SPD documents that are proposed either to be carried forward, currently under preparation, or proposed to be undertaken during the initial period of the LDF process.

Existing SPG will be reviewed as part of the LDS to see whether it needs renewing or amending to comply with the new regulations.

These are listed and briefly described in Appendix 1.

#### Guidance notes and other documents

These will be produced from time to time to assist in explaining protocols, and other technical matters. They are essentially informative and may be used to determine planning applications or in other areas where planning decisions are required. They may not be subject to public consultation or a sustainability appraisal. An example is the Essex Contaminated Land Report.

The current Guidance Notes are listed in Appendix 1.

## 4. General programme for Development Plan Document preparation and adoption

The Project Chart at the front of this document shows the main milestones as set out in the Regulations for the production of each of the documents we intend to prepare in the next three years. The table below sets out each stage, how long each stage takes and the relevant regulations.

### **LDD Stages and Regulations**

Amendments to the Town and County Planning (Local Development) (England) Regulations were published alongside a revised version of Planning Policy Statement 12 (PPS12) in 2008. The Core Strategy DPD had already reached its examination stage and as such continued to be examined under the earlier 2004 regulations. The Site Specific Allocations and Development Policies DPDs were still at an early stage of production and so these documents are to be progressed under the new 2008 regulations. The 2008 regulations do not amend the procedure to be followed in the case of SPDs and so the consultation stages for the SPDs remain unaffected.

### **Development Plan Documents (DPDs)**

(Please note the timings below are indicative only and reference should be made to the LDS Project Chart)

Stage	How long?	Notes	Related Regulations (2008)	
<b>Project work</b>	6 months	Preparation of evidence base and Issues & Options Paper & Initial Sustainability Appraisal.		
<b>Member approval</b>	1 month	Approval of Issues & Options Paper & Initial Sustainability Appraisal for consultation.		
<b>Consultation</b>	2 months	Public participation & Initial Sustainability Appraisal.	Regulation 25	
<b>Project work</b>	6 months	Analysis of consultation results. Results feed into preparation of the Preferred Strategy & Final Sustainability Appraisal.		
<b>Member approval</b>	1 month	Approval of Preferred Strategy & Final Sustainability Appraisal for consultation.		<b>Optional</b> Depending on their content, some DPDs may not require this stage of consultation
<b>Consultation</b>	2 months	Public participation on the Preferred Strategy & Final Sustainability Appraisal.	Regulation 25	
<b>Project work</b>	4-5 months	Analysis of consultation		

			results and amendments to the draft DPD.	
<b>Member approval</b>		1 month	Approval of amendments to the DPD and approval of submission to the Secretary of State and GO East.	
<b>Publication</b>			Publish final version of the DPD. Invite representations for a period of six weeks.	Regulations 27 and 28
<b>Submission</b>			Submit DPD, Sustainability Appraisal, and a summary of representations to Secretary of State and GO.	Regulation 30
<b>Pre-examination meeting</b>	<b>P</b>	1-2 months	Independent inspector will visit to discuss the nature of the examination. This needs to be held no later than two months before the examination. The inspector may request additional information at this stage.	
<b>Preparatory work</b>		2-4 months	Publish details of the examination six weeks beforehand. Unable to make changes to the document before the examination. Hearing statements to be prepared in accordance with deadline set by inspector.	
<b>Examination</b>	<b>E</b>	1 month	Independent examination takes place.	Regulation 34
<b>Gap</b>		4-6 months	Await the inspector's binding report.	
<b>Binding report</b>	<b>R</b>	1 month	Receive the inspector's binding report and amend the document accordingly.	
<b>Adoption</b>			Publish the final DPD and adoption statement.	Regulation 36

## **Summary and Profile of Proposed Documents**

Details of the documents we intend to produce in the next three years follow in the tables below. The timetable for the production of documents has been negotiated with the Government Office for the East of England (GO-East). The Planning Inspectorate (PINS) are also consulted about the production timetable and comment that the examination and reporting timescales for the Site Allocations and Development Policies DPD may have to be revised at a later date when the number of representations are known as well as the amount of resources PINS has available.

## Core Strategy

<b>Subject and Scope</b>	This document will state the Council's spatial vision for Colchester. It will take as its starting point the priorities identified in the Community Strategy for Colchester and the Council's own Strategic Plan.
<b>Geographical area</b>	All Colchester Borough
<b>Status</b>	Development Plan Document
<b>Chain of conformity</b>	Must conform with East of England Plan. All other Local Development Documents must conform to the Core Strategy
<b>Timetable for production</b> <i>(The Core Strategy was produced using the 2004 Regulations)</i>	
<b>Formal consultation on Options and Issues</b>	March - April 2006
<b>Formal 6 week consultation on preferred options and representations</b>	November 2006 - January 2007 Amendment May 2007 - June 2007
<b>Submission to Secretary of State and formal 6 week consultation</b>	November - December 2007
<b>Submit summary and copy of comments received to Secretary of State</b>	January 2008
<b>Pre-examination meeting</b>	March 2008
<b>Independent examination</b>	June 2008
<b>Inspector's report</b>	November 2008
<b>Adoption</b>	December 2008
<b>Production arrangements</b>	Led by Spatial Policy group, with input from all internal CBC service groups and Essex County Council as appropriate. The SCI will determine how external parties and members of the public will be involved.
<b>Timetable for review</b>	The Annual Monitoring Report (AMR) will assess the effectiveness of the policies contained within the Core Strategy. It is envisaged that the Core Strategy will only need reviewing once every five to ten years.



## Site Allocations DPD

<b>Subject and Scope</b>	This document will specify sites to meet the Boroughs needs for housing, employment, retail, leisure, community facilities and any other uses considered appropriate.
<b>Geographical area</b>	All Colchester Borough
<b>Status</b>	Development Plan Document
<b>Chain of conformity</b>	Must conform with East of England Plan and Core Strategy
<b>Timetable for production</b>	
<b>Document preparation</b>	November 2006 - October 2007
<b>Member approval</b>	October 2007
<b>Consultation on Issues and Options and sustainability appraisal scoping report</b>	November - December 2007
<b>Consideration of responses and amendment of document</b>	January - October 2008
<b>Member Approval</b>	November / December 2008
<b>Public consultation on Preferred Strategy</b>	January - February 2009
<b>Consideration of responses and amendment of document</b>	March - July 2009
<b>Member approval</b>	August 2009
<b>Publication and 6 week consultation</b>	September - October 2009
<b>Submission of DPD and summary and comments received to Secretary of State</b>	November 2009
<b>Pre-examination meeting</b>	February 2010
<b>Independent examination</b>	May 2010
<b>Inspector's report</b>	October 2010
<b>Adoption</b>	November 2010
<b>Production arrangements</b>	Led by Spatial Policy group; input from all internal CBC service groups and Essex County Council as appropriate. The SCI will determine how external parties and members of the public will be involved.
<b>Timetable for review</b>	The take up of sites will be monitored by the AMR. It will be necessary to review these allocations on a regular basis, probably every five years.

