

# Scrutiny Panel Meeting

**Grand Jury Room, Town Hall, High Street,  
Colchester, CO1 1PJ  
Tuesday, 03 October 2023 at 18:00**

**The Scrutiny Panel** examines the policies and strategies from a borough-wide perspective and ensure the actions of the Cabinet accord with the Council's policies and budget. The Panel reviews corporate strategies that form the Council's Strategic Plan, Council partnerships and the Council's budgetary guidelines, and scrutinises Cabinet or Portfolio Holder decisions which have been called in.

## Information for Members of the Public

### Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

### Have Your Say!

The Council welcomes contributions and representations from members of the public at most public meetings. If you would like to speak at a meeting and need to find out more, please refer to the Have Your Say! arrangements here: <http://www.colchester.gov.uk/haveyoursay>.

### Audio Recording, Mobile phones and other devices

The Council records public meetings for live broadcast over the internet via its YouTube Channel and the recordings are available to watch afterwards [here \[\(4\) Colchester City Council - YouTube\]](#). When it is not possible to video stream meetings, they will be audio streamed on the Council's website: [www.colchester.gov.uk](http://www.colchester.gov.uk)

Audio recording, photography and filming of meetings by members of the public is also welcomed. Phones, tablets, laptops, cameras and other devices can be used at all meetings of the Council so long as this doesn't cause a disturbance. It is not permitted to use voice or camera flash functions and devices must be set to silent. Councillors can use devices to receive messages, to access meeting papers and information via the internet. Looking at or posting on social media by Committee members is at the discretion of the Chairman / Mayor who may choose to require all devices to be switched off at any time.

### Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document, please take it to the Library and Community Hub, Colchester Central Library, using the contact details below and we will try to provide a reading service, translation or other formats you may need.

### Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first floor.

### Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Library and Community Hub, Colchester Central Library, 21 Trinity Square,  
Colchester, CO1 1JB

telephone (01206) 282222 or textphone 18001 followed by the full number you wish to call

## Scrutiny Panel – Terms of Reference

1. To fulfil all the functions of an overview and scrutiny committee under section 9F of the Local Government Act 2000 (as amended by the Localism Act 2011) and in particular (but not limited to):

- (a) To review corporate strategies;
- (b) To ensure that actions of the Cabinet accord with the policies and budget of the Council;
- (c) To monitor and scrutinise the financial performance of the Council, performance reporting and to make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions;
- (d) To review the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic and Implementation Plans;
- (e) To review the financial performance of the Council and to make recommendations to the Cabinet in relation to financial outturns, revenue and capital expenditure monitors;
- (f) To review or scrutinise executive decisions made by Cabinet, the North Essex Parking Partnership Joint Committee (in relation to decisions relating to off-street matters only) and the Colchester and Ipswich Joint Museums Committee which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (g) To review or scrutinise executive decisions made by Portfolio Holders and officers taking key decisions which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (h) To monitor the effectiveness and application of the Call-In Procedure, to report on the number and reasons for Call-In and to make recommendations to the Council on any changes required to ensure the efficient and effective operation of the process;
- (i) To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are not the responsibility of the Cabinet;
- (j) At the request of the Cabinet, to make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the management of Cabinet business or jeopardising the efficient running of Council business;

2. To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):

- (a) To review and scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions;
- (b) To make reports and recommendations to the Council or the Cabinet with respect to the discharge of those functions.

**COLCHESTER CITY COUNCIL**  
**Scrutiny Panel**  
**Tuesday, 03 October 2023 at 18:00**

**The Scrutiny Panel Members are:**

Councillor Darius Laws [Chairman]  
Councillor Dennis Willetts [Deputy Chairman]  
Councillor Tracy Arnold  
Councillor Sam McCarthy  
Councillor Sam McLean  
Councillor Thomas Rowe  
Councillor Fay Smalls

**The Scrutiny Panel Substitute Members are:**

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

**AGENDA**  
**THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING**  
**(Part A - open to the public)**

**1 Welcome and Announcements**

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

**2 Substitutions**

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

**3 Urgent Items**

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

**4 Declarations of Interest**

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other registerable interest or non-registerable interest.

5 **Minutes of Previous Meeting**

The Councillors will be invited to confirm that the minutes of the meetings held on 4 July 2023 and 9 August 2023 are a correct record.

**Scrutiny Panel Minutes 4 July 2023**

7 - 14

**Scrutiny Panel Minutes 9 August 2023**

15 - 26

6 **Have Your Say!**

The Chairman will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the terms of reference of the meeting. Please indicate your wish to speak at this point if your name has not been noted by Council staff.

7 **Decisions taken under special urgency provisions**

The Councillors will consider any decisions by the Cabinet or a Portfolio Holder which have been taken under Special Urgency provisions.

8 **Cabinet or Portfolio Holder Decisions called in for Review**

The Councillors will consider any Cabinet or Portfolio Holder decisions called in for review.

9 **Items requested by members of the Panel and other Members**

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

***Members of the panel may use agenda item 'a' (all other members will use agenda item 'b') as the appropriate route for referring a 'local government matter' in the context of the Councillor Call for Action to the panel. Please refer to the panel's terms of reference for further procedural arrangements.***

10 **Portfolio Holder Briefing [Housing]**

11 **Portfolio Holder Briefing [Neighbourhood Services and Waste]**

The Portfolio Holder will brief the Panel on work under his remit.

12 **Work Programme 2023-24**

27 - 42

This report sets out the current Work Programme 2023-2024 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

13 **Exclusion of the Public (Scrutiny)**

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).

**Part B**  
**(not open to the public including the press)**

# SCRUTINY PANEL

## 4 July 2023

*Present: -* Councillor Arnold, Councillor Laws (Chair),  
Councillor McCarthy, Councillor McLean,  
Councillor Rowe, Councillor Smalls, Councillor  
Willetts

*Substitutions: -* None

*Also present: -* Councillor Jay

### **412. Minutes**

*RESOLVED* that the minutes of the meeting held on 6 June 2023 be accepted as an accurate record:

### **413. Have Your Say**

Mr Lance Peatting attended and addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1), to complain that, at the Environment and Sustainability Panel meeting held on 22 June 2023, Alderman Chillingworth was allowed longer to speak under the 'Have Your Say' item than another member of the public, who was prevented from finishing after their three minutes had elapsed, whilst Alderman Chillingworth was permitted over a minute extra. Mr Peatting asked why the security searches employed at the Town Hall was not extended to cover staff or councillors and asked what threat assessment and evidence had informed the policy. The Panel were asked to confirm that the Town Hall was a public building and whether the Council was operating within the law. Mr Peatting asked if the key issue was a lack of trust in the Council.

The Chairman gave his view that all speakers under 'Have Your Say' provisions should tighten their contributions to be three minutes or less. Regarding the security protocols in place, the Chairman referenced the murder of two sitting members of parliament in recent years and pointed out that councillors had to wear their ID passes and lanyards to identify themselves. The Chairman stated that he would have no issue with being searched, and highlighted that issues had been encountered when the most recent Environment and Sustainability Panel meeting's start time was delayed by half an hour. The Chairman underlined the importance of politicians sticking to the truth and acting in line with the Nolan Principles. Some members of the Panel indicated that they would have no issue with being searched.

Mr Peatting asked what it was that the Council feared and posited that central government feared the public because it was doing harm to the public. Mr Peatting argued that, where someone saw harm being done, they were obligated to highlight and stop it.

#### **414. Year End April 2022 – March 2023 Performance Report Key Performance Indicators (KPI) and Other Performance News**

Councillor Jay, Portfolio Holder for Economy, Transformation and Performance, introduced the report and went through the KPIs. Councillor Jay noted that Colchester had one of the fastest average processing times for Housing Benefit and Local Council Tax Scheme claims and changes in the Country. Regarding the number of households in temporary accommodation, the lack of housing and low supply in the housing sector had caused difficulties. The Portfolio Holder was asked what turnover there was of households in temporary accommodation and promised to seek and provide an answer to this following the meeting. Some households included children, and there was a particular difficulty in finding accommodation for larger families.

