



Colchester
City Council

Cabinet Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 11 October 2023 at 18:00**

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

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.

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Colchester City Council

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COLCHESTER CITY COUNCIL
Cabinet
Wednesday, 11 October 2023 at 18:00

Leader and Chair	Councillor King Councillor Burrows Councillor Cory Councillor Goss Councillor Jay Councillor Luxford Vaughan Councillor Smith Councillor Sommers
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AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Live Broadcast

Please follow this link to watch the meeting live on YouTube:

[\(107\) ColchesterCBC - YouTube](#)

1 Welcome and Announcements

The Chair will welcome members of the public and Councillors to the meeting and remind those participating to mute their microphones when not talking. The Chair will invite all Councillors and Officers participating in the meeting to introduce themselves.

2 Urgent Items

The Chair 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.

3 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.

4 Minutes of Previous Meeting

The Cabinet will be invited to confirm that the minutes of the meeting held on 6 September 2023 are a correct record.

06-09-23

9 - 18

5 Have Your Say! (Hybrid Cabinet Meetings)

Members of the public may make representations to Cabinet meetings on any item on the agenda or any other matter relating to the business of Cabinet. This can be made either in person at the meeting or by joining the meeting remotely and addressing the Cabinet via Zoom. Each representation may be no more than three minutes. Members of the public wishing to address Cabinet remotely may register their wish to address the meeting by e-mailing democratic.services@colchester.gov.uk by 12.00 noon on the working day before the meeting. In addition, a written copy of the representation should be supplied for use in the event of technical difficulties preventing participation at the meeting itself.

There is no requirement to pre-register for those attending in person.

6 Decisions Reviewed by the Scrutiny Panel

The Cabinet will consider the outcome of a review of a decision by the Scrutiny Panel under the call-in procedure. At the time of the publication of this agenda, there were none.

7 Planning, Environment and Sustainability

7(i) Ferry Marsh Nature Reserve Improvements

19 - 32

To consider the recommendation from the Environment and Sustainability Panel at its meeting on 21 September 2023. The report to the Panel is attached as background.

8 Resources

8(i) Mid Year Capital Programme Updates 2023

33 - 42

Cabinet will consider a report setting out a limited review of the Capital Programme which only considers approval for new capital commitments which are either time critical or essentially previously

approved and the removal of completed schemes with residual unspent allocations.

9 **Housing**

9(i) **Housing and Homelessness Update**

Cabinet will receive a presentation providing an update on issues relating to housing and homelessness.

10 **Communities**

10(i) **Response to Anti Social Behaviour**

43 - 60

Cabinet will consider a report on the short and long-term strategies to tackle anti-social behaviour across Colchester, in particular the City Centre.

11 **Strategy**

11(i) **Reinforced Autoclaved Aerated Concrete (RAAC)**

The Leader of the Council will provide an update on the position on Reinforced Autoclaved Aerated Concrete (RAAC) in the city.

12 **Strategy/Communities/Resources**

12(i) **Recommendations from the Policy Panel**

61 - 62

Cabinet will consider the recommendations made by the Policy Panel at its meeting on 27 September 2023.

13 **General**

13(i) **Progress of Responses to the Public**

63 - 66

Cabinet will consider a report that sets out how the progress of responses to those who have addressed meetings of the Cabinet, Council and Panels under the Have Your Say! provisions.

14 **Exclusion of the Public (Cabinet)**

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to exclude the public, including the press, from the

meeting so that any items containing exempt information (for example 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)

<p style="text-align: center;">CABINET 6 September 2023</p>

Present: - Councillor King (Chair)
Councillors Burrows, Cory, Goss, Jay, Luxford Vaughan,
Smith, Sommers

Also in attendance: Councillors Lilley, Scordis
Sunnucks, J. Young

777. Minutes

RESOLVED that the minutes of the meeting held on 12 July 2023 be confirmed as a correct record.

778. Have Your Say!

Sir Bob Russell attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to express his concern that no other Council in the country operated an administration on the same basis as Colchester where the Cabinet was drawn from a group comprising less than a third of Council. This was not democratic and went against Liberal Democrat principles of proportional representation. It would have preferable to form a Cabinet of the three major groups, as had been done when the Cabinet system of governance was first introduced. At the last meeting of the Town Deal Board only six of the 15 members had attended the meeting and one member had not participated since 2021. This was a quango and the only democratic representation came from the attendance of the Leader of the Council. Who had taken the decision to hand over the management of Holy Trinity Church to this body and when?

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that he would write with a full response on the points raised on the Town Deal Board. However, in order to bid for funding under the Government's Town Deal it was necessary to set up an independent structure. The Town Deal Board was this structure. This consisted of colleagues and partners who brought weight and understanding to the Board's deliberations. Colchester City Council and Essex County Council were represented and brought democratic engagement to the Board. The alternative would be not to bid for Town Deal funding. In terms of the points raised about the administration, following the election, the only group who could form an administration were the Liberal Democrats, with informal support from other groups. Whilst this was unusual it was a democratic mandate.

Nick Chilvers attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). The consultation on the City Centre Masterplan had now closed and the public had had their say. He had read the responses online and there were no responses from Councillors. Were these logged separately or were they provided with a separate opportunity to comment? It was not right that Councillors could read residents comments, but residents could not see what Councillors thought. The Masterplan was an issue for all residents and Councillors as everyone used the city centre. Officers should not present a response to the consultation until Councillors had commented.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that Councillors did not lack opinions and there were several ways to ensure a robust conversation was held on this issue. Councillors were a crucial part of the process and would be involved in taking it forward. Once the consultation responses had been analysed, this would be published and presented to members. This was the start of the process, and there would be further decision making and members would be at the heart of this. This was not a closed process.

A local resident attended and addressed Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to voice concerns about anti-social behaviour at Mary's car park. Since moving to St Mary's in 2017 there had been over 300 incidents which they had logged or had been reported by neighbours. Little progress had been made despite logging these with the Council and the police. Some progress had been made by installing speed bumps on the top floor but this had only moved the problem to lower floors. The use of Public Space Protection Orders had also not significantly addressed the issue and it was now worse than ever, with thirteen incidents in the last month. This affected over 200 residents and their quality of life was being seriously impacted by this issue. It was only a matter of time before someone was seriously hurt by the reckless driving in the car park. There was no preventative measure in place to stop this behaviour. The police had recommended the installation of barriers but the Council had rejected this option. The removal of barriers in 2016 had been the cause of the problem. It also caused reputational damage to Colchester as the car park was used heavily by patrons of the Mercury Theatre.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that he appreciated this was a significant issue for residents and was aware of the impact it had. He had reviewed matters this week with officers to look at a range of measures such as high quality CCTV to improve enforcement action. The Council was also looking at barriers, although the impact of these on a working car park needed to be considered. The Council would do all it could to deal with the issue and it was committed to dealing with anti-social behaviour more generally, working together with the police.