## Development Policies DPD

<b>Subject and Scope</b>	This document will set out the policies used by Development Control in determining planning applications
<b>Geographical area</b>	All Colchester Borough
<b>Status</b>	Development Plan Document
<b>Chain of conformity</b>	Must conform with East of England Plan and Core Strategy
<b>Timetable for production</b>	
<b>Document preparation</b>	November 2006 - September 2007
<b>Member approval</b>	October 2007
<b>Consultation on Issues and Options and sustainability appraisal scoping report</b>	November - December 2007
<b>Consideration of responses and amendment of document</b>	January - November 2008
<b>Member Approval</b>	November / December 2008
<b>Public consultation on Preferred Strategy</b>	January - February 2009
<b>Consideration of responses and amendment of document</b>	March - July 2009
<b>Member approval</b>	August 2009
<b>Publication and 6 week consultation</b>	September - October 2009
<b>Submission of DPD and summary and comments received to Secretary of State</b>	November 2009
<b>Pre-examination meeting</b>	June 2010
<b>Independent examination</b>	October 2010
<b>Inspector's report</b>	February 2011
<b>Adoption</b>	March 2011
<b>Production arrangements</b>	Led by Spatial Policy group; input from all internal CBC service groups and Essex County Council as appropriate. The SCI will determine how external parties and members of the public will be involved.
<b>Timetable for review</b>	The impact and effectiveness of the development policies will be monitored by the AMR. A review is likely to be necessary every five years.

## Profiles for Supplementary Planning Documents

<b>North Station Masterplan</b>	
<b>Title</b>	North Station Masterplan
<b>Role and content</b>	To provide advice on the future redevelopment in the area
<b>Status</b>	SPD
<b>Chain of conformity</b>	The SPD will supplement policies DC1, UEA11, TCS24, T1, 2 and 9 of The Adopted Review Colchester Borough Local Plan. It also conforms with emerging policies in the Core Strategy, in particular UR1, TA1, SD1, and CE2a.
<b>Geographic coverage</b>	Land around Colchester North Station, North Station Road and the Cowdray Centre
<b>Timetable and milestones in months:</b>	<ul style="list-style-type: none"> <li>• Research and evidence base work (Movement Study) - June – September 2008</li> <li>• Stakeholder workshop / initial consultation – October 2008</li> <li>• Preparation of draft SPD and sustainability appraisal scoping report - November 2008 - May 2009</li> <li>• PH report agreeing draft SPD for consultation – June 2009</li> <li>• Draft SPD and sustainability appraisal report issued for public participation – July - August 2009</li> <li>• Consideration of consultation representations – September - November 2009</li> <li>• Adoption – December 2009</li> </ul>
<b>Arrangements for production</b>	<ul style="list-style-type: none"> <li>• Management arrangements – Colchester Borough Council (CBC) to lead.</li> <li>• Resources required to produce the SPD and the Sustainability appraisal – CBC/consultants</li> <li>• Printing of documents – CBC/consultants</li> <li>• Consultation costs - CBC</li> <li>• Approach to involving stakeholders and the community – Initial stakeholder consultation and member’s workshop. Followed by full public consultation on the draft SPD. This will include a press release, advertisement and letters.</li> </ul>
<b>Post production - Monitoring and review mechanisms</b>	CBC to monitor after adoption through a review of planning applications.

<b>North Colchester Masterplan</b>	
<b>Title</b>	North Colchester Masterplan
<b>Role and content</b>	To provide advice on future development in the area
<b>Status</b>	SPD
<b>Chain of conformity</b>	The SPD will support Core Strategy policies SD1, SD2, SD3, CE1, CE2c, H1, UR1, and PR1.
<b>Geographic coverage</b>	North Growth Area
<b>Timetable and milestones in months:</b>	<ul style="list-style-type: none"> <li>• Preparation of draft SPD and sustainability appraisal scoping report – September 2008 – July 2009</li> <li>• PH report agreeing draft SPD for consultation – August 2009</li> <li>• Draft SPD and sustainability appraisal report issued for public participation – September - October 2009</li> <li>• Consideration of consultation representations – November 2009 – March 2010</li> <li>• Adoption – April 2010</li> </ul>
<b>Arrangements for production</b>	<ul style="list-style-type: none"> <li>• Management arrangements – CBC in partnership with Mersea Homes &amp; Countryside Properties</li> <li>• Resources required to produce the SPD and the Sustainability appraisal – CBC / Mersea Homes &amp; Countryside Properties</li> <li>• Printing of documents – CBC / Mersea Homes &amp; Countryside Properties</li> <li>• Consultation costs – CBC / Mersea Homes &amp; Countryside Properties</li> <li>• Approach to involving stakeholders and the community – full public consultation planned. This will include a press release, advertisement and letters.</li> </ul>
<b>Post production - Monitoring and review mechanisms</b>	CBC to monitor after adoption through a review of planning applications.

<b>Stanway Masterplan</b>	
<b>Title</b>	Stanway Masterplan
<b>Role and content</b>	To provide advice on future development in the area
<b>Status</b>	SPD
<b>Chain of conformity</b>	The SPD will support Core Strategy policies SD1, SD2, SD3, CE1, CE2c, H1, and PR1.
<b>Geographic coverage</b>	Stanway Growth Area
<b>Timetable and milestones in months:</b>	<ul style="list-style-type: none"> <li>• Preparation of draft SPD and sustainability appraisal scoping report – August 2009 – June 2010</li> <li>• PH report agreeing draft SPD for consultation – July 2010</li> <li>• Draft SPD and sustainability appraisal report issued for public participation – August - September 2010</li> <li>• Consideration of consultation representations – October 2010 – March 2011</li> <li>• Adoption – April 2011</li> </ul>
<b>Arrangements for production</b>	<ul style="list-style-type: none"> <li>• Management arrangements – CBC (with input from Essex County Council and the Highways Agency)</li> <li>• Resources required to produce the SPD and the Sustainability appraisal – CBC (ECC/HA)</li> <li>• Printing of documents – CBC (ECC/HA)</li> <li>• Consultation costs - CBC (ECC/HA)</li> <li>• Approach to involving stakeholders and the community – full public consultation planned. This will include a press release, advertisement and letters.</li> </ul>
<b>Post production - Monitoring and review mechanisms</b>	CBC to monitor after adoption through a review of planning applications.