The Portfolio Holder noted the significant number of KPIs which were achieved, having been set at an appropriate level. The target for average sickness rates was eight day's and performance had improved, bringing the average recorded down to 9.1. The main area of concern was sickness leave within the Environment Team, with an additional concern being an increase in sickness leave taken within the Corporate and Improvement Team. Work was being done to address both areas of concern. The possible effects of 'Long Covid' were mentioned, and the possible increase of sick leave taken for ailments with flu-like symptoms, as a precaution. The Portfolio Holder was asked if mental health was having an effect on sickness leave rates, and whether the Council used 'mental health first aiders.' The Portfolio Holder confirmed that the Council was examining options for providing mental health support to its staff.

A Panel member asked how the Council's sickness rate compared to rates in the private sector, and what was being done to discover how the best performers managed to keep their rates low. Richard Block, Chief Operating Officer, noted that it was appropriate for officers to answer questions on support arrangements for staff. Mental health first aiders were in place at the Council and had now been put in place for colleagues in teams engaged in manual work. Free counselling was available and did not require sign off from management to be taken up. Cezara Cosma, Programme and Performance Manager, explained that the Council did not have comparative statistics from the private sector yet, but that comparison would be possible at the half-year point, including sickness rates at other local authorities and in the private sector. A Panel member pointed out that some mental health conditions arose from causes outside of work, but still affected sick leave use and the capabilities of the officers in question. The Panel member also noted that some causes of problems within work could arise from people being appointed to roles to which they were not well suited. The Portfolio Holder was asked what percentage of mental health issues reported came from issues arising unexpectedly, and what percentage may have arisen as a result of natural stresses and pressures from work of types which should and could have been predicted. The Chief Operating Officer



gave assurance that every effort was made to appoint the right people to posts. A six-month probation period was used, and every support was given to appointees to help and support them in taking on their roles, but it was confirmed that, as a last resort and if an individual could not show that they could perform their role then the Council, when necessary, would end their employment. A high level of support was provided to help colleagues to succeed, but the Council had a duty to the residents of Colchester to ensure that it operated efficiently.

The Portfolio Holder highlighted that the residual waste collected per household was slightly below the stretch target set, but the rate was improving. The Panel asked questions regarding the sickness rates experienced by refuse collection workers, including whether there were light duties for those temporarily unable to be fully deployed, whether mitigations such as drinks and comfort breaks were available, especially in hot weather. The Portfolio Holder was also asked if wheelie bins were better for the health of collection staff than black bag collections and whether they could be rolled out in areas which currently had bag collections instead. The Portfolio Holder confirmed that light duties could be offered as part of the 'return to work' process, in line with the Council's statutory duty of care to its staff, and that drinks and portable toilet facilities were available for refuse collection staff. The use of wheelie bins was being examined as part of the overall waste review being conducted.

The Portfolio Holder was asked what evidence and benchmark data could be provided to support the statement in the report which said that the Council's performance on minimising residual waste per household was well above that of other local authorities. A Panel member referred to waste and recycling tables which used to be provided to show performance across Essex local authorities and stated a wish to see this type of information. Where the KPI report stated that the reduction of waste to landfill had been achieved by enforcement, the Portfolio Holder was asked what happened to waste from households which exceeded the three bag or wheelie bin limit, and whether there was an increase in fly tipping, or an improvement in household waste management. Another Panel member asked for details of any plans to further reduce residual waste going to landfill and increase recycling rates. The Programme and Performance Manager explained that comparison data on waste collection was available that comparison groups could be tailored to the Council's choice. The Chief Operating Officer confirmed that a league table of performance for only Essex councils could be provided, and informed the Panel that the new watchdog for local government, Oflog, would monitor performance and could provide online comparisons for members to examine.

The Portfolio Holder stated that the comparative data went back to 2021-22, with the Council performing above the averages for both the local area and for England as a whole. A Panel member urged for the Council to seek to improve performance to be amongst the best local authorities. The Portfolio Holder drew attention to the waste review underway and gave assurance that the Council was seeking to find ways to further improve and identify how well it could perform. The Leader of the Council was currently at the Annual Conference of the Local Government Association, meeting with representatives of the top performing local authority in the Country [It was later confirmed that this was Three Rivers District Council, with the lead contact being Sarah Nelmes, Leader of Three Rivers Council].

Panel members noted the awards and accreditations section of the report, with one criticism being made that this lacked context, such as the rate of success and number of awards for which the Council was not nominated, or nominations which did not lead to winning an award. The Panel asked how the rate of success could be shown. A Panel member argued that showing this context would add depth and show staff achievements, further going on to note that, whilst Castle Park had won Green Flag Awards, other parks such as Lexden Park were not mentioned, with no explanation as to whether they had been entered but failed to win an award, or whether they had not been entered into the award process at all. The Programme and Performance Manager committed to adding additional content and narrative around the awards and accreditation section in the next performance report which came to the Panel. A further question was asked as to what value for money the Council gained from the awards and accreditations that it and its officers achieved. The Programme and Performance Manager agreed to add content to cover this in the future.

#### **415. Year End covering April 2022 to March 2023 Performance Report - 2020-2023 Strategic Plan Action Plan**

Councillor Jay, Portfolio Holder for Economy, Transformation and Performance, welcomed any questions that Panel members might have regarding the report. A concern was raised by a Panel member that, whilst achievements were shown, there was a lack of context which made it difficult to judge the levels of achievement against the Strategic Plan Action Plan. The Portfolio Holder was asked if the matters covered in the report related to all three years of the Strategic Plan, or only to the single year for 2022-23. A Panel member noted that there were no metrics or targets for most of the items covered.

The Panel noted good performance in addressing the climate emergency, but a Panel member voiced concern that the Council had not moved to an electric vehicle fleet, away from petrol and diesel vehicles. Whilst noting that reasons had been given for this, including that it was not currently financially viable, the member queried whether serious issues had been overlooked, and warned that it was hard to see if performance overall was good, bad, or indifferent. The Chief Operating Officer stated a hope that the new suite of key performance indicators would show the context and evidence which was being sought by the Panel. Councillor Cory, Deputy Leader of the Council and Portfolio Holder for Resources, attended remotely and highlighted the new metrics which had been brought in and against which the Council was making good progress, including the rollout of the Green agenda, and Council carbon neutrality by 2030. The Panel noted that metrics were not included in this report, but accepted that they were now in place.

The Panel discussed the Green agenda and asked the cost per tonne of carbon dioxide removed from the Council's emissions, and how this compared to other local authorities. The Portfolio Holder for Economy, Transformation and Performance explained that this report was more a narrative document than a report of performance indicators.

The celebration of heritage and culture was highlighted and, whilst not being a statutory requirement, there was a collective political will to empower officers to work on this to maximise the contributions to make Colchester special. An important example was the successful bid to allow the refurbishing of the Natural History Museum, as an important way to regenerate the High Street. The Panel agreed that heritage made a significant difference to residents and visitors, and that the Council must make the most of its assets. The visit of His Majesty, King Charles III was given as evidence of the draw of Colchester's heritage.

*RESOLVED* that the Scrutiny Panel confirms that the Council has made satisfactory progress in delivery against its Strategic Plan Action Plan, and compliments Cabinet on the progress made.

#### **416. Capita Data Breach**

Councillor Cory, Deputy Leader of the Council and Portfolio Holder for Resources, explained that the Council was one of many which used Capita for a number of functions involving data management. The contract in place set out the required approach from Capita, which failed to meet its requirements in this case. Affected local authorities were looking at what actions they could take to seek remedy for Capita's failure.