Councillor Scordis attended and with the consent of the Chair, addressed the Cabinet. The Hythe Task Force was now on hold as the Member of Parliament had passed the issue to the Council, Essex County Council and Anglia Water to resolve. In view of this, what role would the Council play in addressing the issue of flooding? The Hythe was one of the main entrances to the City and was close to the University so was seen by prospective students and their families. It was not in the best condition. Section 106 funding had been spent elsewhere in the city, and whilst there had been some work on heritage, this had been bitty. It required a mini masterplan to set out how it might develop

in the future. One of the issues was the dumping of bulky items in the river. Neighbourhoods had dealt with in the past. It was appreciated that this involved a significant resource but it was an eyesore to those arriving at the Hythe station.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, and explained that he had written back to the MP setting out the Council's position on the Hythe Task Force. The Council could not act or intervene where it did not have the authority. Anglia Water and Essex County Council had the statutory responsibility to deal with the issue. Anglia Water had offered a small financial contribution. The Council would play its part as a facilitator but those who had the statutory responsibility needed to step up. He would be prepared to convene the Task Force if partners were prepared to engage seriously. The issue of a masterplan for the Hythe was a sensible one and he would ask officers to investigate this issue and those raised about items dumped in the river.

779. Treatment of War Pensions and the Calculation of Housing Benefit

The Head of Operational Finance submitted a report a copy of which had been circulated to each Member.

Councillor Cory, Portfolio Holder for Resources, introduced the report and explained that the proposals would ensure the continuation of the policy whereby War Disablement Pensions and War Widow's Pensions were disregarded as income in the calculation of Housing Benefit. This was a particularly pertinent policy given Colchester's links to the Armed Forces and the Garrison.

RESOLVED that it be reconfirmed that War Pensions (as defined in paragraph 6.3 of the Head of Operational Finance's report) should be disregarded as income when calculating the entitlement to Housing Benefit.

RECOMMENDED TO FULL COUNCIL that it reconfirms this decision.

REASONS

The recommendations are supported as the Social Security Administration Act 1992 requires the Council to formally adopt any modification of the Housing Benefit scheme where the whole or part of any War Pension is disregarded.

Continue to maximise the support available for those residents in receipt of any War Pension.

ALTERNATIVE OPTIONS

It was open to Cabinet not to reconfirm that War Pensions should be disregarded as income when calculating the entitlement to Housing Benefit.

780. Local Government and Social Care Ombudsman – Annual Review Letter

The Head of Governance and Monitoring Officer submitted a report a copy of which had been circulated to each Member.

George Johnson attended and addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). He explained that he was Mr X referred to in report before Cabinet. He considered Colchester Borough Homes were failing tenants all over the city. Even after the resolution of the complaint referred to in the report, he was considering going to the Housing Ombudsman over issues relating to asbestos flooring and mould caused by a hole in a wall. It had taken 5 years to get a leaky boiler and radiators replaced. There was also a serious dust problem which aggravated asthma for members of his family. Colchester Borough Homes had also not taken seriously other health issues and failed to accept recommendations from an Occupational Therapist about the needs of his family. He had raised these issues through local councillors and the Member of Parliament. A trawl of Colchester Borough Homes social media would show that this was not an isolated incident and government guidance on allocations was not being met.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that Colchester Borough Homes were not a separate body and were part of the Council's family. The Council took responsibility for Colchester Borough Homes actions. They provided a good service to many and the Council was deeply committed to improving its housing stock. He was deeply sorry for the experiences of Mr Johnson and his family and for the finding of fault by the Ombudsman. He was aware that the recommendations of the Ombudsman had been implemented but he would ask Colchester Borough Homes to review again what had happened in this case and to see what could be learnt for the future.

Councillor Smith, Portfolio Holder for Housing, explained that Colchester Borough Homes looked after 6500 properties. It was disappointing when it did not meet the expected level of service. There were opportunities to raise this sort of issue through other channels such as tenant forums and he was concerned that this had not been picked up through these channels. The housing stock was severely stretched which meant difficult decisions on allocations needed to be taken. Ideal accommodation could not always be provided, given the current level of demand and the strains on the system. However, issues such as mould as raised in this case needed to be dealt with and if made aware he would escalate these to Colchester Borough Homes senior management.

Councillor Cory, Portfolio Holder for Resources, introduced the report. The Council was required to publish the Annual Review Letter from the Local Government and Social Care Ombudsman. This showed that the vast majority of cases were handled well. It took seriously any finding of fault by the Ombudsman and sought to learn lessons from those. The Council needed more resources to be able to deliver better services, especially in respect of housing, and together with the Leader he lobbied wherever possible for greater resources for local government, given its crucial role in delivering basic services.

RESOLVED that the contents of the Local Government and Social Care Ombudsman's Annual Review Letter for 2023 be noted.

REASONS

To inform the Cabinet of the contents of the Local Government and Social Care Ombudsman's Annual Review Letter relating to Colchester City Council for 2023.

ALTERNATIVE OPTIONS

No alternative options were presented.

781. 2022/23 Year End Review of Risk Management

The Corporate Governance Manager submitted a report a copy of which had been circulated to each Member.

Councillor Sunnucks attended and with the consent of the Chair addressed Cabinet. The Risk Management Strategy and risk matrix missed some of the major risks, which were project risks. He had requested a copy of the project risk register but it had not been provided. Cabinet needed to ensure that there was such a register of project risks and that it was properly scrutinised. The risks around the details of projects such as Northern Gateway needed to be understood.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that Governance and Audit Committee had endorsed the approach taken to risk management because it saw that Cabinet and officers appreciated risk and saw it as a live issue that needed to constantly evaluated. Project management risk needed to be understood and considered in the proper context, such as within the review of the capital programme. The risks around Northern Gateway were considered and addressed and would be taken into account in the context of the changing market. The forthcoming workshop would be an opportunity to look at this issue and relevant information would be provided in advance of the workshop.

Councillor Cory, Portfolio Holder for Resources, explained that there was not a register including all the projects the Council was involved in. It would not be feasible to include all projects on the risk register as there were projects of many different types and levels and it would become unworkable. The risks associated with capital projects were looked at and he would consider further how these could be put forward to give further transparency.

Pam Donnelly, Chief Executive, was invited to comment and explained that risk was a top priority for the Senior Leadership Board and it reviewed the Strategic Risk Register in detail monthly. Every decision making report included an assessment of risk management implications. In line with Local Government Association best practice, the three statutory officers met once a month and considered risk issues. The Strategic Risk Register was a construct of a number of sub registers. The forthcoming workshop was a critical opportunity to expose in a safe environment the levels of risk within the Council and within the capital programme. Detailed information was being prepared and she would personally assess it and ensure it was meaningful.

Councillor Jay, Portfolio Holder for Economy, Transformation and Performance, introduced the report and explained that it was a broad overview at a strategic level. The Cabinet could take confidence from the fact it was being reviewed at a senior level within the Council and from the reassurance from Governance and Audit Committee. The report and supporting documents should be endorsed on that basis.

RESOLVED that:-

- (a) The Council's progress and performance in managing risk during the period from April 2022 to March 2023 be noted.
- (b) The current strategic risk register be approved.
- (c) The proposed Risk Management Strategy for 2023/24 be approved and *RECOMMENDED* to Full Council that it be included in the Council's Policy Framework.

REASONS

Cabinet has overall ownership of the risk management process and is responsible for endorsing its strategic direction. Therefore, the risk management strategy states that Cabinet should receive an annual report on progress and should formally agree to any amendments to the strategy itself.