<b>Community Facilities</b>	
<b>Title</b>	Community Facilities
<b>Role and content</b>	Outlines the contributions towards Community Facilities that will be required from developers required
<b>Status</b>	SPD
<b>Chain of conformity</b>	The SPD provides further detail and clarification on Core Strategy Policy SD2 (Delivering Facilities and Infrastructure)
<b>Geographic coverage</b>	All Colchester Borough
<b>Timetable and milestones in months:</b>	<ul style="list-style-type: none"> <li>• Preparation of draft SPD and sustainability appraisal scoping report – June – February 2009</li> <li>• PH report agreeing draft SPD for consultation – March 2009</li> <li>• Draft SPD and sustainability appraisal report issued for public participation – April - May 2009</li> <li>• Consideration of consultation representations – June - August 2009</li> <li>• Adoption – September 2009</li> </ul>
<b>Arrangements for production</b>	<ul style="list-style-type: none"> <li>• Management arrangements – Colchester Borough Council (CBC) to lead.</li> <li>• Resources required to produce the SPD and the Sustainability appraisal - CBC</li> <li>• Printing of documents – CBC</li> <li>• Consultation costs - CBC</li> <li>• Approach to involving stakeholders and the community – full public consultation planned. This will include a press release, advertisement and letters.</li> </ul>
<b>Post production - Monitoring and review mechanisms</b>	CBC to monitor after adoption through a review of planning applications.

<b>Affordable Housing</b>	
<b>Title</b>	Affordable Housing
<b>Role and content</b>	Provides further detail on clarification on the requirements for affordable housing
<b>Status</b>	SPD
<b>Chain of conformity</b>	Supports Core Strategy Policy H4 (Affordable Housing)
<b>Geographic coverage</b>	All Colchester Borough
<b>Timetable and milestones in months:</b>	<ul style="list-style-type: none"> <li>• Preparation of draft SPD and sustainability appraisal scoping report – November 2008 - February 2009</li> <li>• PH report agreeing draft SPD for consultation – March 2009</li> <li>• Draft SPD and sustainability appraisal report issued for public participation – April - May 2009</li> <li>• Consideration of consultation representations – June - August 2009</li> <li>• Adoption – September 2009</li> </ul>
<b>Arrangements for production</b>	<ul style="list-style-type: none"> <li>• Management arrangements – CBC</li> <li>• Resources required to produce the SPD and the Sustainability appraisal – CBC</li> <li>• Printing of documents – CBC</li> <li>• Consultation costs – CBC</li> <li>• Approach to involving stakeholders and the community – full public consultation planned. This will include a press release, advertisement and letters.</li> </ul>
<b>Post production - Monitoring and review mechanisms</b>	CBC to monitor after adoption through a review of planning applications.

<b>Parking Standards</b>	
<b>Title</b>	Parking Standards
<b>Role and content</b>	Outlines the requirements for vehicle parking to be provided with developments
<b>Status</b>	SPD
<b>Chain of conformity</b>	Supports Core Strategy Policies TA1, TA2, TA5, UR2, and PR2
<b>Geographic coverage</b>	All Colchester Borough
<b>Timetable and milestones in months:</b>	<ul style="list-style-type: none"> <li>• Preparation of draft SPD and sustainability appraisal scoping report – June - December 2008</li> <li>• Draft SPD and sustainability appraisal report issued for public participation – February - April 2009</li> <li>• Consideration of consultation representations – May - August 2009</li> <li>• Adoption – September 2009</li> </ul>
<b>Arrangements for production</b>	<ul style="list-style-type: none"> <li>• Management arrangements – Essex County Council (ECC)</li> <li>• Resources required to produce the SPD and the Sustainability appraisal - ECC</li> <li>• Printing of documents – ECC</li> <li>• Consultation costs - ECC</li> <li>• Approach to involving stakeholders and the community – full public consultation will be carried out by Essex County Council. This will include a press release, advertisement and letters.</li> </ul>
<b>Post production - Monitoring and review mechanisms</b>	CBC/ECC to monitor after adoption through a review of planning applications.



<b>Backland Development</b>	
<b>Title</b>	Backland Development
<b>Role and content</b>	Provides guidance on the Council's approach to backland development
<b>Status</b>	SPD
<b>Chain of conformity</b>	Supports Core Strategy policies UR2, PR1 and PR2
<b>Geographic coverage</b>	All Colchester Borough
<b>Timetable and milestones in months:</b>	<ul style="list-style-type: none"> <li>• Preparation of draft SPD and sustainability appraisal scoping report – November 2008 - February 2009</li> <li>• PH report agreeing draft SPD for consultation – March 2009</li> <li>• Draft SPD and sustainability appraisal report issued for public participation – April - May 2009</li> <li>• Consideration of consultation representations – June - August 2009</li> <li>• Adoption – September 2009</li> </ul>
<b>Arrangements for production</b>	<ul style="list-style-type: none"> <li>• Management arrangements – CBC</li> <li>• Resources required to produce the SPD and the Sustainability appraisal – CBC</li> <li>• Printing of documents – CBC</li> <li>• Consultation costs – CBC</li> <li>• Approach to involving stakeholders and the community – full public consultation planned. This will include a press release, advertisement and letters.</li> </ul>
<b>Post production - Monitoring and review mechanisms</b>	CBC to monitor after adoption through a review of planning applications.

## 5. Evidence Base

The 'evidence base' is a key feature of the LDF. It seeks to ensure that the development plan's proposals and policies are soundly based. To ensure this a number of specialist studies and other research projects are, or will be undertaken. These will also be important in monitoring and review, as required by the AMR.

Some documents will also be published that are not specifically for planning purposes but are important in informing the process (eg. the Colchester Community Strategy, the Council's Strategic Plan and other service strategies).

Each document will be available at the appropriate time in the process. All will be made available at the relevant examination. These documents will be reviewed in the AMR to see if they need to be reviewed or withdrawn. Other documents may also be produced as needed during the process.

