

Scrutiny Panel

Tuesday, 03 October 2023

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

422 Minutes of Previous Meeting

The Panel asked for, and received, confirmation that its recommendations had been brought before Cabinet and accepted.

RESOLVED that the minutes of the meetings held on 4 July 2023 and 9 August 2023 be accepted as correct records.

423 Have Your Say!

Mrs Spantidakis addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), to ask when the decision had been made for Community 360 to make use of Holy Trinity Church, following its renovation. Mrs Spantidakis complained that the textile-work sessions that she had attended, run by Community 360, had not been good, had included no formal tuition or lessons in the use of sewing machines. Mrs Spantidakis further complained that donated fabric was given to a local textile shop, instead of used at the textile-work sessions, and that Community 360 had banned her from their City Centre hub without reason and without following their complaints procedure. It was Mrs Spantidakis' view that Community 360 did not run activities that benefited the community, and that the Church should be used by a Christian charity instead.

The Chairman noted Mrs Spantidakis' comments and explained that he would check with the Leader of the Council as to the allegations made and the situation, noting that there was an all-party consensus in favour of making best use of Holy Trinity Church, with Community 360 considered to be the best partner for this.

424 Portfolio Holder Briefing [Housing]

Councillor Paul Smith, Portfolio Holder for Housing, briefed the Panel, highlighting the challenges presented by housing nationwide. 315 households were in temporary accommodation, as of the previous week. 70 were in bed and breakfast accommodation, with almost half of those outside of the Colchester area. Hardship continued to stem from an increase in Section 21 [no-fault] evictions from private rental accommodation, with use of bed and breakfast leading to difficulties, especially for families with children at Colchester schools or where individuals were employed in

Colchester. Other Essex local authorities were subject to similarly circumstances, with higher levels of housing issues closer to London.

More affordable housing was needed in Colchester, but the current viability model for new housing was remarked upon as being outdated, for instance assuming that inflation would be at around 2%, which had not been the case in recent years. Cost calculations for refitting and maintenance were out of date, due to high inflation. The current level of £500 per home per annum for maintenance was too low, especially given current rent levels. The Portfolio Holder informed the Panel that consideration would need to be given as to whether, for new-build properties built and rented, the Council should move from the social housing rent rates [50% of market rate] to the higher affordable housing rent rates [75% of market rate] to meet the increased costs facing the Council.

Regarding the target for properties to be bought by the Council, this target may be missed, as the focus was moved to purchasing the larger properties which were much-needed, such as three- and four-bed houses. The average waiting time to obtain a three-bed house was currently around three years, with the rent charged by the Council being £800 per month, compared to the private rental average rate of around £1,300 per month. The Local Plan required new developments to include at least 30% social housing, which had helped, but the Portfolio Holder informed the Panel that Registered Social Landlords [RSLs] often were no longer willing to take up new units built, leaving those units to be sold on the open market. The Government had promised rent increases of CPI [Consumer Price Index] plus one percent, which would have led to increases of 12-13% in the past year, but had then introduced a rent cap in 2022 of seven percent. RSLs therefore felt it too risky to increase their stock, especially with interest rates still high.

The Panel discussed instances of overcrowding in temporary accommodation, including young families, the reasons which had led to this situation, and the educational difficulties found by children in such households.

A Panel member remarked that Colchester had outperformed other local authorities in the area when it came to numbers of new build properties, going on to ask the Portfolio Holder how Colchester found itself in the current situation. The Portfolio Holder agreed that housebuilding had carried on over the years, but not at a rate which matched the increase in population, which had increased at roughly 11% per year (compared to the national average of 6%). Whilst it was positive that people wanted to live in the Colchester area, this caused problems, exacerbated by a loss of social housing due to 'right to buy' sales, with around 4,000 properties lost, with only one new property able to be provided, at best, for every four lost.