During the year progress reports are presented to the Governance and Audit Committee, detailing work undertaken and current issues. This report was presented to the Governance and Audit Committee on 1 August 2023, where they approved its referral to this meeting.

As part of the Policy Framework, any changes and reviews of the Strategy need to be approved by Cabinet and ratified by Full Council.

ALTERNATIVE OPTIONS

No alternative options were presented to Cabinet.

782. Year End April 2022- March 2023 Performance Report Key Performance Indicators (KPIs) and Other Performance News

The Chief Operating Officer submitted a report a copy of which had been circulated to each Member.

Councillor Jay, Portfolio Holder for Economy, Transformation and Performance, introduced the report and thanked officers for their work in managing performance and compiling the report. The report now included good comparative information. She would now be provided with monthly information of performance against KPIs which would help monitor performance. Most of the customer related KPIs were being met, and a number of those that were missed were only marginally below target. Performance in respect of sickness absence was now improving.

RESOLVED that the performance against Key Performance Indicators be noted, and it be noted that where Key Performance Indicators have not been met that appropriate corrective action has been taken.

REASONS

To review year end performance for 2022 – 2023 and ensure robust performance management of key Council services.

ALTERNATIVE OPTIONS

No alternative options were presented to Cabinet.

783. End of Strategic Plan 2020-23 Performance Report – Delivering Cabinet Vision and Priorities

The Chief Operating Officer submitted a report a copy of which had been circulated to each Member.

Councillor Jay, Portfolio Holder for Economy, Transformation and Performance, introduced the report and explained that the report demonstrated that delivery against the Strategic Plan 2020-3 had been achieved despite the pressures the Council faced.

Councillor Cory, Portfolio Holder for Resources, highlighted the challenging environment in which the priorities had been delivered.

RESOLVED that delivery against the 2020-23 Strategic Plan be confirmed.

REASONS

To ensure satisfactory delivery of Cabinet's vision and key priorities.

ALTERNATIVE OPTIONS

No alternative options were presented to Cabinet.

784. Impact of Pylons on the Area of Outstanding Natural Beauty

The motion on the impact of pylons on the Area of Outstanding Natural Beauty considered by Full Council at its meeting on 19 July 2023 was referred to Cabinet. A copy of the motion had been circulated to each Member.

Councillor Luxford Vaughan, Portfolio Holder for Planning, Environment and Sustainability, stressed that this was an important motion that had helped raise awareness. She had been working with officers, ward councillors and some members of the public to take forward the motion. The Council had consistently robustly objected to the proposals from National Grid and encouraged an independent review of the offshore option. This had been restated in the response to the formal consultation. The Council was now focusing on issues relating to heritage and archaeology to support its case against the proposals. The Council had a strong position and the administration was working in accordance with the terms of the motion.

Councillor King indicated that there was real substance behind the terms of the motion and that it was supported by in-depth work from officers which should influence the decisions ahead.

RESOLVED that:-

- (a) the contents of the motion and Council's view on the impact of pylons on the Area

of Outstanding Natural beauty be noted.

(b) work continue to take forward the views expressed in the motion.

REASONS

Cabinet supported the terms of the motion approved by Council.

ALTERNATIVE OPTIONS

No alternative options were proposed.

785. Anti-Social Behaviour in the City Centre

The motion on anti-social behaviour in the town centre considered by Full Council at its meeting on 19 July 2023 was referred to Cabinet. A copy of the motion had been circulated to each Member.

Councillor Lilley attended and with the consent of the Chair addressed Cabinet. He was aware that the Leader had met the Station Commander and he was keen to hear plans to address anti-social behaviour in the city centre. He believed that matters were regressing. It was appreciated that matters were difficult due to cuts in Council and police funding, and the cuts in the number of police officers. The comments of senior police officers and the Police and Crime Commissioner about numbers of police officers were unhelpful. The police needed to address retail crime, which was currently treated as a low priority. He had raised these concerns at the Police and Crime Panel and would also raise them at the forthcoming meeting of the Crime and Disorder Committee. He expressed concern that Council wardens were not allowed to use their walkie-talkies to call for police assistance and had been advised to call 999, which was unacceptable.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that he believed that these issues would be best addressed in discussion with the police, and the Crime and Disorder Committee would give an opportunity for these matters to be raised. He had taken confidence from his meeting with the police. They understood the issues experienced in Colchester through the summer. Their work was intelligence led and focused. They needed help and support including members of the public reporting crimes officially rather than on social media.

Pam Donnelly, Chief Executive, was invited to comment, and suggested that in advance of the Crime and Disorder Committee, Councillor Lilley should ensure that the Labour Group Spokesperson made it very clear in the briefing what they required to be covered in the presentation to the Committee and that he liaise with the Portfolio Holder for Communities about attendance at the Community Safety Partnership. Councillor Sommers, Portfolio Holder for Communities, indicated she would arrange for him to be invited.

Councillor Cory, Portfolio Holder for Resources, explained that when he had been Leader of the Council the Council had provided funding to the police for town centre policing. In the current circumstances, this could not be replicated. The police were now receiving more funding but police numbers were still low. There were other contributory factors to anti-social behaviour, including the lack of funding for health, housing and youth services.

Councillor Goss, Portfolio Holder for Neighbourhood Services and waste, indicated that he had raised the issue of wardens being able to call 999 with the police and the policy may have changed. There was also anecdotal evidence that they were taking retail crime more seriously.

Sir Bob Russell attended and addressed the Cabinet pursuant to the provisions of Cabinet Procedure Rule 5(1). He noted that the Leader had published a letter in the Gazette claiming that anti-social behavior had halved in the past 5 years. The Council should not create or support areas where anti-social behaviour could occur. The proposals for Holy Trinity Church would remove some of the railings which would provide a space where anti-social behaviour could take place and put at risk some historic headstones. The railings had been put in place following a vote at Council to specifically deter anti-social behaviour.

Councillor Burrows, Portfolio Holder for Heritage, Culture and Leisure indicated that she understood from a presentation she had seen for service users that the railings would be retained and could be closed off at night. This was disputed by Sir Bob Russell. Councillor King indicated that the Council supported the work of the Town Deal Board to improve the setting of Holy Trinity Church and the provision of open space in the city centre.

RESOLVED that Cabinet noted and supported the motion on anti-social behaviour in the city centre as approved by Council.

REASONS

Cabinet supported the terms of the motion.

ALTERNATIVE OPTIONS

No alternative options were proposed.

786. Progress of Responses to the Public

The Democratic Services Manager submitted a progress sheet a copy of which had been circulated to each Member.

RESOLVED that the contents of the Progress Sheet be noted.

REASONS

The progress sheet was a mechanism by which the Cabinet could ensure that public statements and questions were responded to appropriately and promptly.

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.

787. Minutes – Not for Publication Extract

RESOLVED that the not for publication extract from the minutes of the meeting held on 12 July 2023 be confirmed as a correct record.

Ferry Marsh Nature Reserve Improvements – Extract from the minutes of the Environment and Sustainability Panel meeting of 21 September 2023

The Panel considered a report inviting it to recommend to Cabinet changes to Ferry Marsh Nature Reserve, subject to approval of the capital programme for which Ferry Marsh Nature Reserve is included.