The table on the following pages identifies the reports and studies that will be used to provide a robust and credible evidence base for the Local Development Framework. This list will be added to if additional work is required.

### **Other Primary Strategy Documents to be referred to in the production of the LDDs as appropriate.**

- East Of England Plan (Regional Spatial Strategy), May 2008
- Linked Regional Strategies as appropriate
- The Colchester Sustainable Community Strategy (Colchester Local Strategic Partnership - Colchester 2020)
- Colchester BC Strategies
- Regional Cities East
- Haven Gateway Partnership – Framework for Growth

### **Integration with other Strategies**

The LDF has a key role in providing a spatial dimension for many other strategies and helping their co-ordination and delivery. The link between the LDF and the Community Strategy is particularly important. The LDF will act as the land use and delivery mechanism for the Community Plan. Therefore, each LDD will express in land use terms, those elements of the Community Plan that relate to the development and use of land. In particular the Core Strategy will take forward the vision and priorities of the Community Plan and will take full account of the land use consequences of its policies and programmes.

**Documents to be produced as Evidence Base for Local Development Documents**

<b>Title</b>	<b>Purpose and Scope</b>	<b>Timescale and review</b>
SEA Baseline Study & Environment Report	To provide sound evidence base on main environmental factors in the borough for SEA and SA of all documents.	Base line study completed.
Strategic Environmental Assessment & Sustainability Appraisal	To provide sound evidence base for all documents (except some guidance notes).	Ongoing process, to be undertaken as part of production of DPDs/SPD's.
Townscape Character Study	To provide a sound basis for the Urban Capacity Study, and built environment DPD policies.	Completed June 2006.
Housing Land Availability Assessment/Urban Capacity Study	Update and expansion of 2001 study. To provide evidence for housing site need/ distribution in relation to RSS requirements.	Completed February 2007 to help inform the production of Core Strategy and other DPDs.
Strategic Housing Land Availability Assessment	Update of previous Housing Land Availability and Urban Capacity work to meet the requirements for Strategic Housing Land Availability Assessments.	Final Report Completed November 2007. To be updated annually.
Housing Needs Survey and Strategic Housing Market Assessment	Joint study with Braintree and Chelmsford Councils. This will update the HNS for Colchester undertaken in 2002. It will also assess local housing markets.	Completed February 2008.
Employment Land Study	To add detail to the Haven Gateway study on a borough level. The study will look at existing sites and future needs to at least 2021.	Completed May 2007 to help inform the production of Core Strategy and Site Allocations DPDs. Updates approx 5 yrs.
Retail study	Joint study with Maldon, Braintree and Tendring Councils. To provide evidence for future	Report completed March 2007. The study helped the production of Core Strategy and other

	shopping strategies provision across the borough up to 2021.	documents. To be updated approx 5 yearly.
Landscape Character Assessment	To provide evidence for countryside strategies and housing allocations.	Completed November 2005.
Haven Gateway Regeneration Study	To provide the HGP with information on economic, housing and regeneration opportunities.	Completed 2005 to inform RSS Inquiry. The document will inform production of Core Strategy and other documents.
Haven Gateway Housing and Infrastructure Study	To inform strategies for meeting RSS and sub-regional housing needs.	Completed 2005 to inform RSS Inquiry. The document will inform production of Core Strategy and other documents.
Haven Gateway Employment Study	To inform strategies for meeting RSS and sub-regional employment needs in order to; promote sustainable development; promote rural employment; promote specialist facilities.	Completed 2005 to inform RSS Inquiry. The document will inform production of Core Strategy and other documents. To be updated approximately 5 yearly.
Haven Gateway Framework for Growth	Referred to in the East of England Plan (as amended by the Panel Report). Non-statutory document to address sub-region wide issues.	Completed October 2007. Work carried out by the Haven Gateway Partnership and partners.
Haven Gateway Green Infrastructure Study (HAGGIS) and local PPG17 Study	To ensure there are sufficient open space, sport and recreational facilities, that they are in the right places, are of high quality, attractive to users and well managed and maintained.	HAGGIS Completed April 2008. PPG17 Study final draft November 2007, completed February 2008. The two reports will help inform the production of documents.
Strategic Flood Risk Assessment	Joint study with Maldon and Braintree Councils. The assessment will help inform the production of Site Allocations and other DPD's.	Completed October 2007.

Housing Stock Information	Valuation Office information which provides useful evidence	Produced March 2007
Colchester Park and Ride study	To identify and select suitable sites for Park and Ride in Colchester.	Initial study into park and ride strategy for Colchester completed. Detailed demand studies undertaken into Western and Northern sites. Environmental scoping work started on Northern site.
A133 Central Corridor study	To identify short and long term improvement to the corridor for pedestrians, cyclists, cars and public transport.	Initial study identifying key movements, future pressures and possible solutions completed. As part of this study a paramics model for the corridor was constructed.  Following public consultation and additional data collection along the corridor further modelling is being undertaken and detailed design work has commenced.
Historic Town Centre improvements study	To identify improvements to pedestrian, cycle and bus facilities in the high street and investigate potential impacts on the surrounding network.	Initial study completed including modelling of potential impacts on the surrounding network. Further modelling work required once the wider Colchester model is constructed.
Transport Model for Colchester	To enable area-wide traffic and public transport modelling to take place including the future traffic scenarios to be predicted and transport solution to be tested	Data collection required for the model is completed. The model has now been validated and calibrated and is available for testing scenarios and projects.
North-South Link study	To identify options for, and benefits of, an additional link between	Feasibility study required, including impact on surrounding

	the A133 corridor and Colchester Northern Approach Road, and its associated walking and cycling links.	network. Further modelling work to be undertaken.
East Transit Corridor study	To investigate options for a high-speed, high-frequency public transport link between the University, East Colchester regeneration area and the Town Centre.	Feasibility study required, including demand, route selection and cost. Study to commence in October 2008.
Town Centre Car Parking strategy	To ascertain current and future demand for parking and develop a parking strategy for the Town complementing Colchester's Park and Ride strategy.	Capacity and demand analysis undertaken in relationship to Regeneration Programme. Further survey work to be undertaken September 2007. Further demand analysis to be undertaken Winter 2007/08 using new survey data. Strategy is kept under review to reflect changes in regeneration programme.
Review of Local Wildlife Sites	Resurvey the whole borough including a review of existing local wildlife sites (last carried out in late 1980's) Produce list of wildlife sites following consultation	Work commenced and due to complete December 2008
Hotel Demand Study	Identify gaps in the market and inform potential hotel investors of development opportunities. Provide a sequential site assessment of potential sites for development	Completed April 2007
Survey of the Heritage of the Coastal Resorts of Essex	The project will form the basis of a report presenting a regional overview of the seaside heritage of Essex to	Joint project with Essex County Council, English Heritage and other coastal authorities in Essex. Work

	enable sustainable decisions for the future regeneration, conservation and development of our seaside heritage.	commenced and due to complete March 2010
Historic Environment Characterisation	This project design presents a programme of work to characterise the historic environment of Colchester Borough	Work underway, due to complete November 2008.
Green Breaks Study	Assess the justification for including land in such local designations	Work underway, due to complete January 2009