Sam Preston, Head of Operational Finance, highlighted that the report from the Council's Data Protection Officer focused on the policies and protections for personal data within the Council's contracts. Regarding the Capita situation, the Council had written to inform affected residents and give as much detail as possible. Capita had finished their investigation and the Council was now looking at how to obtain recompense.

The Panel discussed how the Council reviewed its procedures as to how special category personal data was handled by contractors and how safety and protection of personal data of the public could be ensured, especially where individuals are obliged to provide their personal data. The Council's duty to protect this data, and ensure contractors protected it, was emphasised. A Panel member noted that section 4.5 of the report should state that the data was no longer accessible 'to others' and that it should be underlined that the Council did not know who had access to the data before it had been secured.

Concern was raised at the statement, in 4.10 of the report, that the Council did not have data protection clauses in the terms and conditions for items purchased via purchase order, and that this specific contract had been procured via a purchase order. A Panel member criticised the way that the procurement process used had not meant that data protection policies were laid out for the contractor, to enforce their compliance. It was asked how such a contract could be laid out without obligations being placed on the third-party data processor [Capita].

Richard Block, Chief Operating Officer, welcomed this as a chance to gain recommendations that helped the Council to improve. Regarding Capita, the Chief Operating Officer explained that in this particular instance, a purchase order had been used as Capita already had a wider contract for the Council, set up using a

normal tendering process, to handle personal data for revenues and benefits. The specific contract in question here had been procured under that wider contract and was already covered by the data protection requirements set out in the existing contract with Capita. The Head of Operational Finance noted that Capita's data protection practices and policies were far more extensive than what was needed to ensure data security, but that these had been negated, in this instance, by human error which was in contravention of their policies. The Panel noted the explanation, but it was pointed out that the report did not cover this detail and only gave a general statement that contracts purchased via purchase order were not covered by data protection clauses.

The Head of Operational Finance and Chief Operating Officer gave assurances that the need to strengthen the process regarding purchase order use had been recognised, to ensure data protection clauses set out requirements expected of contractors. Whilst the Capita contract was already subject to the data protection requirements within the earlier, wider contract with that company, the Scrutiny Panel could potentially make recommendations to remedy the general data protection issues relating to procurement of contracts via purchase order. The Deputy Leader agreed that the report showed where general procedure could be improved.

A number of Panel members agreed that it appeared that the situation regarding purchase order terms and conditions on data protection in contracts needed to be tightened, to ensure data security and lay out the Council's recourse to gain compensation if third-party processors failed to comply with the terms of their agreements.

The Council's own policies stated that 'no third-party processors will be appointed who cannot comply with the data protection requirements and policies of Colchester City Council.' A Panel member suggested that the Council's policy be reviewed to show how the Council could ensure secure data processing by its contractors. A discussion was held regarding officer responsibilities to carry out ratified policies.

*RECOMMENDED* to CABINET that: -

- a) All contractors be required, in writing, to agree to comply with the data protection requirements and policies of Colchester City Council;
- b) Internal Audit be asked to review the Council's data protection policy and arrangements, specifically regarding ensuring that the Council's requirements are met by its contractors and third-party data processors.

#### **417. Work Programme 2023-24**

The Chairman suggested that, for the item scheduled regarding local skills, it may benefit the Panel to invite guests from the private sector, small and medium enterprises and Council partners.

A Panel member asked whether representatives of Essex Highways could be asked to attend a Panel meeting to answer questions regarding potholes, Master Plan issues, and highways issues in general. This could include discussion of issues

relating to planning, such as infrastructure, drainage, electric vehicle charging and other matters. It was noted that there was a Local Highways Panel in operation for the Colchester area, where smaller highways schemes were discussed, and joint funding was agreed for individual schemes. A suggestion was made that the Local Highways Panel could be scrutinised, to examine how effectively the Council's financial contributions were being used. A Panel member noted that the Council's administration claimed it could run local highways better than the County Council and asked if evidence for this could be shown.

Officers suggested that the Panel should concentrate on providing added value with its potential work and recommendations on highways matters. It was noted that, if the Panel wished to examine the work of the Local Highways Panel, then an invitation would need to be extended to the Chair of that Panel, Councillor Sue Lissimore, to attend and answer questions. Panel members also requested that invitations be sent to the Cabinet of Colchester City Council, and to Highways officers who could answer technical questions.

*RESOLVED* by the Scrutiny Panel that: -

- a) The work programme 2023-24 be approved;
- b) An additional item be scheduled, when possible, for the Scrutiny Panel to consider the operation of the Colchester Local Highways Panel and scrutinise how effectively the Council's financial contributions are being used.



# SCRUTINY PANEL

## 9 August 2023

*Present: -* Councillor Arnold, Councillor Laws (Chair),  
Councillor McCarthy, Councillor McLean,  
Councillor Smalls, Councillor Willetts

*Substitutions: -* Councillor Dundas for Councillor Rowe

*Also present: -* Councillor Goss, Councillor Harris, Councillor King,  
Councillor Law, Councillor Scordis, Councillor  
Scott-Boutell, Councillor T. Young

### **418. Have Your Say**

Mr Paul T. Smith addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), and to ask for an explanation of the proposed charges, given the current cost of living crisis and the extra cost it would mean for residents. Mr Smith claimed that Colchester recycled less than other local authority areas in North Essex and argued that this suggested that the Council should rethink its recycling policy. Mr Smith stated that he could not see any inclusion in the Council's financial strategy of the reduction in recycled waste tax receipts from Essex County Council, arguing that the financial business plans needed a granular review and to be made transparent for the public to access. Mr Smith asked the Panel to explain why the Labour Party currently stated opposition to the charging for garden waste collection, when its councillors had voted to approve the Budget for 2023/24 in February 2023. The Chairman gave assurance that these points would be addressed under the appropriate item at this meeting.

### **419. Items requested by members of the Panel and other Members**

Councillor Willetts, as a member of the Panel, explained the request he had made in writing, under part (a) of this item. Councillor Willetts noted that several speakers at the most recent Full Council meeting had objected to charges to be levied on individuals or groups who wished to book the Castle Park bandstand for performances. Councillor Willetts believed that the base fee was £250 per booking, with discounts possible for organisations such as charities. A Panel member suggested that this would not be an unreasonable fee, especially if split between different individuals.

Councillor Goss, Portfolio Holder for Neighbourhood Services and Waste, explained that four years ago, the then-Borough Council worked with the Park café which

sponsored the use of the bandstand by performers, meaning that no fees were charged on those performers. The café then pulled out of this arrangement, with the Colchester Events Company [within the Council's Amphora companies] took over the running of the bandstand, and a charge introduced for its use. This was detailed in the fees and charges list published in February 2023. The Council has needed to make savings and achieve income targets. From 2023, a sponsorship deal was again negotiated to underwrite the cost of the bandstand, which again meant that charges could be waived for those booking use of the bandstand.

Councillor Willetts welcomed news of the new sponsorship deal and waiving of charges for use of the bandstand, but noted that sponsorship deals were temporary arrangements and could run out. Councillor Willetts requested that a report be brought to a future Panel meeting to clarify the Council's approach and policy towards the use of community assets which it owned, and guidance as to which could be leveraged for income via charges for use, and which should be kept free for use by the public.

*RESOLVED* that Scrutiny Panel adds an item to its work programme to clarify the Council's approach and policy towards the use of community assets which it owned, and guidance as to which could be leveraged for income via charges for use, and which should be kept free for use by the public.