Fiona Shipp, Parks, Countryside and Greening Operations Manager, attended the meeting to present the report and assist the Panel with its enquiries. The Panel heard that the Ferry Marsh Nature reserve was located next to the River Colne and Wivenhoe. It was an area of land that Colchester City Council (the Council) had taken control of in 1999 as a dry marsh area. Over time there had been a number of flooding events at the site, and the pipe which led from the site out to the river Colne had a tendency to become blocked by silt and frequently needed unblocking. The Environment Agency used to manage this area and had unblocked the pipe regularly, however, due to changes in the way the area was now managed the Council was now responsible for keeping the pipe clear of debris. It was noticed that as the site had become wetter more species had made it their home, and in 2010 work had been undertaken with Essex Wildlife Trust to manage ditches in the area to try to improve the habitat of water voles there.

It was now proposed that the area was managed as a wetland marsh area by installing water control measures on the site to allow the water level to be regulated to maximise the benefit to the environment there. Additionally, the outlet pipe needed to be extended into the river to reduce the amount of silt which accumulated in it and increase the capacity to remove excess water from the area. As a consequence of the increased water on the site, it was proposed that the public path through the middle of the marsh be removed, although the path along the riverbank which connected with the Wivenhoe Trail would continue to be maintained. A further small path would be added from the Wivenhoe Trail to enable members of the public to access the marsh to benefit from the environment that had been created, and a bird screen would be erected there. It was considered that the Council was in a position to have a really positive impact on the site which was already a Site of Special Scientific Interest.

Officers acknowledged that the proposals would have an effect on local people and visitors to the site, as access to the site would be altered. Because of this a consultation had been carried out, with 217 people attending drop-in sessions held locally, together with 170 responses to an online survey which had run for 6 weeks. Of those who responded, 70% were in favour of supporting the biodiversity of the site and modifying access to help achieve this, and 65% supported the implementation of further water control measures.

The Panel was asked to make a recommendation to Cabinet that the works be included in the Council's Capital Programme so that the pipe could be extended to enable management of the water levels on site. It was hoped that the other changes which were proposed in the Officer's report which was before the Panel would be able to be funded from the site budget over the next few years.

Jane Black attended the meeting and addressed the Panel in accordance with the Council's Have Your Say! provisions. She stated that her views had been endorsed by the Committee of the Wivenhoe Society, and she considered that there were 2 main issues, which were public access and the correct water level. When the Council had acquired the site it had entered into a covenant which stated "the Council hereby covenants with the transferers for the benefit of the remainder of the retained land as follows: not to use the property otherwise than as public open space". For well over a decade the residents of the retained land and other people of lower Wivenhoe had greatly enjoyed walking across the marsh which was part of a round walk including the river wall. The marsh was the only space which was given as part of the housing development on the old port, and was one of only two places in Wivenhoe where a public path gave access to marshland. The Panel heard that the survey which had been carried out did not ask whether the public supported the closure of the path across Ferry Marsh, and it was considered that the proposed small loop was a poor substitute for the previous path across the marsh. It was accepted that people and dogs could disturb birds, but a compromise was needed, and it was suggested that the main path should be retained with the requirement that all dogs remained on lead in this area. A permanent repair of the sluice was required, and the maintenance of water levels in the ditches was desirable, although there was concern that local roads would flood if the water level ever rose above the level of the ditches.

The Parks, Countryside & Greening Operations Manager suggested that the provision of public open space did not require that the same paths were constantly maintained, and that the location of public access to the site had not been set. A circular walk around the site would still be available, and the intention was not to exclude people from the site, but rather to enhance it. As owners of the site, the Council was under an obligation to manage it as a Site of Special Scientific Interest and to try to improve it as far as possible. If the proposal was approved by Cabinet, then an expert would be engaged to consider the water levels in the marsh to ensure that these were at the correct level which would not cause any additional risk to the surrounding area.

Jane Black summarised her position by saying that she did not consider that the provisions of the covenant were satisfied by the provision of a small loop walk, and thought that insufficient access to the site was being provided.

Rob Neve attended the meeting and addressed the Panel in accordance with the Council's Have Your Say! provisions. He had been a resident of Wivenhoe for 18 years, and for 14 of those years had enjoyed walking across the marsh. He considered that repairing the sluice was essential and urgent work, but that any additional expenditure on the site would be foolish and unnecessary. There were concerns that if the area was flooded completely then nearby railway track could be undermined, and Old Ferry Road had also flooded when the water levels in the marsh had been raised. The path through the middle of the marsh should be re-opened, and dogs required to be on leads if necessary, but other than the repair of the sluice, the area needed no other improvement.

The Parks, Countryside & Greening Operations Manager explained that the proposals were intended to enhance the site, although it was accepted that not everyone would agree with the project. Mr Neve confirmed that he did not agree with

the proposals, and a number of other people he was aware of did not agree either. He considered that the right questions were not asked in the Council survey, and asked that the Panel consider the budgetary implications of the proposed scheme in the light of the financial pressures the Council was facing.

A Panel member considered that a balance had to be struck between maintaining public access to the site in its current form, and enhancing biodiversity. The enhancing of the biodiversity and the modification of public access was an interesting way forward for the site and the proposal was a good one.

The Parks, Countryside & Greening Operations Manager clarified to the Panel that the bird screen proposed would be a wooden screen which resembled the front of a bird hide and which would provide an opportunity for members of the public to go into the marsh and observe wildlife through the screen without disturbing it.

In discussion, the Panel expressed some concern about the covenant which had been mentioned. It considered that it was essential that the existence and exact terms of the covenant be confirmed to ensure that the Council's proposals were not in breach of this. Consideration was given to recommending the scheme to Cabinet with the caveat that additional assurance was offered in respect of the covenant.

It was noted that the extension of the outlet pipe would cost in the region of £46,000 subject to the works being included within the Council's Capital Programme. There was some concern expressed about the budget implications of this additional pressure, given the Council's current financial position. It was explained to the Panel that the Environment Agency had stopped maintaining the pipe because a new flood barrage had been installed in the river Colne, and the work of the Agency had been reduced in the area as a result of this. The Panel determined that more detailed information on the cost of the works and possible sources of funding for this would be very useful to consider. The Parks, Countryside & Greening Operations Manager confirmed that the proposals for which cost had not specifically been identified in the report were fairly low cost to implement and could be met out of the current site budget. A detailed survey would be required on the site and the cost of this was unknown at the present time.

The Panel recognised the concerns which had been raised by residents, and wondered whether any alternative arrangements for the site had been submitted for consultation. It was necessary to ensure that the proposals which had been put forward were not carried out to the detriment of other existing open spaces. It was clarified that there was no proposal being made at this time in respect of the Crown Estate land at the location, as no decision had been taken to take on this piece of land at the present time. Any such proposal would be the subject of public consultation in the future. The river wall did form part of the walk around the site and this was owned by the Council and would be maintained as part of the asset. There were no issues with anti-social behaviour in the area.

The panel note that a number of additional queries had been raised in respect of the project during the course of the debate, and indicated that it would be happy to receive an amended report at its next meeting providing more information on the points which had been raised. The Parks, Countryside & Greening Operations

Manager confirmed that such a delay in making any recommendation to Cabinet would have no significant implications for the site, however, the repair of the sluice gate and extension of the drainage pipe were the most urgent items of work to allow flooding on the site to be managed.