The Portfolio Holder argued that a large investment in social housing was necessary, funded by central government. More affordable homes were needed, and the Panel were told that the provision of an additional three-bedroom house into Council stock had a knock-on effect to improve the lives of more than one family, with the reduction in overcrowding and ability to move people out of overcrowded temporary accommodation. Colchester Borough Homes [CBH] offered a number of incentives for people who found themselves under-occupying Council properties to downsize. These included cash and assistance towards moving house.

The Panel discussed the situation regarding temporary accommodation, with comments made that this continued to worsen over the years, including the heightening need for larger properties for families. The cost of temporary accommodation was highlighted, being more costly to provide than a normal council-stock property, with a suggestion made that the Council should explore modular housing options, and moving older residents to bungalows if possible, and if they wish to move, to make larger properties available for families to occupy. The provision of temporary accommodation was difficult, with households often having to be placed in unsuitable properties, due to the lack of suitable units. The Portfolio Holder informed the Panel that a site visit was scheduled to take place on 6 November, to look at modular housing options. Chelmsford City Council had explored the use of modular accommodation, but it had taken around three years from the start of the project until the first residents were able to move into the units provided.

The Panel members raised questions about the Gateway to Homechoice letting allocation system, and the award of bandings based on priority need. The Portfolio Holder explained that there were households who had been assigned temporary accommodation, but which had yet to receive a banding for priority. It was explained that people dropped off the housing need register, as those assigned lower bandings were less likely to successfully bid on any properties.

Panel members asked about the funding background to the Council's housing stock. The Portfolio Holder explained that, when Government had sold the housing stock back to Colchester Borough Council, the Council had funded this by taking out 50-year loans at low rates, but was not able to 'gamble' on taking out Public Works Loan Board [PWL] loans at low rates, on the chance that rates would then rise.

A Panel member asked how many tenants would have the 'right to buy' their rented properties, and what could be done to move tenants from social into private renting. The Portfolio Holder explained that all Council tenants had the right to buy the property they were renting after a certain set number of years tenancy, and that the Council had no scope or ability to ask tenants to move into the private sector. This would require primary legislation to make possible. The Portfolio Holder argued that the expected lifespan of Council properties should be lowered from 60 years to 40 years, to show a more realistic expected lifespan, in light of the likelihood of loss through right to buy. RTB sales were around 100 per year, although this was likely to drop as interest rates stayed high, but then increase again. The units which tended to be lost to RTB sales were the larger three- and four-bed properties, which were difficult to replace.

The Portfolio Holder answered questions regarding energy efficiency measures, explaining the largescale scheme, around 12-13 years previously, to install photovoltaic panels on residential properties. These had proceeded to save the residents around £150 per year, per property, and generated around £100k per year in 'feed-in tariff' [FIT] income for CBH/the Council. This scheme had not entailed a cost to the Council, as the Council had negotiated an excellent deal, leading to the best numbers of properties with photovoltaic panels of any arms-length management organisation [ALMO]. No new panels had been fitted recently, due to the earlier widescale scheme, but the Council was fitting heat pumps in properties in different

areas.

A Panel member noted the difficulties faced in housing, and pointed out that the Government's rent cap had been introduced to protect tenants during the cost of living crisis. Arguments were made that, unless ways were found to reduce the cost of new social housing, the efforts that could be made to improve the situation were minimal. The Portfolio Holder agreed that housing was too costly, but argued that the rent cap was not to protect tenants, as the Government would have also capped private rent rises also, if that had been the intention. Different possible ways to reduce housing costs were raised, such as reducing land banking, and looking at land valuations and builder margins.

The Portfolio Holder was asked what the Council could do to help large numbers of households needing housing, and explained that all local authorities in East Anglia had the same crisis in housing and that only central government changes and policy could make significant differences.

The Portfolio Holder was asked if more could be done to weight housing allocations towards households with connections to the area, rather than by housing need. The Portfolio Holder explained that the Gateway to Homechoice lettings system covered seven local authority areas, and that Colchester experienced far more people moving out of the area via this system than the number moving in. Mid Suffolk Council, in comparison, lost around 70 properties per year to bidding applicants moving into its area. The scheme helped people to locate housing of an appropriate size more easily, across a larger geographic area. New build properties that were allocated for social housing were however first offered to people with links to Colchester, and armed forces families received preferential consideration in lettings, waiting around six months less, on average, than non-service families in the same band.