#### **420. Garden Waste Charging scheme**

Councillor Harris attended and, with the consent of the Chair, addressed the Panel to urge consideration of issues of parity, equality and fairness. Councillor Harris stated that residents of his ward objected to the plans to charge for collection of garden waste, partly because some estates already had wheelie bins whilst others did not. People were offended at the expectation of being charged for wheelie bins whilst others did not receive charges. Examples were given of residents on low incomes and/or who did not currently have a wheelie bin and would be charged to receive one. Councillor Harris some residents would be able to afford the charges, but many had contacted him to raise their concerns and objections. Councillor Harris asked what members should tell those residents who could ill-afford the new charges and requested that the scheme be rethought.

Councillor Tim Young attended and, with the consent of the Chair, addressed the Panel, asking to associate himself with the words spoken by Councillor Harris and stating that he himself had always opposed charging for garden waste collection. Councillor Young explained that he had voted in favour of the Council's Budget for 2023-24 because he was following the Labour whip on the vote, because it was tradition for the sitting Mayor to vote in favour of the Budget, and because the garden waste charges were a small part of an otherwise reasonable Budget. Councillor Young understood the situation but believed the charges would be unfair and regressive. Many Greenstead residents could barely afford food and could not afford further charges. Many did not have space to put a wheelie bin and much of Greenstead was not included in the initial roll-out, even though many had been in favour of it. This was unfair. Councillor Young raised concerns regarding the potential for increased fly tipping and use of black bag collections, and urged that the charging proposals be rethought.



Councillor Scott-Boutell attended and, with the consent of the Chair, addressed the Panel to give an example of a resident undergoing financial hardship and who depended on his gardening to keep his acuity and independence. Councillor Scott-Boutell laid out the views given to her by the charity Age Well East, which emphasised gardening as a way to help older residents stay engaged and active, and improve their wellbeing and positivity, helping to prevent decline. Councillor Scott-Boutell argued that the Council needed to help maintain older residents' independence and ability to stay connected and well.

Councillor Scordis attended and, with the consent of the Chair, addressed the Panel, noting that he had not been able to be present at the meeting where the 2023-24 Budget had been approved. Councillor Scordis suggested that the Conservative Group had not provided an alternative to charging for garden waste collection, and gave suggestions of his own, such as to suspend garden waste collection between October and March, when it was less used, and to look at different bin size options and options for properties with no bin space. Service users could instead use the collected waste service instead. Councillor Scordis argued that practicalities must be looked at and weaknesses in the plans picked apart, and asked whether a start date in January 2024 was too soon. Councillor Scordis raised concern that, were the scheme to fail, the Council may not reach its financial targets and that the Council needed to be ready to go and give good explanations of the scheme from the start.

Councillor Law attended and, with the consent of the Chair, addressed the Panel regarding issues of fairness relating to the charging structure and noting disparity between areas which already had garden waste wheelie bins and those which did not. An explanation was requested as to why the Council operated a hybrid collection system when other authorities had simpler systems that were more coherent. Councillor Law was concerned that the way the scheme would be introduced would cause residents to worry, especially when on low or fixed incomes. Examples were given of residents' concerns and confusion expressed, showing the importance of clear communications with residents.

A statement was read out on behalf of Councillor Rowe, who was unable to attend this meeting due to a pre-existing commitment. Councillor Rowe argued that the imposition of additional charges on residents, already suffering from the cost of living crisis and high taxation levels, was unjust. Councillor Rowe questioned the quality of decision making behind the new charging scheme, and called upon the Scrutiny Panel to recommend that the proposed charging scheme be cancelled. Councillor Rowe criticised the decision-making processes of the Council's Cabinet and recommended, if financial concerns were experienced by the Council, that consideration be given by Councillors as to whether the expenses claimable by elected members should be reduced or removed, rather than increasing charges on residents.

Councillor Lissimore attended remotely via Zoom and, with the consent of the Chair, addressed the Panel, stating that councillors who spoke against the proposed garden waste charges, but who had voted for them in the Budget, should have raised concerns at an earlier stage. Councillor Lissimore queried why the Labour Group was now campaigning against the charges proposed, after its members had

voted to introduce them. Councillor Lissimore argued that the first pricing model would cause confusion and asked why some would have to pay and others would not. Councillor Lissimore criticised the problems the new scheme would cause those on lower income or Universal Credit, compared to those on higher incomes, and stated that the scheme needed to have flexibility for residents to structure payments to suit them, and for areas where there was no space for wheelie bins. Councillor Lissimore stated that, should the Panel decide to recommend the scheme be rethought by Cabinet, many residents would support such a rethink.

The Chairman gave the background to the plans to introduce a charging system for collection of garden waste, initially voted through as part of the Council's Budget for 2023-24 in early 2023, backed by the party groups which at that time made up the Council's Cabinet Administration. Following the Budget being approved by Full Council, the principles of the charging for garden waste collection were agreed by Cabinet, with this meeting of the Scrutiny Panel having been arranged to discuss and scrutinise the potential options for the scheme, with the Portfolio Holder for Neighbourhood Services and Waste being the decision maker who would decide the final details regarding issues such as charging levels, any exemptions or discounts, and options for the collection service.

A Panel member noted the many speeches made about the pitfalls and wider issues relating to the proposed scheme, arguing that any wider issues needed to be discussed, rather than just the details brought before the Panel at this meeting, and that the Panel should have a chance to do this. Councillor King, Leader of the Council, noted the comments regarding the wider context of these matters, but emphasised that the context for this agenda item was around the specific matters and questions of detail covered within the report provided to the Panel. Months had been spent considering ideas and alternatives to a new charging scheme, following which they had been approved by Full Council, as part of the Budget for 2023-24. A budget gap of around £5.2million had needed to be addressed, with no way to do so without increasing the Council's income. The financial report for the first quarter of 2023 would soon be available, with overspend and budget shortfall leading to an estimate of around £2m deficit remaining. A range of offsetting actions and work were being undertaken to reduce this, but significant challenges remained. These included high inflation, increasing levels of homelessness, internal challenges and significant constraints on staff pay levels. Hard decisions were being made, including pay restraint for senior officers, a recruitment freeze (with any recruitment having to be personally approved by the Chief Executive or Chief Operating Officer) and the drawing down of reserves.

The Leader of the Council explained that the income expected from garden waste collection was baked into the Council's financial calculations and that, should the charges not be introduced, the Council would need alternatives to take the place of the income which had been expected from this scheme. Alternatives were needed, but none had been proposed by opposition councillors. The Leader asked if Panel members would instead prefer that the Council cut its homelessness services, or the support offered to residents affected by cost of living issues, or the provision of sport and leisure facilities. The Leader asked Scrutiny Panel to give its counsel as to how the Council might most fairly proceed with the new garden waste collection scheme. A range of options had been laid out, but the Leader gave assurance that these were

examples, and that any recommendations of the Panel would be considered seriously.

Councillor Goss, Portfolio Holder for Neighbourhood Services and Waste, explained that the potential for charging for garden waste collection had first been examined during lockdown, with a decision having been taken at that time not to introduce charges. The Council's financial position had subsequently worsened, partly owing to the Pandemic. The Portfolio Holder laid out his discomfort with the idea of charging for garden waste collection, but noted the necessity of making the difficult decisions such as this. The Portfolio Holder gave his view that he did not see how it could be fair to charge residents for wheelie bins which they had been using for years. Officers had spent years of work designing a scheme, liaising with fellow local authorities and seeking to be in line with other schemes, looking to create a scheme which would be roughly mid-table. It was stated that most local authorities now charged for garden waste collection, and that Basildon had achieved a 65% sign up rate within the first two months of operating their paid-for collection service.

The Portfolio Holder noted that Colchester was near the bottom of the table for use of wheelie bins, and that he had seen examples where wheelie bins had been successfully used on terraced streets and other places with restricted space. Most other local authorities did not give a choice of wheelie bin sizes, but the Council would do so. Bin sharing arrangements would also be permitted for those with small gardens or on low incomes. The Portfolio Holder emphasised that the Council had consulted, listened, and considered what people had said.