Following further discussions, the Panel considered that the most effective way forward was to recommend that the extension and repair work on the outlet pipe be put forward to Cabinet with the recommendation that this work be included in the Council's Capital Programme, and the remaining information which had been requested in relation to the site be resubmitted to the Panel at a time to be determined by Officers.

RECOMMENDED TO Cabinet that:

- Work to extend the outfall pipe leading from the sluice at Ferry Marsh Nature Reserve be included within Colchester City Council's Capital Programme.

RESOLVED that:

- A further report be presented to the Environment and Sustainability Panel containing additional detail in relation to:
 - o The covenant which was in place on the Ferry Marsh Nature Reserve, and whether or not the proposed works would be in breach of this
 - o Greater analysis of the cost elements of the proposal, and the source of the funding for these elements
 - o Additional clarifying information in relation to the surveys which had been carried out among local residents.

Please note that the report submitted to the Environment and Sustainability Panel is attached for information.



Environment and Sustainability Panel

Item

21st September 2023

Report of	Head of Sustainability	Author	Rosa Tanfield and Nicola Downs
Title	Ferry Marsh Nature Reserve improvements		
Wards affected	Wivenhoe		

1. Executive Summary

- 1.1 Ferry Marsh Nature Reserve in Wivenhoe is managed by the Council's Countryside Team and in recent years, there has been a change of habitat with a significant increase in biodiversity due to the site having wetter conditions and reduced human access. As responsible landowners of the site, in the context of the Climate Emergency, and following public consultation, agreement is sought to protect the increase in biodiversity as a result of these changes.
- 1.2 In partnership with Natural England, Essex Wildlife Trust and Wivenhoe Town Council, the Council would like to introduce a system to control the water levels to an acceptable level that encourages the new wildlife to flourish, whilst minimizing the disruption to existing wildlife and still enabling the Rangers and Volunteers to maintain the site as per the management plan. This will help protect the biodiversity to continue to flourish at this site.

2. Recommended Decision

- 2.1 To recommend to Cabinet that it approve of the changes to Ferry Marsh Nature Reserve as set out in the report, subject to approval of the capital programme for which Ferry Marsh Nature Reserve is included.

3. Reason for Recommended Decision

- 3.1 To control the water levels to an acceptable level that encourages the new wildlife to flourish, whilst minimizing the disruption to existing wildlife and still enabling the Rangers and volunteers to maintain the site as per the management plan. This is aligned to feedback received from public consultation and supports objectives set out in the Council's Climate Emergency Action Plan and in its Strategic Plan.

4. Alternative Options

- 4.1 If no action is taken, the site and adjacent Wivenhoe Trail will be subject to uncontrolled flooding. To prevent flooding the Sluice would need to be unblocked regularly at the Council's expense. Each time the sluice is unblocked it leads to a sudden water loss which means aquatic life is also lost suddenly. The Site of Special Scientific Interest status is unlikely to ever be in 'favourable' condition as a result.
- 4.2 If work is carried out to fix the sluice but no further work is carried out to manage water levels, then we will not be able to maintain optimal water level for biodiversity, and

benefits gained during recent flooding may be permanently lost. It will not be possible to fully deliver the sites management plan which recommends wetness of the site maintained for marsh and ditch assemblages. It may also not be possible to improve the Site of Special Scientific Interest condition to 'favourable'. If access is reinstated to the closed path, then disturbance by people and dogs will increase, which is likely to affect sensitive bird life. More dogs accessing the water is likely to affect water quality and invertebrate life because of the effects of flea medications on dogs.

5. Background Information

- 5.1 Ferry Marsh (part of Colne Local Nature Reserve) in Wivenhoe is managed by the Council's Countryside Team and in recent years, there has been a change of habitat with a significant increase in biodiversity due to the site having wetter conditions and reduced human access.
- 5.2 In light of the current climate and biodiversity emergency faced by Colchester, the Council have been encouraged by the increase in biodiversity at this site, and as responsible landowners would seek to protect this.
- 5.3 In 1999, Colchester Borough Council took over the management of Ferry Marsh which is designated as a Local Nature Reserve and a Site of Special Scientific Importance (SSSI) These designations both place priority on the wildlife of the site and although managed by the Countryside Team, the site has never been designated a 'Country Park' where human activities should have greater priority.
- 5.4 From 2002 – 2017, the site largely remained a dry marsh gradually improving in quality due to the management by CBC, especially after 2010 when a section was placed off limits to people and dogs by the creation of ditch habitats for Water Voles under the guidance of Essex Wildlife Trust (EWT).
- 5.5 During this drier period however there is evidence that the site was becoming wetter with the Environment Agency unblocking the sluice three times during flooding events. Evidence from notes in previous management plans indicates that there had at times been limited access to the site due to its wet nature. There were resulting changes in the wildlife: Water Voles increased; Sea Barley arrived bringing another 'yellow' Nationally Scarce plant into the site.
- 5.6 In 2018, the sluice onsite blocked, water levels started to rise and access across the marsh was restricted by flooding. The sluice was no longer the original Environment Agency (EA) installed sluice, but a replacement installed by a developer that had now liquidated. The EA no longer unblocked the sluice, which thus remained blocked.
- 5.7 In 2020, the higher levels of water had greatly enlarged the areas of reedbed and by 2022 this had started to be broken up by natural pools forming in the centre, ideal for wildlife especially birds. In the summer of 2020, 40 pairs of Reed Warblers were spotted, 2 pairs of Reed Buntings, new species including 5 singing Cetti's Warbler, 4 pairs of Little Grebes together with Cuckoos. (Dr. Chris Gibson 2020 - bird survey records)
- 5.8 In 2022, all the Nationally Scarce qualifying plants still remain, and further species have also been discovered such as Divided Sedge. The other components of the Site of Special Scientific Interest are changing too, with Barrier Marsh having a thriving population of National Scarce Mousetail. The Outfall was cleared resulting in a significant change to the biodiversity on site which had built up over the years. Breeding bird numbers dropped instantly as the habitat changed and disturbance and predation factors such as foxes, dogs and cats moved in.

- 5.9 Fortunately, Cetti's Warblers remained and as Schedule 1 breeding birds this necessitated the closure of the cross-marsh path by CBC.
- 5.10 In 2023, in partnership with Essex Wildlife Trust, the ditch network was checked to monitor the water vole population. Although this was not a full survey due to not wishing to disturb nesting birds, it found water voles exploiting all the ditches, which was an expansion on their previous distribution, and reassurance that the population survived well through the flooded period. This shows there is scope for a controlled higher water level without adversely affecting the water vole population.
- 5.11 In partnership with Natural England, Essex Wildlife Trust and Wivenhoe Town Council, proposals were discussed to introduce a system to control the water levels to an acceptable level that encourages the new wildlife to flourish, whilst minimizing the disruption to existing wildlife and still enabling the Rangers and Volunteers access to maintain the site as per the management plan, to help protect the biodiversity to continue to flourish at this site.
- 5.12 A public consultation was designed to allow users and local residents to give feedback to our proposals which included:
- Adapt the external sluice to minimise future maintenance and remove the need to unblock to prevent flooding.
 - Introduce an internal system to control the water levels to an acceptable level that encourages the new wildlife to flourish, whilst minimizing the disruption to existing wildlife and still enabling the Rangers and Volunteers access to maintain the site as per the management plan.
 - An internal water level control system could be in the form of a sluice or system of sluices that would allow the Rangers to regulate the water levels on site.
 - Water level to be established which optimises the wetland habitat and not compromising the banks already engineered for Water Voles
 - Creation of a reliable system which avoids flooding beyond the set level and reduces the risk of flooding burrows significantly.
 - Modifying the access to the site by creating a short loop to enable users to walk through a small section of reedbed.
 - Improving the surface of the sea wall to provide easier access.
 - Installing a viewing platform / screen along Rowhedge Ferry Road
 - Expanding the Nature Reserve by acquiring and managing the Crown Estate owned land adjacent to Ferry Marsh
- 5.13 In December 2022, Colchester City Council carried out the consultation asking local residents their thoughts and opinions on the following options (Results in Section 6.3 - 6.5) and Visual Summary in Appendix A):
- How do you currently access and enjoy Ferry Marsh? *Options: A walkthrough route to Wivenhoe Trail, watching local wildlife, Dog Walking, exercise, peace and tranquillity, photography, cycle route, taking children/family, Other*