The Gateway to Homechoice scheme received regular reviews, including by Policy Panel. The Panel had, in the previous year, wished to look at whether local links of applicants could be better prioritised, but it had been found that there was not enough accommodation resource to permit a general local lettings policy, and that it would only be possible for specific and appropriate housing schemes, such as on Scarfe Way, and in some rural developments. The Portfolio Holder fielded further questions and confirmed that the marital status of applicants was not a factor when calculating the applicant's housing need.

The Panel discussed the different demographics of residents needing social housing and/or housing benefits. Some were fleeing domestic abuse and homelessness, but many were in full time work but could not earn enough to afford private rental accommodation or home ownership. The Portfolio Holder gave the example that an individual on the average salary for the Colchester area would now need around eight to nine times that salary in order to afford a property in the cheapest 25% of properties in the area. Unless contributions from family members could be made, it was very difficult to start on the housing ladder, especially when having to pay rent whilst saving up. The situation was even worse in Chelmsford and closer to London.

Councillor Smalls (by reason of being a resident of the area in which St Mary's Car Park was sited) declared a non-registerable, non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7 (5).

Councillor Martin Goss, Portfolio Holder for Neighbourhood Services and Waste, gave an outline of the Council services and work which fell within his remit, which covered recycling, waste collection and cleansing. The Portfolio Holder highlighted that the Council was a waste collection authority, whilst Essex County Council [ECC] was the waste disposal authority for the County. This portfolio also included management of the Council's waste collection fleet, parking matters (working with the North Essex Parking Partnership), street naming and parks and playgrounds.

Sickness levels had dropped, with the physical nature of the jobs within waste collection being highlighted, walking around 20 miles per day for collection operatives, filling up to two dustcarts with 10-12 tonnes of rubbish per day. Physio support was provided for staff with musculoskeletal conditions. Councillors were encouraged to accompany a collection team on one of their routes, to see what the job entailed.

The Shrub End depot had been found to be unfit for purpose, and so investments had been made in improving it, including new shower units and improved staff facilities. Where possible, existing facilities were retained and improved as this was cheaper than a full rebuild.

Fifteen new permanent positions had been created, in order to reduce the need for agency staff. Agency staff would always be needed, to cover rounds and increase capacity where this was temporarily necessary, with the split of permanent staff and agency staff currently at around 80% to 20%. The Portfolio Holder stated that there would always be a need for around 10% of staffing to be covered by agency staff, but this should be minimised as they were less reliable, didn't know routes so well and missed more collections. The recruitment freeze at the Council was a challenge, with all recruitment requiring signing off. The Portfolio Holder recommended if recruitment was necessary, then this was sent up the chain for approval. Agency staff were easier to call in, but cost more.

Officers were being trained up, including being sent on HGV [Heavy Goods Vehicle] driver training courses, to give them the ability to progress to be team leaders/collection vehicle drivers. The Panel asked if these officers would then be tied into their contracts for a certain length of time, once trained. The Portfolio Holder confirmed that this was the case, and that Human Resources could supply the details.

Trade waste collection had achieved profitability and targets had been exceeded to provide bins to flat management companies. A new contractor for local recycling had been found in August 2023; a company called Plan B. Food waste was sent to Halstead whilst garden waste went for processing in Birch This minimised the carbon footprint of the Council. A local waste review continued, alongside ECC's Essex-wide Waste Strategy consultation. The Council's recycling and landfill rates compared favourably to many other local authorities' rates.

A new system had been introduced to identify litterers and issue penalty notices, with

patrols covering different parts of Colchester. There was currently a payment rate of around 70% of notices issued. Possible ways to increase fines for littering and fly tipping were being considered. Funding of more than £10k had been achieved for the purchase of a chewing gum removal machine, with suction cleaners also being purchased. New 'ballot casting' style cigarette bins were to be trialled at the end of the current month. Many dog waste bins were being replaced with 'dual use' bins which could also take normal litter, thus reducing collection costs.