The Portfolio Holder informed the Panel that the new garden waste collection system would only operate with wheelie bins once it had commenced, with an end to the hybrid system in which some areas had wheelie bins and others had hessian sacks. The hybrid system had been introduced to offer options to residents, by area, but was expensive, bad for the health of the collection staff and bad for the environment, as the hessian sacks were not environmentally friendly. The hybrid system had been introduced in 2016, with ward councillors asked to work with their communities to lay out which areas wanted wheelie bins and which areas preferred hessian sacks to be used.

The Portfolio Holder informed the Panel that he had not received a large number of contacts from members of the public regarding the proposed new charges for garden waste collection, and noted that no members of the public had wished to address the Panel at this meeting, although they could have addressed the Panel if they had felt strongly about the issue.

The Panel were informed that fly tipping levels had decreased by around 20%, year on year, and that other local authorities had told the Council that they had not experienced any increase in fly tipping following introduction of fees for garden waste collection.

The Government could have decided to prohibit local authorities from charging for garden waste collection, potentially within the recent Environment Act, but had chosen not to do so. The Portfolio Holder then listed the names of every councillor who had voted to approve the introduction of charges, within the 2023-24 Budget,

and all of those who voted against it, further noting that no budget amendments had been submitted for consideration. The Portfolio Holder stated that, were the charges not to be introduced, around 50 jobs would need to be removed, and asked which officers the Panel would wish to fire in that circumstance.

Rosa Tanfield, Head of Neighbourhood Services, laid out that the Panel had been asked to consider and review a number of topic areas before the Portfolio Holder exercised the authority delegated to him by Cabinet to make decisions on the scheme specifics. Data was provided on kerbside collections of garden waste, with the cost of the current service given as in excess of £1.8m per year. A summary was given of the areas which used wheelie bins and those which still used reusable hessian sacks. The hybrid mix of wheelie bins and bags necessitated a mixed fleet of vehicle types for collecting the different types. This made it difficult to run a resilient service, due to restrictions on what each vehicle type could do. If a lorry designed for wheelie bin collection was used for collecting from re-usable bags, the additional strain on crews would be significantly increased, leading to additional musculoskeletal conditions developing. The data collected showed that there was a better service provision on those routes using wheelie bins.

The Head of Neighbourhood Services laid out the net revenue targets of £15k for the part of 2023-24 which would be covered, followed by £1.3m and £1.6m for 2024-25 and 2025-26 respectively. The launching in January 2024 would be vital to achieve these targets. The options for sharing wheelie bins, and the charges, were laid out, as well as alternative options such as composting. The Council planned to help by providing engagement and training for residents who wished to compost garden waste. A grant scheme was available for community composting, and there were options for using public tips or licensed private disposal firms. There would also be arrangements to assist collections where residents required help. Each resident who joined the new collection scheme would receive a new sticker for their bin each year, to show who is part of the scheme.

The Head of Neighbourhood Services laid out the areas/subjects for which recommendations were being sought. These involved pricing structures, discount provisions, the financial process for residents joining the scheme, and how the Council should deal with the bins already in circulation, and especially those that became unwanted by residents not wishing to join the new scheme.

The pricing model was described as similar to those operated by comparable local authorities. A presentation was given to compare the two options, with Option A's expected to raise revenue of £695k per year, on current assumptions of uptake and need for new bins to be issued, whilst Option B was estimated to bring in revenue of £698k, given those same assumptions. Option A involved a one-off setup fee of £10 for each service user, with an additional charge of £30 if they required a new bin, and a £55 service charge for the year of collections. Option B likewise had a £55 annual charge for a year of service use, but with a £35 one-off joining fee per bin for all who join the scheme. The Panel queried whether, under Option B, residents who joined the scheme and had had a wheelie bin for some years could request a free replacement, should their existing bin break. The Head of Neighbourhood Services confirmed that this was the case.

The different options for providing a discount to households receiving benefits were outlined. Option A was to provide no discount. This would ensure the meeting of revenue targets, and would be in line with most local authorities, as most did not provide discounts. Options B1 and B2 showed example systems for providing discounts to residents who were in receipt of Local Council Tax Support [LCTS] discounts. This would be the easiest way to target discounts for households on low incomes. Any discounts offered would negatively affect the gross revenue of the scheme, so service fees for those households not eligible for discounts would need to increase, if the effect of discount provision on revenue were to be countered. Work would need to be done to assess what would be needed, based on the discount level approved. Options B1 and B2 would both offer inclusion in the collection scheme for a £27.50 annual service charge, without an initial joining fee or charge for receiving a new bin. The different options were given for charging residents who did not receive LCTS, to cover the costs of providing discounts.

Payment options were outlined, with an online annual payment being the way in which the Council already collected various payments, was instant and did not require a ten-day wait, unlike when taking payments via direct debit. Research compiled led to a recommendation not to use direct debit payments, as these were overly complex, would require extra resources in IT and back office, would cost more and involved a higher risk regarding technology in set up. The Head of Neighbourhood Services emphasised that local authorities which had started direct debit schemes had moved away from these. Avoiding use of direct debit would also prevent bad debt and cancellations prior to the end of the scheme. A monthly direct debit scheme would increase transaction charges, increase the chance for cancellations part-way through the year, and would increase the scheme cost, which would increase the prices paid by residents.

The options regarding existing wheelie bins were described, including options for those residents who did not wish to join scheme to have their existing bins taken back by the Council, or swapped to go to residents who wanted to have a bin. There was also the option to provide a free collection and pressure-washing service to take back unwanted bins and release them for use by residents who wished to receive one.

The objectives to consider were laid out for the Panel, with the report and presentation given showing the ability to deliver against those objectives. The table at 8.2 of the report laid out the options presented, with green, amber or red used to show each option's deliverability against each objective. Examples included the effect of offering discounts on revenue, the complexity of the system and in communications with residents. The Panel were again cautioned that a recommendation of offering direct debit payment options would jeopardise the deliverability of the scheme in line with budget.

The Panel discussed payment method options, with a Panel member commenting that people had choice in how they paid other charges, such as for insurance. Consideration was given as to how best to communicate with residents about the proposed scheme, including those who did not have internet access. The Head of Neighbourhood Services explained that her team were working on a communications plan with the Council's Communications Team, including a number of ways to

spread information, including stickers on bins, social media, print media and leaflets, building upon lessons learned from earlier communications on previous changes to waste collection.

The Panel discussed the suggestion for restricting garden waste collection to six months each year. The Head of Neighbourhood Services explained that staff were employed full-time, whilst a restricted service would affect staffing requirements. If the Council were to remove the service for more than two weeks, the Council would need to look to move towards more use of casual contracts, reduce staffing or engage in costly redeployments. The decrease in garden waste collected would also impact on the credit claim the Council could submit to Essex County Council. The alternative would be to completely withdraw the service, which would achieve the necessary savings being sought. The Portfolio Holder for Neighbourhood Services and Waste noted that halving the service would not halve its cost, and that the service already relied upon around 20% of its staffing coming from casual staff. The Panel raised the benefit that came from having regular staff who knew their routes.

The Panel discussed the business case, with one member asking whether the bins would be sold or leased to residents, and for guidance as to where the cost of buying additional bins and, if applicable, where the MRP [minimum revenue provision] could be found within the revenue implications table at 4.22 of the report. The Head of Neighbourhood Services confirmed that the bins would remain Council property. Regarding recycling or reusing of existing bins, the Budget for 2023-24 had included funding for a £230k study on how to recycle and reuse Council kit.