## 6. Relationship to existing Planning Policy Documents

### Existing and emerging framework

The LDF will provide a new planning policy framework to replace the adopted Local Plan. At the time of commencement of the LDF process, the following documents provided the statutory framework for local planning policies:

- Regional Planning Guidance for the South East of England 9 March 2001;
- Essex and Southend-on-Sea Replacement Structure Plan April 2001;
- Adopted Review Colchester Borough Local Plan March 2004; and
- Supplementary Planning Guidance.

The new Regional Spatial Strategy (RSS) for the East of England was published in its first draft in December 2004. The East of England Plan forms the basis of the long-term strategies for the plan period and therefore the draft versions of the plan have been taken into account throughout the preparation of the LDF. The timescales for production of the Core Strategy and other documents have also been revised in previous versions of the LDS to ensure they accord with those for the production of the East of England Plan. The East of England Plan was published in its final version in May 2008 and now forms a key part of the statutory framework for Colchester's LDF.

### Saving the Adopted Local Plan

The 2004 Regulations allowed for the Adopted Local Plan to be 'saved' for a period of 3 years from the date of commencement of the Act on 28 September 2004. This allowed all the policies and proposals in the Adopted Local Plan to be used to determine planning applications and inform other council decisions up to 28 September 2007. To continue to use Local Plan policies after this date the Council has applied to the Secretary of State to issue a direction to save a number of existing policies. The application was submitted to Go-East in March 2007. A list of the saved Local Plan policies can be found on the Local Plan pages of the Council's website.

The remaining 'saved' policies will gradually be replaced as they are superseded by policies in the Local Development Framework. Upon its adoption the Core Strategy will supersede a number of the Local Plan 'saved' policies as indicated by Core Strategy Appendix E. The other 'saved' policies will remain in place until they are superseded by policies in the other Local Development Documents.

SPG continues to apply where it relates to saved policies in the Adopted Local Plan. It can still carry some weight in deciding planning applications. The annual reviews of the LDS will consider whether it has become necessary to turn it into SPD.



# 7. Monitoring and review

## Monitoring of LDDs

The new planning system is a continuous process with monitoring and review being key aspects. An Annual Monitoring Report (AMR) will be published and submitted to Go-East by December each year. The AMR will inform the review of this Local Development Scheme annually.

The AMR will analyse the period of the previous April to March of the current year. The report will:

- Set out how the Council is performing in the production of documents against the timescales and milestones set out in the previous years LDS;
- Provide information on how the strategies/policies/targets in the LDF are being achieved;
- Advise on whether any LDDs need reviewing;
- Review progress on SPDs and whether any new ones are required or old ones withdrawn or reviewed;
- Advise on the need to update the LDS as appropriate; and
- Provide information on the 'State of the Borough'.

As required by the Regulations, the LDS will be monitored annually, informed by the AMR and a report produced and submitted to the Cabinet.

## Review of LDDs

Following the initial adoption of the Core Strategy and other documents as set out in this LDS, it is anticipated that any subsequent reviews will be in the form of a rolling programme.

The extent of these will depend on the outcome of the AMRs and other influences such as changes to Government policy or pressures for development.

# 8. Resources and Risk Assessment

## Professional officer input

The LDF process will be led by the Spatial Policy Team as part of the Strategic Policy and Regeneration group.

The Spatial Policy Team consists of Planning Policy, Transportation Policy, a Sustainability Officer and a Research Group. The team is led by a Spatial Policy Manager who will be responsible for the overall project and policy direction. The team also includes a principal planning officer, three planning officers (a fourth post is currently vacant), who will be responsible for various elements of the LDF process and policy. Transportation Officers, the Sustainability Officer and the Research and Consultation Officer will also be heavily involved in the production of the LDF.

Additional staff resources will be brought in to the process from time to time as required from other professional groups within the Group, other CBC services and outside agencies as follows:

## Strategic Policy and Regeneration

Housing Policy

Transportation Policy

Coastal and Environmental Initiatives

Enterprise

Regeneration

Leisure, Tourism and Cultural services

## Other CBC Services

Environment and Protective Services (development control and environmental protection)

Life Opportunities (community strategies)

Street Services (waste policy)

## Others

Highways Agency (strategic highways matters)

Essex County Council (other highway matters, education, planning etc)

Rural Community Council for Essex (to promote/facilitate links with parish councils)

Consultants have been commissioned to develop elements of the evidence base and this is continuing.

## Consultee groups

The SCI sets out in detail who we will consult and at what stage in the production of all documents.

### Financial resources

The Council at present (2008/9) allocates some £311,000 (gross) to the Planning Policy Group.

The 2008/9 Housing and Planning Delivery Grant (announced July 2008) was some £918,487.

The bulk of the grant over the years has been used for funding the various technical studies required, the cost incurred in the “front-loading” exercises, and temporary members of staff (which have more recently been made permanent). The evidence base is a continuous process and it is expected that further studies and updates will require a considerable portion of any subsequent grants.

### Risk Assessment

#### Risks

There are several factors which may impact upon the ability of the Council to keep to the timetable. The table considers and deals with the main risks.