- What improvements would you like to see made to Ferry Marsh? *Please rank the below in order of priority – Management of water Levels in order to prevent flooding, Management of water levels to increase wildlife and diversity and abundance, improve surfacing along the sea wall path, Installation of bird hide/screen, Seasonal access to marsh, management to decrease level of disturbance, more benches*
- The marsh does not currently include land adjacent to Old Ferry Road, it is own by Crown Estate. Would you support Colchester City Council expanding the nature reserve to include the Crown Estate land? *Yes/No/No Preference*
- Would you support Colchester City Council in introducing further methods to manage the water levels on site? *Yes/No/No Preference*
- Would you support Colchester City Council in protecting the biodiversity through modified access to the marsh? *Yes/No/other*
- Any other comments

5.14 A working group which comprised of Council officers, local Councillors for Wivenhoe Town Council, Ward Councillors for Wivenhoe and representatives from Essex Wildlife Trust and Natural England met in March 2023 to review the results of the consultation. All parties were supportive to proceed with all options listed above including keeping the main path in the Marsh closed to the general public, introducing a short circular walk so that people can still enjoy ‘entering’ the Marsh but with minimal disturbance to the wildlife and progressing the site improvements such as a viewing screen.

5.15 Colleagues in Natural England and Essex Wildlife Trust are satisfied that the above actions do not put at risk the Site of Special Scientific Interest designation for the site and in introducing a water control system, the Site of Special Scientific Interest status will be in a better position to achieve a more favourable condition.

5.16 Should agreement be given to this proposal, then the next steps include the following:

- Understanding the water levels and what they should be within the Marsh.
- Work with Essex Wildlife Trust as they have experience of installing a water control system on the River Stort.
- Work with Essex Wildlife Trust to undertake a Water Vole survey.
- Create the short loop at the northern part of the site – ensure that dogs can’t breach the loop and jump into the Marsh.
- Create bird screens - one near the Old Rowhedge Ferry Road track and one off of the short loop walk.
- Extend the outfall pipe (assuming capital funding approved by Cabinet).
- Make the sea wall accessible.
- Seek formal Natural England Ascent for any works, allowing for 28 days’ notice.

- Determine exactly what the land ownership boundaries are for the houses and the Crown Estate Land and start a dialogue around potentially managing the Crown Estate owned land and what liabilities would come with managing the land.

5.17 It might not be possible to achieve all the above simultaneously, however having a commitment to deliver them would mean including them into the Ranger's Site Action Plan for the coming year.

6. Consultation

6.1 In December 2023, Colchester City Council carried out a consultation asking local residents their thoughts and opinions around the options above. There were 4 drop-in sessions organised in Wivenhoe (Tuesday 13th December; Saturday 17th December; Tuesday 10th January; Saturday 14th January 2023). A total of 217 people attended the four in-person sessions whereby they were able to view information boards, engage with Council officers, ask questions to the Natural England representative, and generally find out more.

6.2 There was also an online consultation which ran for 6 weeks, and a total of 175 people responded to the online consultation.

See Appendix A for a visual summary of the results.

6.3 Over 70% of the respondents supported protecting the biodiversity of the site through modified access to the Marsh. This question is the main point of the consultation as in essence, either the Council re-allows access through the marsh which will have an adverse effect on the biodiversity of the site, or the Council continues to restrict access (modify in this case by providing an alternative) which some local residents were against.

6.4 There was over 65% support in introducing further measures to control the water levels on site and over 80% support for the Council to expand the land management of the marsh to include the Crown Estate section.

6.5 Interestingly, responses indicated that it was a greater priority to manage the water levels to increase wildlife and biodiversity closely followed by management of water levels to prevent flooding. Management to decrease / limit disturbance to wildlife in the marsh was the third highest priority.

7. Equality, Diversity and Human Rights implications

7.1 An [Equality Impact Assessment](#) (EIA) has been completed.

7.2 It is considered that the proposals do not breach human rights as a service will continue to be offered.

8. Strategic Plan References

8.1 The proposal directly links to the vision, themes and objectives of the Strategic Plan 2023-26, specifically 'Respond to the Climate Emergency', particularly 'Conserve and enhance our biodiversity'.

9. Publicity Considerations

- 9.1 The decision will be published in a press release and available on the Council's website. The working group referenced earlier in this report will also be advised of the decision.

10. Financial implications

- 10.1 Implementation of the above next steps will rely on budget being available part of which will be funded through the Countryside Team's site budget, with the exception of:
- The extension of the outlet pipe at a cost of £46,000; this is proposed to be within the capital programme and is subject to approval by Cabinet in October.
 - Additional funding will be needed for creation of an internal water control system.
 - Creation of simple bird screen and fencing around short loop path has been budgeted for in this year's site budget.
 - Additional funding would need to be sought for improvements and on-going maintenance and inspection of the river wall and path which was previously managed by the Environment Agency.
 - No additional funding has been identified for taking on management of Crown Estate land and this would need to be sourced before agreeing to taking this on.
- 10.2 As the team progresses the above next steps, it will become clearer what the financial ask will be outside of the team being able to facilitate the above, however, the creating of a short loop, bird screen and modifying access can be facilitated within the team.

11. Health, Wellbeing and Community Safety Implications

- 11.1 The provision of rich green open spaces for communities is incredibly important in supporting the health and wellbeing of our communities. The provision and protection of this site ensure the Council continues its responsibilities in this regard, and to promote the positive health benefits to our residents of our countryside site, parks and open spaces.
- 11.2 Ensuring that the site is well managed and maintained will help support creating safe, clean and green neighbourhood, which can help to reduce the fear of crime in local areas.
- 11.3 This site has particularly high-quality visual landscape benefits for the local community and visitors with sweeping views over the marsh and across the River Colne.

12. Health and Safety Implications

- 12.1 The Ferry Marsh, marshland and ditches is part of the Council Water Safety review programme. Any actions recommended through the review will be actioned as appropriate.

13. Risk Management Implications

- 13.1 There is a risk that should the decision not be supported then;
- There would be continued expenditure for clearing out the sluice pipe on a more regular basis.
 - There would be potential to be unable to control flooding to the site and Wivenhoe Trail.
 - Continuation of repeating the cycle of flooding and sudden loss of water when the sluice pipe is unblocked, with potential cycle of boom and bust for aquatic biodiversity.