The Portfolio Holder was asked if the Council already had sufficient bins to roll out the new scheme, with a Panel member arguing that it would be disingenuous to charge residents for bins which had already been in use for seven or eight years. The Panel member then queried differences as to how the financial projections for the scheme had been laid out in the 2023-24 Budget in February 2023, compared to what had been provided in the report before the Panel, and urged clarity as to the accountancy rules being used to present the information. In regard to questions as to the accounting practices, the Head of Neighbourhood Services gave the advice of the Council's Section 151 Officer that the Council could only account for income received in the year that the service was delivered. The £600k income target given was for residents joining in the current 2023-24 year, to be members of the scheme for the last two months of 2023-24 and the full 2024-25 year. Answering questions about the bins currently in use, John Kellett, Business Improvement Manager, reiterated that they would remain Council property, and explained that they had a 10-year expected lifespan, with depreciation factored in over those 10 years, and were able to be supplied or replaced without upfront charges. The Portfolio Holder added that the bins currently in service had been paid for via Government funding, and offered to clarify the details of this after the meeting. A Panel member pointed out that the scheme could not be marketed as 'buy a bin', given that bins would only be leased, not sold. The Leader of the Council acknowledged this point.

The Portfolio Holder was asked whether the pricing options would include a discount for households which wanted a smaller bin, and whether they could request a different bin size once they had received a bin. The Portfolio Holder clarified that the charges levied would be the same for both bin sizes, with most expected to opt for a

240 litre bin, with the expectation being that this larger size would be bulk-bought by the Council. 140 litre bins would be the smaller size, with a minimum order of 500. Given the economies of scale, it was expected that the cost to the Council would only differ by £3 per unit between the larger and smaller bins. Storage space at the Shrub End Depot was a limiting factor on how many units the Council could bulk purchase and store. The swapping of bins for different sizes was, and would remain, permissible. Other local authorities did not offer choice or swapping.

A Panel member objected to the levying of a £10 administration fee and ongoing annual service charge for people joining the proposed scheme, arguing that people should be given a monthly payment option, to allow them to dip in and out of the scheme. Further questions were raised as to whether the cost of the scheme would remain at the £1.8m projected, should the level of uptake vary from that which was expected, and whether the expected uptake percentage had been benchmarked against comparable schemes in the private sector. The Head of Neighbourhood Services clarified that, if the Council were to examine contracting the service out to the private sector, this would necessitate consideration of contracting out all waste services as a whole. The provision of all waste services inhouse or under one structure increased service resilience and ease of redeploying assets when necessary. Regarding concerns regarding the initial administration fee and annual service charge, and the possible alternatives, the Panel were told by the Head of Neighbourhood Services that it was up to the Panel members to consider their views and any potential recommendations that they might wish to make.

The expected phasing of growth of the proposed scheme was highlighted, with consideration of the effects should the uptake by users vary and happen more quickly or slowly than expected. It was hoped that the target percentage uptake would be achieved or exceeded. Many costs would be fixed costs.

A concern was raised regarding the January launch, in relation to when residents received their first wages/salary after Christmas, and the pressure on their household expenses, and the low use of garden waste collection at that time of year. A Panel member underlined the importance of using the £53k for communications in a targeted fashion. Officers were asked whether residents signing up at later dates would still need to pay for the full year, as if this were to be the case, it would act as a disincentive to join the scheme. The Portfolio Holder explained that the January start for the scheme would allow a soft launch for the service before the peak growing season, and would cater for places with high leaf fall. It would also mean that it could launch with fewer political issues or complications than would be likely in April. Early sign up to the scheme would mean residents would receive 14 months of the service, for the cost of 12. Sign-up and payment could be carried out from October [2023], when the marketing efforts would start. People who signed up after March 2024 would still only be signed up until March 2025, and so would receive fewer months service.

The Panel discussed issues which would affect wheelie bin users, including where pavement or storage space was limited. A Panel member acknowledged that wheelie bins were best for customers and collection staff, but that the Council also needed to recognise that there were some places where such bins would be unsuitable. The Portfolio Holder pointed out that around 65% of local authorities

charged for garden waste collection, with 83% having a full wheelie bin service, including places with many terraced streets, such as Ipswich. There were ways of making such a service work, including the option of smaller bins. There were many issues with the current use of hessian sacks, which were bad for staff health and the environment. Discussions were underway regarding provision of service to sheltered accommodation. The Portfolio Holder did not believe that much garden waste would be put into black sacks by households which were not in the scheme. Operatives checked bags and would sticker and leave bags containing garden waste. The recycling rate for Colchester was once 42%, but the increase of 14 percentage points was one of the best increases in the UK.

A Panel member asked for clarification as to why this matter was on the Panel's agenda, voicing concern that it could appear that the Panel was being asked to become a part of decision making, when the decision making powers lay with Cabinet and the Portfolio Holder. The Portfolio Holder explained that the consultation exercise with residents and councillors had led to a range of options being drawn up. These had been brought for the Panel to consider and potentially make recommendations to him as to which options the Panel considered to be best, before he made the decision as to which options are chosen, using powers delegated to him by Cabinet.

Various questions were raised as to how the scheme would work, including whether residents would have to pay for collection of garden waste that dropped from their neighbours' gardens into their property, and how bins would be rolled out in areas with steep drives or steps, or where other safety concerns were raised. The Portfolio Holder explained that residents could cut back any vegetation from neighbours' trees and bushes, if it overhung their own property, and then return the cuttings to those neighbours for disposal, and that it was residents' personal responsibility to deal with anything which fell into their garden from elsewhere. 83% of local authorities were said by the Portfolio Holder to only use wheelie bins, without offering other alternatives, which showed that it was possible to run such a service. A universal service would lower complexity and cost, with the option available for a smaller wheelie bin where necessary. A 'Frequently Asked Questions' guide would be available for residents, and the Portfolio Holder agreed to provide the dimensions for the two bin sizes and circulate those measurements to councillors.

The Business case underpinning the proposed scheme was scrutinised. A Panel member asked whether the uptake predictions were accurate enough for budget settings, given the difficult financial position and significant cost of the scheme. The Panel member argued that a full marketing exercise should have been carried out, rather than just looking at what other local authorities did. The exercise would need to cover a statistically significant percentage of the local potential service users, otherwise it would not be a meaningful exercise. Panel members argued that the business case was weak without this having been done, and that it was unrealistic to say that the £1.8m cost of running the collection service would be fixed, and would not change significantly if uptake levels were significantly different to the target which had been set, or even if the target was met, being significantly lower than the current percentage of households using the current collection system. A Panel member raised further criticism that the income target was not supported by any data, and asked for the scheme's expected profitability and for a profitability exercise to be



carried out. The Portfolio Holder was urged to find a way to reduce the cost of the service, should uptake be less than expected.

A Panel member stated that, following the Scrutiny Panel's previous consideration of potential unintended consequences of charging for garden waste collection, Councillor Mark Cory, Deputy Leader of the Council and Portfolio Holder for Resources, had agreed to cancel planned funding reductions to enforcement teams, in case there were to be more bonfires, fly tipping and/or use of black bag household waste collections. The Portfolio Holder was asked whether the increased costs from increased enforcement should be detailed in the report, and what increase in the charge levied on service users was expected to be made per year.

Additional information was requested, such as what would happen when bins were stolen, lost or broken, or otherwise needed to be replaced, and whether residents would be charged for replacements needed. The capital cost of buying new bins was requested, and a Panel member noted that the report did not show take up levels, service costs or revenue generation for the existing local authority collection schemes that had been examined by the Council. The Business Improvement Manager explained that the projected 50% uptake level to be achieved by year three had been based on other local authorities' experiences, with crews being redeployed to replace agency staff. The use of agency staff was explained, including where they were needed to ensure routes were fully crewed. Additional vehicles would be needed by 2024, with spot hires being made when necessary, before new vehicles were purchased. Annual service costs would start to become shown in 2025-26. The wheelie bins would be bought in bulk, with best value being sought in the tendering process underway. Any bins which were damaged in use would be replaced for free, as long as the broken item was returned. Lost bins would incur a charge for their replacement, in a similar way to the scheme operated by Tendring District Council, which did this, but with a twelve-month warranty. The number of bins bought would depend on ongoing uptake levels, with targets based on the experiences of other local authorities over time. Conservative estimates had been used, with scalability built into the service plans as uptake rose over time.