Issue and level of Risk	Comment and proposed mitigating measures
<p><b>Significant public opposition to plan proposals.</b></p> <p><b>Medium Risk</b></p>	<p>The Core Strategy, Land Allocations and Area Action Plans are likely to be contentious if they implement the proposals in the East of England Plan. Whilst every effort will be made to build cross-community consensus, there is a high risk of significant public opposition.</p> <p>The risk has been reduced with the receipt of the Inspectors Binding Report on the Core Strategy which sets the framework for other DPD's.</p> <p>Where there is opposition to things that have already been determined at the regional planning level or within the Core Strategy there is little the Council will be able to do. Issues will have been “flagged up” at an earlier stage and taken in to account where appropriate and may reduce later opposition.</p>
<p><b>Inability of PINS to deliver examinations/reports to timetable.</b></p> <p><b>Medium/Low Risk</b></p>	<p>The Planning Inspectorate will experience an increase in workload under the LDF system. There is still some uncertainty as to whether they will be able to deliver Inspectors at the appropriate times.</p> <p>PINS indicated that the original LDS timetable was achievable and offered the Council a Service Level Agreement on that basis. Experience has shown that the Binding Report on the SCI was delayed by the Inspectorate but the report on the Core Strategy was received early..</p> <p>If further problems do occur later in the process, caused by factors outside the council's control, we may have to accept some slippage of the timetable. The LDS would need to be amended accordingly.</p>

<p><b>Loss/turnover of staff</b></p> <p><b>Medium/High Risk</b></p>	<p>The Planning Policy Team and subsequently the Spatial Policy Team have suffered through the loss of a number of experienced officers. We have recruited and indeed used PDG funding to increase the size of the team. There is currently a shortage of qualified planners, which has been examined by the Egan Review.</p> <p>The team may make use of H&amp;PDG monies to replace staff in the future or bring in other staff from allied disciplines as required.</p>
<p><b>Financial shortfall</b></p> <p><b>Medium Risk</b></p>	<p>In the short term, the Council has allocated funds through the H&amp;PDG and its Service and Financial Planning process to allow for the preparation of the LDF. In the longer term budgetary provision may need to be increased if PDG funds are no longer available. This will be subject to the annual bidding round and council approval. Examination costs may inflate due to the length/complexity of the Examination. This will be kept under review.</p>
<p><b>Changing Political Priorities</b></p> <p><b>Medium Risk</b></p>	<p>This document has been considered and approved by Cabinet. Elections in the borough could result in political changes, but it is considered that as the main elements of the LDS are related to process not policy, it is unlikely that the LDS will be subject to changes in political priorities in the early part of this timetable. Any future changes can be dealt with at the annual review.</p>
<p><b>Legal Challenge</b></p> <p><b>Low Risk</b></p>	<p>A legal challenge may be lodged to any document within six week of adoption of an LDD. The degree to which this will happen is uncertain due to the untried nature of the system. However, a challenge will only succeed if the Council (or Inspector) has made a mistake in procedure or in fact.</p> <p>To avoid a legal challenge, every effort will be made to ensure that procedures are followed and facts are correct.</p>

## Appendix 1

### SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS AND PLANNING GUIDANCE NOTES Status and Programme as at October 2008

Subject	Authorities involved and Projected Date of Approval	Timetable for review
<b>Existing Supplementary Planning Guidance</b>		
<b>Essex Golf Report</b>	Essex County Council 1992	
<b>Blackwater Estuary Management Plan</b>	Colchester Borough Council/ Maldon District Council/English Nature/Essex County Council 1996.	Additional documents published to be read in conjunction with the Plan; Issues Update – 1999 Review Document - 2002
<b>Great Horkesley Village Appraisal</b>	Colchester Borough Council March 1998	
<b>Severalls Hospital/Cuckoo Farm Masterplan</b>	Colchester Borough Council 2001	
<b>Magdalen Street and Barrack Street Development Brief</b>	Colchester Borough Council 2001	
<b>Affordable Housing</b>	Colchester Borough Council Adopted March 2004	Intended to replace with SPD in 2009
<b>Community Facilities</b>	Colchester Borough Council Adopted March 2004	Intended to replace with SPD in 2009
<b>Car Parking Standards</b>	Essex Planning Officers Society	
<b>External Materials</b>	Colchester Borough Council Adopted June 2004	Intended to replace with SPD in 2009
<b>Rowhedge Port Redevelopment</b>	Colchester Borough Council Adopted June	

<b>Brief</b>	2004	
<b>Colchester Garrison Development Plan/Masterplan</b>	Colchester Borough Council 2001 Adopted November 2002	
<b>Dedham Vale AONB &amp; Stour Valley Management Strategy &amp; Action Plan 2004 -2009</b>	Colchester Borough Council Essex County Council Adopted 2004	
<b>Existing Guidance Notes proposed to be retained (these are not SPG) This guidance forms a material consideration</b>		
<b>Legal Obligations</b>	CBC adopted March 2004	
<b>Development Team Protocol</b>	CBC adopted March 2004	
<b>Paxmans Development Brief</b>	CBC adopted February 2005	
<b>Tilehouse Farm Great Horkesley Development Brief</b>	CBC adopted June 2005	
<b>East Road West Mersea Development Brief</b>	CBC adopted June 2005	
<b>St Botolphs Masterplan</b>	CBC adopted as Council Guidance 30.6.05	
<b>Magistrates Court Development Brief</b>	CBC adopted May 2006	
<b>Planning Out Crime</b>	Colchester Borough Council Adopted 5 April 2005	
<b>Contaminated Land</b>	CBC/Essex Contaminated Land Consortium. Adopted July 2004	
<b>Layer Road Development Brief</b>	CBC adopted October 2006	
<b>Stanway Rail Sidings Development Brief</b>	CBC adopted February 2006	
<b>Dedham Village Design Statement</b>	CBC adopted October 2007	
<b>Langham Village Design Statement</b>	CBC adopted September 2008	

<b>Essex County Council Guidance (no resource implications for CBC)</b> <i>This guidance forms a material consideration</i>	
<b>Essex Design Guide</b>	Essex Planning Officers Assoc. 2005 Relevant elements and policies will be incorporated into Colchester's LDDs as appropriate.
<b>Education provision for housing developments</b>	Essex County Council/Essex Planning Officers Association (EPOA) Adopted by ECC as SPG September 2004. CBC may amend and adopt for its own use.
<b>Adopted Supplementary Planning Documents</b>	
<b>Open Space, Sport and Recreational facilities</b>	Colchester Borough Council Adopted July 2006
<b>Extending Your House</b>	Colchester Borough Council Adopted November 2005
<b>Magdalen Street (south side)</b>	Colchester Borough Council Adopted November 2005
<b>Colne Harbour Masterplan</b>	Essex CC and Colchester BC Adopted December 2007
<b>Sustainable Construction</b>	Colchester Borough Council Adopted October 2007
<b>Supplementary Planning Documents under Preparation</b>	
<b>Community Facilities</b>	Colchester Borough Council Adoption expected September 2009
<b>Affordable Housing</b>	Colchester Borough Council Adoption expected September 2009
<b>North Station Masterplan</b>	Colchester Borough Council Adoption expected December 2009
<b>North Colchester</b>	Colchester Borough Council Adoption expected April 2010
<b>Car Parking Standards</b>	Essex Planning Officers Society Adoption expected in 2009

*Note:* Planning Guidance Notes are non statutory because they have not been through all the formal procedures set out in legislation and regulations. These documents will therefore be largely advisory or relate to procedures. They do however set out Council policy and may be used in determining planning applications, or informing any other planning decisions.