A full refit of the Vineyard Gate lift had been carried out, the Knife Angel had been brought to Colchester and days of action had continued to be carried out in the City.

The Portfolio Holder outlined the specific challenges presented by cleansing the A12 within the Colchester area. A joint tender for cleansing had been explored with Tendring District Council, but this had been shown to be cost prohibitive, and all bidders had failed the tender requirements. A12 cleansing should require lane closures, but the Council was working with Highways England to find a way to proceed without significant traffic disruption.

The Council's grounds maintenance contract continued with idVerde, with whom the Portfolio Holder had recently met to discuss service provision. Work was due to start on the new Highwoods playground, and the Portfolio Holder outlined other ongoing works with park services.

Saint Mary's car park was now closed on weekend evenings. Cars which were parked there could exit after closing time, but new vehicles could not enter after 10pm. This meant that theatre goers would not be affected. If this did not reduce the levels of antisocial behaviour, other options would be explored, such as the use of barriers. The MiPermit payment system was working well, and significant investment had been made in modern payment machines. A member of the Panel noted their disappointment in the low level of enforcement and fining of offences against the vehicular PSPO, and lack of support by the Police, arguing that the Police should be pressed to increase enforcement. 55 warnings had been issued, but only one fine. This PSPO had also targeted other areas and seen Police enforcement action elsewhere. Alternatives for Saint Mary's car park were suggested, such as manually putting up a fence overnight in the short term, to be replaced by automatic barriers in the long term. The Portfolio Holder informed the Panel that the cost of shutters was being examined, and that he had raised the problems at this car park with the Police, who had been supportive of measures to address them.

Councillor David King, Leader of the Council, referenced the promise he had made to residents of the Saint Mary's area that there would be zero tolerance of antisocial behaviour and PSPO breaches, with fines to be issued. The Leader gave his view that it was appropriate for the Police to seize the vehicles of repeat offenders. More CCTV and patrols were being brought in. The initial measures used would be temporary and be replaced by a long term solution.

The Panel discussed the differences in types of recycling collection, with one member questioning whether materials collected for recycling were actually recycled. The Portfolio Holder explained the recycling process used, and that plastic recycled from co-mingled recycling collection was of lower quality than that created from plastic

recycling collected separately. Maldon conducted hand sorting of its co-mingled recycling, as the technology for automatic sorting was not there. Colchester asked its residents to split recycling into different materials, which reduced the cost and complexity of the process, which was greener as it was a shorter process.

The use of recycled materials was discussed by the Portfolio Holder, with Germany using plastic for burning in eco-friendly energy production methods. China had stopped taking plastic recycling, leading to a glut in the market, but there was now a market again for plastics used in yoghurt and flower pots, which could be washed, turned into pellets and put to new uses. The Portfolio Holder explained that ECC insisted on sending black bag waste to landfill, even though other places burned them for power generation. The current main landfill for North Essex was in Stanway.

At this point in the meeting, Councillor Laws left for another commitment. Councillor Willetts, as Deputy Chairman of the Panel, took over the chairing of this meeting.

The Portfolio Holder answered questions about the price the Council received for its recycling, explaining that fixed contract pricing was not possible, and that all materials had to be sold at the spot price at the time. ECC was moving to a 70% recycling target for all Essex in the next decade. The Council would fall in line with this, and the new Waste Strategy, due to be published in the coming year, would show how this would be achieved. Efforts would be made to encourage households to start recycling, as many were still binning materials such as glass. Local authorities could issue fines for non-recycling, and it was expected that councils would use a tougher approach in the future. Recycling targets related to the percentage of collected waste going for recycling, with the current key target being 55%. A Panel member asked how recycling could be made easier for residents. The Portfolio Holder extolled the benefits of using wheelie bins for ease of use, but having one bin for mixed recycling collection would increase the processing fee and level of contamination, so would lower the amount paid to the Council for the materials produced. This was being examined in the waste review.