In response to complaints from some Panel members that important financial/business case information had not been provided, the Head of Neighbourhood Services clarified that information, such as the overall expected capital spend, could be found in the Cabinet report 'Garden Waste Collection Charges', received by Cabinet at their meeting on 7 June 2023.

A number of Panel members expressed different preferences for different options, discussing which would be fairest for residents, with one view given that the presentation of options to the Panel as multiple choice questions was not appropriate.

A Panel member argued that they had previously said, when a pay-to-use collection service had been considered in 2020, that there had not been a serious business plan in place and that cost bases, relative to the number of customers, were needed. The business plan presented to the Panel was described as unconventional, and the choices given as being restrictive. The Panel member urged for the provision of a monthly payment option to be provided, potentially as a continuous card payment,

and for the initial administration fee of £10 to be dropped, so as to increase service uptake.

The Chairman noted that there had been many differing opinions on the Panel, and that no formal recommendations had been made, although the Panel's members had expressed their views on the proposal, for the Portfolio Holder to consider.

**3 October 2023**

<b>Report of</b>	<b>Chief Operating Officer</b>	<b>Author</b>	<b>Owen Howell</b> ☎ 282518
<b>Title</b>	<b>Work Programme 2023-24</b>		
<b>Wards affected</b>	Not applicable		

**1. Executive Summary**

1.1 This report sets out the current Work Programme 2023-2024 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

**2. Action Required**

- 2.1 The Panel is asked to consider and approve the contents of the Work Programme for 2023-2024, or request amendments, additions and/or deletions.
- 2.2 The Panel is asked to identify any additional specific issues, matters or areas of Council operations which it wishes to scrutinise during the 2023-24 municipal year, and to provisionally schedule these items, subject to feedback from relevant officers on any issues which may affect reporting timescales.

**3. Background Information**

- 3.1 The Panel’s work programme evolves as the Municipal Year progresses and items of business are commenced and concluded. At each meeting the opportunity is taken for the work programme to be reviewed and, if necessary, amended according to current circumstances. The draft work programme for 2023-24 is appended to this report. This contains the items which are reviewed each year by the Panel.
- 3.2 The Forward Plan of Key Decisions is included as part of the work programme for the Scrutiny Panel, and this is included an **Appendix A**.

**4. Standard References**

4.1 There are no particular references to publicity or consultation considerations, or financial, equality, diversity, human rights, community safety, health and safety, environmental and sustainability or risk management implications.

## **5. Strategic Plan References**

5.1 Scrutiny and challenge is integral to the delivery of the Strategic Plan 2023-2026 priorities and direction for the area as set out under the strategic themes of:

- Respond to the climate emergency;
- Deliver modern services for a modern city;
- Improve health, wellbeing and happiness;
- Deliver homes for those most in need;
- Grow our economy so everyone benefits;
- Celebrate our City, heritage and culture.

5.2 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self-governance provides a clear and demonstrable lead. Effective governance underpins the implementation and application of all aspects of the Council's work.

### **Appendices**

Appendix A – Scrutiny Panel Work Programme, 2023-24

Appendix B – Forward Plan of Key Decisions: 1 October 2023 – 31 January 2024

**Work Programme for 2023/24**

<b>Scrutiny Panel meeting – 6 June 2023</b>
<b>Scrutiny Panel Chairman’s briefing – 1 June 2023</b>
<ol style="list-style-type: none"> <li>1. Corporate Key Performance Indicator Targets for 2023-24</li> <li>2. Work Programme 2023-24</li> </ol>
<b>Scrutiny Panel meeting – 4 July 2023</b>
<b>Scrutiny Panel Chairman’s briefing – 29 June 2023</b>
<ol style="list-style-type: none"> <li>1. Year End 2022/23 Performance Report and Strategic Plan Action Plan</li> <li>2. Capita data breach</li> <li>3. Work Programme 2023-24</li> </ol>
<b>Scrutiny Panel (Crime and Disorder Committee) - 19 September 2023</b>
<b>Scrutiny Panel Chairman’s briefing – 14 September 2023</b>
<ol style="list-style-type: none"> <li>1. Safer Colchester Partnership (Crime and Disorder Committee)</li> </ol>
<b>Scrutiny Panel – 3 October 2023</b>
<b>Scrutiny Panel Chairman’s Briefing – 28 September 2023</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Neighbourhood Services and Waste]</li> <li>2. Portfolio Holder Briefing [Housing]</li> <li>3. Work Programme 2023-24</li> </ol>
<b>Scrutiny Panel meeting - 14 November 2023</b>
<b>Scrutiny Panel Chairman’s briefing – 9 November 2023</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Leader of the Council/Strategy]</li> <li>2. Budget Strategy for 2024-25</li> <li>3. Skills: How Able is Colchester to Develop the Skills Needed for the Future?</li> <li>4. Work Programme 2023-24</li> </ol>
<b>Scrutiny Panel meeting - 12 December 2023</b>
<b>Scrutiny Panel Chairman’s briefing – 6 December 2023</b>
<ol style="list-style-type: none"> <li>1. Portfolio Holder Briefing [Economy, Transformation and Performance]</li> <li>2. Half Year 2023-24 Performance Report</li> <li>3. Strategic Plan Action Plan progress</li> <li>4. Local Council Tax Support – Year 2024/25</li> <li>5. Work Programme 2023-24</li> </ol>
<b>Scrutiny Panel meeting - 23 January 2024</b>

**Scrutiny Panel Chairman's briefing – 18 January 2024**

1. Portfolio Holder Briefing [Resources]]
2. Budget Strategy for 2023-24
3. 2024-25 Revenue Budget, Capital Programme, Medium Term Financial Forecast and Treasury Management Investment Strategy
4. Housing Revenue Accounts Estimate and Housing Investment Programme
5. Work Programme 2023-24

**Scrutiny Panel - 13 February 2024****Scrutiny Panel Chairman's briefing – 8 February 2024**

1. Portfolio Holder Briefing [Leisure, Culture and Heritage]
2. Corporate Key Performance Indicator Targets for 2024-25.
3. Arts Organisations receiving Council funding
4. Council's approach and policy towards the use of owned community assets and whether to charge for use
5. Work Programme 2023-24

**Scrutiny Panel meeting– 12 March 2024****Scrutiny Panel Chairman's briefing – 7 March 2024**

1. Portfolio Holder Briefing [Communities]
2. Portfolio Holder Briefing [Planning, Environment and Sustainability]
3. Town Deal projects progress report
4. Impact Evaluation of City Status
5. Scrutiny Panel Annual Report
6. Work Programme 2023-24

**Items still to schedule, when possible:**

- Previous Council negotiations with Alumno [Monitoring Officer advice is that this will only be able to be scrutinised in open session once the current ongoing legal situation is resolved regarding the Queen Street site]
- Planning trial of local prioritisation for property purchasing [relating to a recent planning application] [Officer advice is that this is at an early stage and is likely to need to wait until it is ready for meaningful scrutiny of scheme and outcomes, expected at some point in 2023-24]

# COLCHESTER CITY COUNCIL

## FORWARD PLAN OF KEY DECISIONS 1 October 2023 – 31 January 2024

During the period from 1 October 2024 – 31 January 2024\* Colchester City Council intends to take 'Key Decisions' on the issues set out in the following pages. Key Decisions relate to those executive decisions which are likely to either:

- result in the Council spending or saving money in excess of £500,000; or
- have a significant impact on communities living or working in an area comprising two or more wards within the City of Colchester.