## Appendix 2

### Glossary of terms and acronyms

#### **Annual Monitoring Report (AMR)**

This assesses how the Council is progressing with the timetables set out in the Local Development Scheme. It also assesses how effective the various policies contained in the other Local Development Documents are in practice. This is a statutory document but is not a Local Development Document (LDD).

#### **Area Action Plan (AAP)**

A Development Plan Document dealing with an area of major change

#### **Communities and Local Government (CLG)**

The department was created on 5 May 2006 with a powerful remit to promote community cohesion and equality, as well as responsibility for housing, urban regeneration, planning and local government.

#### **Development Plan Documents (DPD)**

These are the documents which must be taken into account in determining planning applications. Planning permission must be granted in accordance with these documents unless material considerations indicate otherwise. Development Plan Documents must be subjected to independent examination before being adopted.

#### **Government Office (GO)**

The regional office of eleven Government departments. Colchester's GO is known as GO East and is based in Cambridge. The office gives advice on all matters relating to planning in the respective regions. It also approves the LDS for each Authority and has the power to intervene in planning matters in specific cases.

#### **Local Development Documents (LDD)**

These documents can be Development Plan Documents (DPD) and Supplementary Planning Documents (SPD) both of which are used to guide development and by the Council in the determination of planning applications. The Statement of Community Involvement (SCI) is also an LDD.

#### **Local Development Framework (LDF)**

This is the complete "portfolio" of documents that make up the Development Plan for the Borough. It comprises - the Local Development Scheme, Annual Monitoring Report, Statement of Community Involvement, Local Development Documents, Development Plan Documents, Area Action Plans, Supplementary Planning Documents and Planning Guidance Notes.



### **LDF Committee**

The working group of councillors set up by the council to take forward the LDF process. The panel is open to the public and has delegated power from the Full Council to decide the form and content of the LDF.

### **Local Development Scheme (LDS)**

This document (which you are currently reading) sets out which documents are part of the Local Development Framework, the timetable for their review and the preparation of new documents. This is a statutory document although not a Local Development Document (LDD).

### **Local Plan**

A document produced under the old planning system which set out all the Council's policies on the development of land. The existing Local Plan will be saved for three years until September 2007 to allow time for replacement documents under the new system to be produced. If the Council wishes to save its Local Plan beyond this period it must seek the permission of the Secretary of State.

### **Office of the Deputy Prime Minister (ODPM)**

The Central Government Department previously responsible for all planning matters in England.

### **Planning Inspectorate (PINS)**

The independent Government Agency charged with Examinations into LDDs and dealing with planning appeals. The Inspectors decisions will be binding on the council on all LDDs.

### **Portfolio Holder**

The Cabinet Member responsible for the planning function of the council. The portfolio holder will agree the process and content for SPD and other Guidance documents.

### **Regional Spatial Strategy (RSS)**

This is the successor to both the non-statutory Regional Planning Guidance and to the statutory Structure Plan. It will set the strategic context for development across the region, including setting the level of new housing to be accommodated. The East of England RSS is expected to be approved at the end of 2007.

### **Statement of Community Involvement (SCI)**

This sets out the Council's policy on involving the community in policy-making and major planning applications. It is a Local Development Document.

### **Strategic Environmental Assessment (SEA)**

Required under the terms of the European directive 2001/42/EC for "environmental assessment of certain plans and programmes, including those in the field of planning and land use". Undertaken in conjunction with the Sustainability Appraisal.

### **Structure Plan**

Document produced by the (Essex) County Council under the old planning system considering strategic planning issues. To be replaced under the new system by the Regional Spatial Strategy.

### **Supplementary Planning Documents (SPD)**

There is no legal requirement to take these documents into account in determining planning applications, but where they are relevant, the council will do so. They are intended to provide guidance to applicants wishing to develop land or buildings. The community will be involved in their preparation, but there is no independent examination of the document.

### **Supplementary Planning Guidance (SPG)**

Same as SPD, but produced under the old system, with fewer regulations governing their preparation.

### **Sustainability Appraisal (SA)**

An assessment of the impact the proposals contained within a Local Development Document would have on the environment, economy and society. SA is an ongoing process; it should be used to improve the sustainability of subsequent versions of the document. It is to be carried out in conjunction with the Strategic Environmental Assessment .

### **Community Led Plans**

The most recognised current “types” of community led plans are Parish Plans (PP), Market Town Initiatives (MTI) and Village/Town Design Statements (VDS). There is no standard format for community-led plan documents, although there are generic structures and guidance on how to prepare them. The documents usually contain results of the appraisal and survey work undertaken and the actions/guidance arising from it, but each one is unique to the community that will monitor it. There is however a fundamental difference between Parish Plans/Market Town Initiatives and Village/Town Design Statements;

- **Parish Plans (PP) and Market Town Initiatives (MTI)**

PP and MTI address a range of social, environmental and economic issues, and produce two main types of outcome – action which can be undertaken by local groups, and proposals to influence actions, decisions and policies of larger organisations. Similar action based community-led plans can be undertaken in urban areas which focus on housing estates or other geographically identifiable areas of a town.

- **Village Design Statements (VDS)**

VDS describes the character of the local area and produces design guidance and practical ways to care for and enhance the appearance of the local area. The VDS, if in accordance with development plan policy, can be adopted as planning guidance and can then be a material consideration in the determination of planning applications.

## **Appendix 3 DPD Regulations**

The Town & Country Planning (Local Development) (England) Regulations, 2004 were amended in 2008 to change the requirements for the production of DPDs. The 2008 Regulations are set out below. Regulations 34 (Independent Examination) and 36 (Adoption) remain largely unchanged from the 2004 Regulations.

The wording of these regulations has been slightly altered so that they may be easier to understand. Please refer to the full regulations for more detailed information. Please note that these regulations are not exhaustive.