The Portfolio Holder was asked how recycling bags were delivered to households, and explained that they were delivered by a mix of Council staff and agency staff. A Panel member asked what alternative there was to this way of delivering the bags, being told that the only alternative was to stop delivering recycling sacks to households. The cost of delivery was around £70k per year. Council staff had knowledge of the area which aided delivery. Outsourcing the delivery of bags would increase costs.

A Panel member asked about the proposed new system for charging for garden waste collection, stating that the cost profile raised questions, such as about over-staffing. The Portfolio Holder was asked if a more comprehensive profit and loss statement could be provided for the scheme. The Portfolio Holder agreed to see if this was possible. When asked why it had taken such time to commence the waste review, after receiving this as a recommendation from the Local Government Association peer review, the Portfolio Holder explained that the Environment and Sustainability Panel owned that work, with the expected publication of the review results in January or February 2024.

The Portfolio Holder was asked when the Council would move to a fully electric fleet of waste collection vehicles. It was explained to the Panel that the current fleet would depreciate over seven or eight years. It had been seen to be cost-effective to buy the fleet rather than lease it, with the technology not yet in place for electric collection vehicles to be affordably used. Electric vehicle options had been prohibitively expensive prior to the increase in inflation, which had further increased the cost. The range of these vehicles was insufficient to cover the Council's area for rounds further from the Council's depot. A bid had, however, been submitted for grant funding towards buying an electric road sweeper. The NEPP was currently leasing electric vehicles, with the Council on a pathway to this but being hampered by Government changes over time to different deadlines and requirements relating to electric vehicles [EVs]. As the next fleet replacement neared, the different options would be benchmarked, and the most cost-effective option chosen. EVs would not be purchased until they were at an affordable price.

A Panel member asked if the Council's car parks would pivot to prioritising use by EVs. The Portfolio Holder noted that the average usage of car park spaces in Colchester was in excess of 800 spaces per day, with car parks full at weekends. A long-term parking strategy had been in place for the past two years, with two needing to close within the next decade, having reached their end of life: Saint Mary's and Saint John's car parks. Some car parks had been in the Local Plan for over a decade, and the Portfolio Holder ventured that some could be removed whilst retaining enough spaces overall, however the Britannia car park would need to be replaced when it reaches its current end of life. The Parking Strategy included content on how to effect modal shift of journeys from private cars and on to public transport and other alternatives. The Portfolio Holder was asked the budget implications of underuse on weekdays and overuse on weekends, and how charges could be adjusted to maximise income. The Portfolio Holder noted that at its peak, parking income was £4m per year, but had dropped in recent years. Offers were in place for off-peak use during the week, overseen by Richard Walker, Head of Parking.

The Portfolio Holder was asked how pavement parking could be dealt with, and explained that this remained a Police matter, except in London. The Government had been examining the potential decriminalisation of obstructive parking, so that local authorities could issue fines, but work had stalled.

The Panel asked questions regarding sickness levels, and measures being taken to support staff. The Portfolio Holder informed the Panel that days lost to sickness had reduced from 20.94 in August 2022, to 13.25 in August 2023, with reductions in both long- and short-term sickness. Care for staff was key, and was an important reason in favour of increasing the use of wheelie bins. Council staff received a discount for use of Leisure World, as exercise could help prevent injury. The Portfolio Holder explained that agency staff would always be needed to assist in waste collection, covering holidays, sickness and training time taken by Council staff. Agency workers were the most flexible way to provide cover where needed, and the best rates were sought from employment agencies. It was not possible to recruit and have 100% staffing in-house.

The Chair thanked the Portfolio Holders for Housing, and for Neighbourhood Services and Waste, for their comprehensive briefings and detail provided in their answers to questions.

426 Work Programme 2023-24

The Chair asked if there had been progress in actioning the Scrutiny Panel's request to receive a report and agenda item on the work of the Local Highways Panel for the Colchester area. Owen Howell, Democratic Services Officer, confirmed that this had yet to be scheduled and that it would be scheduled as soon as possible.

RESOLVED that the SCRUTINY PANEL's Work Programme be approved for 2023-24.