This Forward Plan should be seen as an outline of the proposed decisions and it will be updated on a monthly basis. Any questions on specific issues included on the Plan should be addressed to the contact name specified in the Plan. General queries about the Plan itself should be made to Democratic Services (01206) 507832 or email [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the documents listed on the Plan and any other documents relevant to each decision which may be submitted to the decision taker can be viewed free of charge although there will be a postage and photocopying charge for any copies made. *All decisions will be available for inspection on the Council's website, [www.colchester.gov.uk](http://www.colchester.gov.uk)*

If you wish to request details of documents regarding the 'Key Decisions' outlined in this Plan please contact the individual officer identified.

If you wish to make comments or representations regarding the 'Key Decisions' outlined in this Plan please submit them, in writing, to the Contact Officer highlighted two working days before the date of the decision (as indicated in the brackets in the date of decision column). This will enable your views to be considered by the decision taker. Details of the decision makers are correct at the time of publication.

Contact details for the Council's various service departments are incorporated at the end of this plan.

---

If you need help with reading or understanding this document please telephone (01206) 282222 or textphone users dial 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

\*The Forward Plan also shows decisions which fall before the period covered by the Plan but which have not been taken at the time of the publication of the Plan.

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Approval to complete the purchase of land/property at ‘The Centre’ Greenstead from Notting Hill Genesis, using funding received via the Estates Regeneration Fund</b>	No	September 2023	Portfolio Holder for Resources, Councillor Mark Cory  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Daniel Barton Greenstead and Youth (Town Deal) Projects Manager <a href="mailto:Daniel.Barton@colchester.gov.uk">Daniel.Barton@colchester.gov.uk</a> 01206 282912
<b>Award of Contract for Electrical Installation Condition Reports (EICR’s)</b>	No	September 2023	Portfolio Holder for Housing, Councillor Paul Smith  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488



KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Award of contract for retrofit installation to combat fuel poverty</b>	No	September 2023	<p>Portfolio Holder for Housing, Councillor Paul Smith</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Portfolio Holder report	<p>Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488</p>
<b>Award of 3 x Contracts for the delivery of the Social Housing Decarbonisation Fund Wave 2 energy improvement project</b>	No	September 2023	<p>Portfolio Holder for Housing, Councillor Paul Smith</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Portfolio Holder report	<p>Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488</p>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Capital Budget Changes due to new capital projects for 2023-24 being added</b>	No	11 October 2023	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet Capital Programme 2023-24 Budget Amendment report	<p>Andrew Small Section 151 Officer <a href="mailto:Andrew.small@colchester.gov.uk">Andrew.small@colchester.gov.uk</a></p>
<b>Commercial Reform of the Northern Gateway Heat Network</b>	Yes	11 October 2023	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report	<p>Andrew Small Section 151 Officer <a href="mailto:Andrew.small@colchester.gov.uk">Andrew.small@colchester.gov.uk</a></p>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Review of Ferry Marsh, part of Colne Local Nature Reserve</b>	No	11 October 2023	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report	<p>Mel Rundle Head of Sustainability <a href="mailto:Mel.rundle@colchester.gov.uk">Mel.rundle@colchester.gov.uk</a> 01206 508816</p>
<b>Local Council Tax Support 2024/25</b>	No	11 October 2023	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	<p>Cabinet report 6-week public consultation results LCTS scheme 2024/25</p>	<p>Adam Wood Benefits and Support Manager <a href="mailto:adam.wood@colchester.gov.uk">adam.wood@colchester.gov.uk</a> 01206 505857</p>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Agreement to acquire 6 off the shelf family homes</b>	Yes	11 October 2023	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report	<p>Terri Hamilton Client for Affordable Housebuilding <a href="mailto:Terri.hamilton@colchester.gov.uk">Terri.hamilton@colchester.gov.uk</a> 07870 542949</p>
<b>Award of Contract for the communal area cleaning of 2 and 3 storey blocks</b>	No	November 2023	<p>Portfolio Holder for Housing, Councillor Paul Smith</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Portfolio Holder report	<p>Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488</p>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Award of contract for the upgrade of thermal elements and deck areas to flats at Trinity Square</b>	No	November 2023	<p>Portfolio Holder for Housing, Councillor Paul Smith</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Portfolio Holder report	<p>Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488</p>
<b>Officer Pay Policy Statement 2024-25</b>	No	22 November 2023	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report Draft Officer Pay Policy Statement 2024-25	<p>Jess Douglas Head of People <a href="mailto:Jessica.douglas@colchester.gov.uk">Jessica.douglas@colchester.gov.uk</a> 01206 282239</p>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Approval of Fees and Charges 2024-25</b>	No	22 November 2023	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report Schedule of draft fees and charges	<p>Andrew Small Section 151 Officer <a href="mailto:Andrew.small@colchester.gov.uk">Andrew.small@colchester.gov.uk</a></p>
<b>Award of Contract for Gas Servicing</b>	No	December 2023	<p>Portfolio Holder for Housing, Councillor Paul Smith</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Portfolio Holder report	<p>Martin Norgett Strategic Client for Asset Management <a href="mailto:martin.norgett@colchester.gov.uk">martin.norgett@colchester.gov.uk</a> 07816 204488</p>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Housing Revenue Account Fees and Charges 2024 – 2025</b> To agree the Housing Revenue Account fees and charges for 2024-2025	No	December 2023	Portfolio Holder for Housing, Councillor Paul Smith  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report, including schedule of fees and charges	Suzane Norton Housing Client Coordinator <a href="mailto:suzanne.norton@colchester.gov.uk">suzanne.norton@colchester.gov.uk</a> (01206) 282249
<b>2024-25 Budget, Council Tax and Medium Term Financial Forecast</b>	No	24 January 2024	Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)  Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Andrew Small Section 151 Officer <a href="mailto:Andrew.small@colchester.gov.uk">Andrew.small@colchester.gov.uk</a>

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
<b>Housing Revenue Estimates 2024-25</b>	No	24 January 2024	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report	<p>Darren Brown Finance Manager <a href="mailto:darren.brown@colchester.gov.uk">darren.brown@colchester.gov.uk</a> 01206 282891</p>
<b>Housing Investment Programme 2024-25</b>	No	24 January 2024	<p>Cabinet (Cllrs King, Burrows, Cory, Goss, Jay, Luxford Vaughan, Smith, Sommers)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report	<p>Darren Brown Finance Manager <a href="mailto:darren.brown@colchester.gov.uk">darren.brown@colchester.gov.uk</a> 01206 282891</p>



## CONTACT DETAILS FOR COLCHESTER CITY COUNCIL

**Pam Donnelly, Chief Executive**

**Tel: (01206) 282211**

**email: [pamela.donnelly@colchester.gov.uk](mailto:pamela.donnelly@colchester.gov.uk)**

**Richard Block, Chief Operating Officer**

**Tel: (01206) 506825**

**email: [richard.block@colchester.gov.uk](mailto:richard.block@colchester.gov.uk)**

**Lindsay Barker, Deputy Chief Executive and Executive Director Place**

**Tel: (01206) 507435**

**Email: [Lindsay.barker@colchester.gov.uk](mailto:Lindsay.barker@colchester.gov.uk)**

**Lucie Breadman, Strategic Director**

**Tel: (01206) 282726**

**email: [lucie.breadman@colchester.gov.uk](mailto:lucie.breadman@colchester.gov.uk)**

**Rory Doyle, Strategic Director**

**Tel: (01206) 507885**

**e-mail: [rory.doyle@colchester.gov.uk](mailto:rory.doyle@colchester.gov.uk)**

**Mandy Jones, Strategic Director**

**Tel: (01206) 282501**

**email: [mandy.jones@colchester.gov.uk](mailto:mandy.jones@colchester.gov.uk)**