### **Regulation 25 - Public participation in the preparation of a development plan document**

During the preparation of a DPD the Council will:

- notify each of the specific and general consultation bodies of the subject of the proposed DPD; and invite each of those bodies to make representations to them about what a DPD with that subject ought to contain. In addition to specific and general consultation bodies the Council will also consider whether it is appropriate to invite representations from business interests and if so will make arrangement to do this.
- The Council will then take into account any representations made to them in the preparation of the DPD. Some DPDs may require more than one stage of public participation before publication.

### **Regulation 27 - Publication of a development plan document**

Before submitting a DPD to the Secretary of State the Council will make a copy of the proposed submission document, and statement outlining how to make representations, available for inspection. The material will be made available at the Council's Customer Service Centre and on the Council's website.

Copies of the proposed submission documents and the representations procedure will also be sent to each of the specific and general consultation bodies who were invited to make representations during the earlier stages of public participation.

A local advertisement will also be used to give notice that the proposed submission documents are available for inspection, give a statement of the representations procedure and detail the places and times at which they can be inspected.

### **Regulation 28 - Representations relating to a development plan document**

Representations must be made within a six week period commencing when the DPD is published as required by Regulation 27. Any person may make representations and they must be sent to the address (and, if specified, the person) stated by the Council.

### **Regulation 34 – Independent Examination**

- This regulation only applies when a respondent has indicated that they would like to attend the examination in person.
- Six weeks before the examination takes place we will:
  - a) Publish the time and place of the examination on our website;
  - b) Notify those who have made representations on the DPD at the submission stage and have not withdrawn it;
  - c) Publish the time and place of the examination in a local advertisement.

### **Regulation 36 – Adoption of a DPD**

- As soon as reasonably practicable after the council adopt a DPD we will:
  - a) Make available for inspection, the DPD, the Sustainability Appraisal and the adoption statement, during normal office hours at the places at which the pre-submission proposals and documents were made available (see regulation 26 above);
  - b) Publish an adoption statement on our website;
  - c) Give notice by local advertisement of the adoption statement and the fact that the DPD is available for inspection and the places and times at which the document can be inspected;
  - d) Send the adoption statement to any person who has asked to be notified of the adoption of the DPD; and
  - e) Send the DPD and the adoption statement to the Secretary of State.

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 1 September 2008	Vicky Lissimore	Allotments	Oral response provided at the meeting by Portfolio Holder for Culture, Tourism and Diversity and written response sent by the Leader of the Council and Portfolio Holder for Strategy on 8 September 2008.	8 September 2008
Cabinet, 1 September 2008	Andy Hamilton	Approval of the Council's accounts	Written response sent by the Leader of the Council and Portfolio Holder for Strategy on 8 September 2008.	8 September 2008
Cabinet, 1 September 2008	Peter Kay	Impact of Queen Street Cultural Quarter on location of bus station, Hythe Station improvements	Oral response provided by the Leader of the Council and Portfolio Holder for Strategy at the meeting and written response from the Leader of the Council and Portfolio Holder for Strategy on bus station issues sent on 8 September 2008.  Written response on Hythe Station improvements sent by Portfolio Holder for Planning and	10 September 2008

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
			Regeneration on 10 September 2008.	
Cabinet, 1 September 2008	Paula Whitney	Impact of Queen Street Cultural Quarter on location of bus station	Oral response provided by the Leader of the Council and Portfolio Holder for Strategy at the meeting and written response from the Leader of the Council and Portfolio Holder for Strategy sent on 8 September 2008.	8 September 2008
Cabinet, 1 September 2008	Tim Oxtan	Impact of Queen Street Cultural Quarter on location of bus station	Oral response provided by the Leader of the Council and Portfolio Holder for Strategy at the meeting and written response from the Leader of the Council and Portfolio Holder for Strategy sent on 8 September 2008.	8 September 2008
Cabinet, 1 September 2008	Bob Russell MP	Impact of Queen Street Cultural Quarter on location of bus station	Oral response provided by the Leader of the Council and Portfolio Holder for Strategy at the meeting and written response from the Leader of the Council and Portfolio Holder for Strategy sent on 8 September 2008.	8 September 2008

<b>Date of Meeting</b>	<b>Details of Member of the Public</b>	<b>Subject Matter</b>	<b>Form of Response</b>	<b>Date Completed</b>
Cabinet, 1 September 2008	Peter Lynn	Cultural Quarter proposals	Oral response provided by the Leader of the Council and Portfolio Holder for Strategy at the meeting and written response from the Leader of the Council and Portfolio Holder for Strategy sent on 8 September 2008.	8 September 2008
Cabinet, 1 September 2008	Mark Lee	Cultural Quarter proposals	Oral response provided by the Leader of the Council and Portfolio Holder for Strategy at the meeting and written response from the Leader of the Council and Portfolio Holder for Strategy sent on 8 September 2008.	8 September 2008
Cabinet, 10 September 2008	Andy Hamilton	The Council's accounts and the Visual Arts Facility	Written response from the Leader of the Council and the Portfolio Holder for Strategy sent on 29 September 2008.	29 September 2008
Cabinet , 10 September 2008	Paula Whitney	Waste Issues	Oral response provided by Portfolio Holder for Performance and Partnerships at the meeting.	10 September 2008

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 10 September 2008	Peter Lynn	Funding of Local Authority Carbon Management Schemes	Oral response provided by Portfolio Holder for Resources and Business at the meeting and written response from Portfolio Holder for Resources and Business sent on 12 September 2008	17 September 2008
Cabinet, 10 September 2008	Ken Jones	Funding for Parish Councils	Oral response provided by Portfolio Holder for Resources and Business at the meeting.	10 September 2008
Cabinet, 1 October 2008	Richard Bourne	East Essex Waste Management Joint Committee- Memorandum of Understanding	Written response provided by Leader of Council	9 October 2008
Cabinet, 1 October 2008	Peter Thomson	East Essex Waste Management Joint Committee- Memorandum of Understanding	Written response provided by Leader of Council	9 October 2008



Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 1 October 2008	Paula Whitney	East Essex Waste Management Joint Committee- Memorandum of Understanding	Written response provided by Leader of Council	9 October 2008
Cabinet, 1 October 2008	Colin Sykes	East Essex Waste Management Joint Committee- Memorandum of Understanding	Written response provided by Leader of Council	9 October 2008