- The status of the Site of Special Scientific Interest compartment is unlikely to be ever improved to 'favourable' condition.
- Inability to fully fulfil recommendations in management plan and make the proposed biodiversity gains.
- If the central path remains open, preventing disturbance to wildlife will be virtually impossible, potentially impacting biodiversity, and reducing breeding activity, with increased effects of dog flea treatments on aquatic life.
- An open central path would also likely be frequently wet and impassable. Installation of a boardwalk to make it more accessible would then be high cost, with high on-going maintenance costs and make site maintenance in general more difficult.

13.2 In proceeding with the recommendations there is a risk that;

- We are unable to fulfil all the suggested mitigation for closing the path due to budget/funding (bird screen, resurfaced paths, internal water level management etc).
- As there will be reduced public access to the site, with access limited to the perimeter and short loop path, this may cause complaints despite the consultation.
- Finding ideal water levels may take time and require further level surveys which may have cost implications.
- The Bird Screens may attract anti-social behaviour.
- There will be ongoing maintenance costs of the fences and bird screens.
- We do not find funding to take on the maintenance of the Crown Estate land and are unable to manage this as a contiguous part of the site.

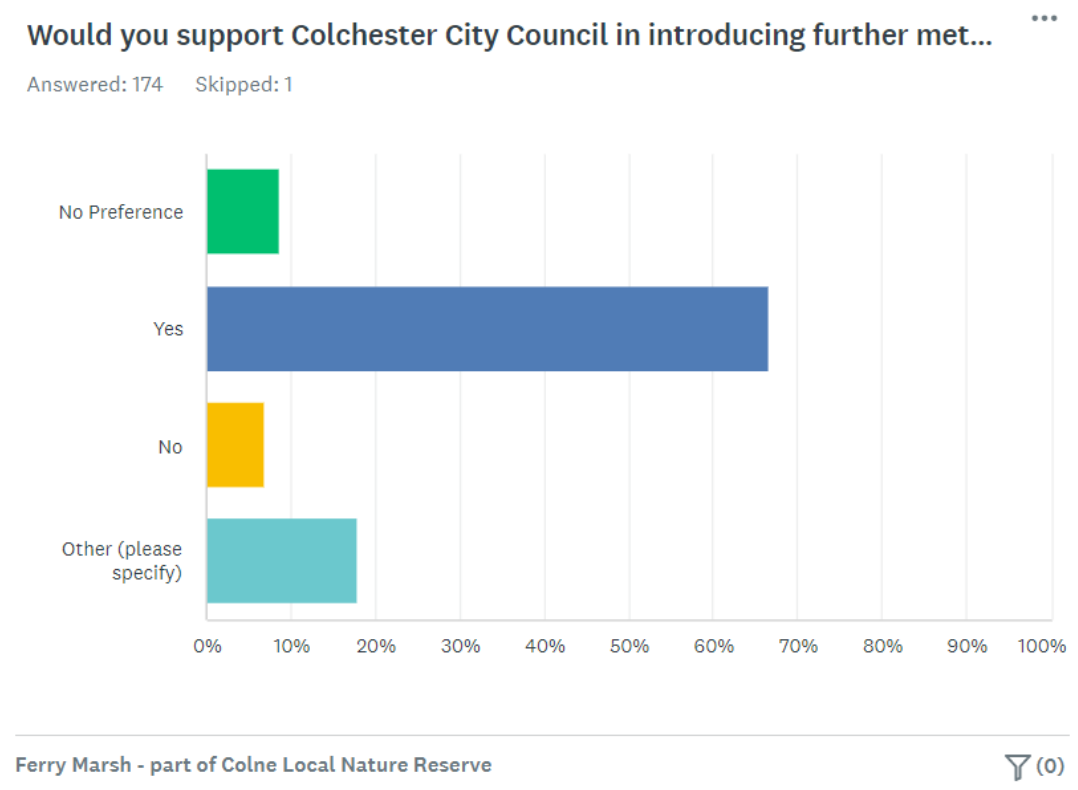
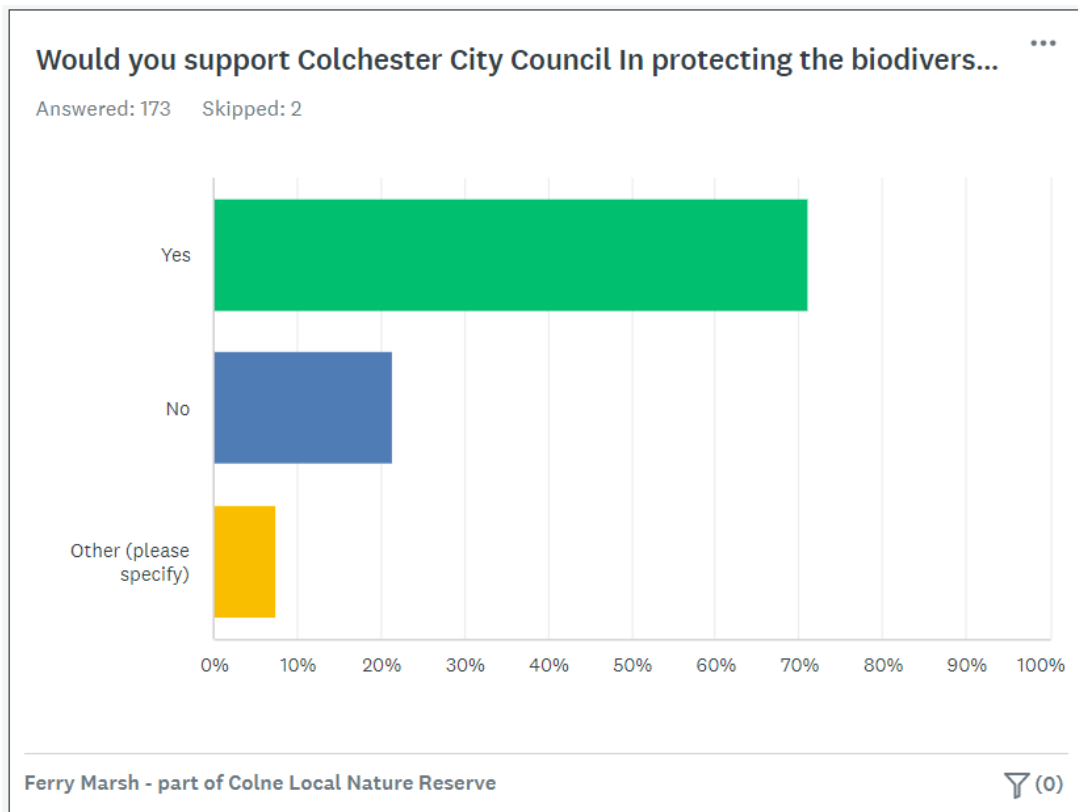
14. Environmental and Sustainability Implications

14.1 The consideration of environmental and sustainability implications of the decision being taken is set out in the table below:

Sustainability theme	Positive environmental impact	Neutral impact/ Not applicable	Negative environmental impact	What are the positive and negative impacts on carbon reduction / environment?	How will positive impacts be enhanced/ encouraged? And negative impacts minimized or eliminated
Energy		✓		n/a	n/a
Waste		✓		n/a	n/a
Procurement		✓		n/a	n/a
Biodiversity and green spaces	✓			Measures proposed encourages the new wildlife to flourish, minimize the disruption	

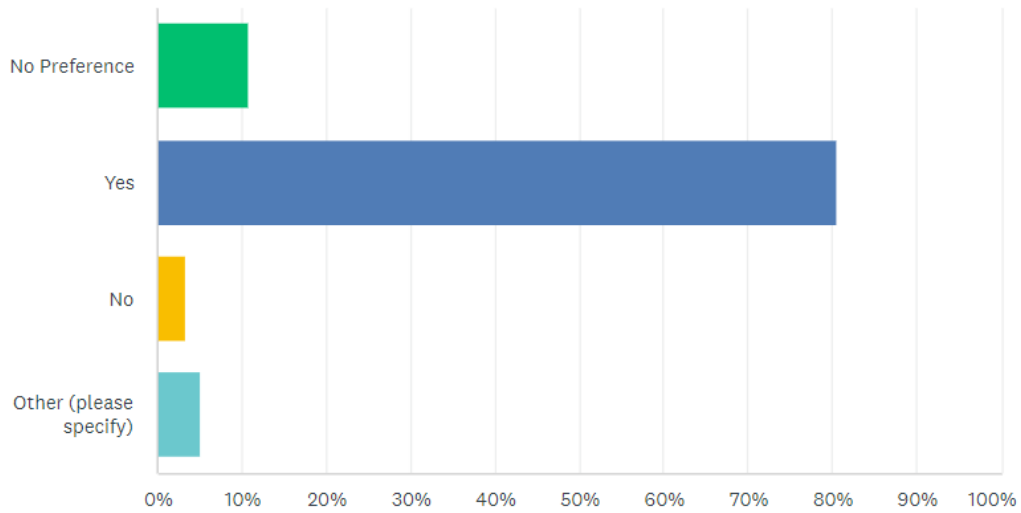
				to existing wildlife whilst still enabling the Rangers and Volunteers to maintain the site as per the management plan, to help protect the biodiversity to continue to flourish at this site.	
Transport		✓		n/a	n/a
Adaption		✓		n/a	n/a
Water	✓			Maintaining the wetness of the site, whilst avoiding uncontrolled flooding will provide valuable fresh and brackish water habitats particularly in times of drought. Preventing dogs accessing ditches will reduce the negative effects of flea treatments on aquatic invertebrates and disturbance to waterfowl.	
Digital		✓		n/a	n/a
Community	✓			The site continues to be publicly accessible but with enhancements to the wildlife and biodiversity that the public can experience	n/a
Housing/ Development		✓		n/a	n/a
Carbon Emissions saving	✓			A wet site provides good carbon sequestration.	Rotational dredging of ditches will release carbon but very infrequently in small amounts and is outweighed by other biodiversity gains.

Appendix A – Results of consultation



The marsh does not currently include the land adjacent to Old Ferry R... ***

Answered: 175 Skipped: 0

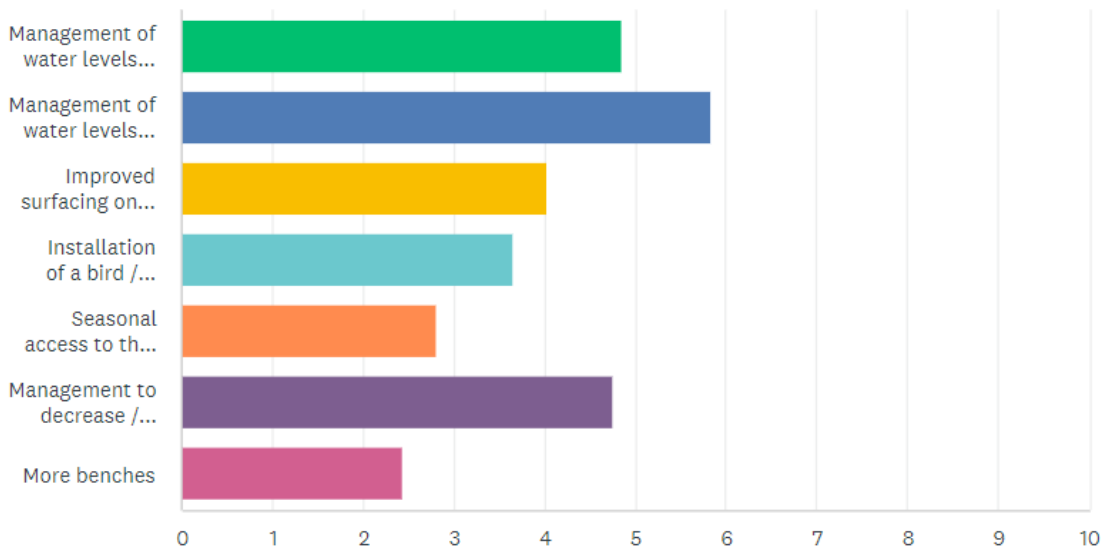


Ferry Marsh - part of Colne Local Nature Reserve

(0)

What improvements would you like to see made at Ferry Marsh? Pleas... ***

Answered: 175 Skipped: 0



11th October 2023

Report of	Section 151 Officer	Author	Andrew Small
Title	Mid-Year Capital Programme Update 2023/24		
Wards affected	All Wards		

1. Executive Summary

- 1.1 Deviating from normal procedure, an updated Capital Programme for 2023/24 was not adopted alongside the General Fund Revenue budget in February 2023, given awareness of the increasing cost of financing and recognition of pressures on the revenue budget. A detailed review of the Capital Programme was requested to establish a more in-depth analysis of affordability.
- 1.2 Whilst the review continues, it is clear affordability of the Capital Programme should be considered alongside emerging General Fund revenue pressures in order that relative priorities can be understood, and decisions taken with appropriate knowledge of these.
- 1.3 For this reason, this report represents a limited review which only considers approval for new Capital Commitments which are either time critical or essentially previously approved and the removal of completed schemes with residual unspent allocations.
- 1.4 All other decision about inclusion and affordability of new Capital schemes will be deferred so that they can be assessed and developed as part of Budget Planning for 2024/25.
- 1.5 Decisions about increasing the size of the Capital Programme are reserved for Council and so recommendations from this report will need to be made to Council.

2 Recommended Decision

- 2.1 Cabinet is requested to Recommend to Council the inclusion of the schemes listed in Appendix B and C into the Approved Capital Programme and the removal of deleted schemes listed in Appendix D.

3 Reason for Recommended Decision

- 3.1 The Council's Financial Regulations state that Cabinet has delegated authority to vary the Capital Programme within the overall approved envelope but any additions which require an increase in the Capital Programme beyond this must be referred to Council for approval. Variations will not normally be sought except for reasons of operational necessity, legislative requirement or reasons of Health and Safety compliance. The delay to updating the Capital Programme in February 2023 has resulted in some services experiencing operational issues which threaten the continued smooth delivery of core services.

4 Alternative Options

- 4.1 All schemes proposed could be delayed until a formal Capital Programme revision in February 2024, but this would prevent or impact upon the delivery of some core services.

5 Background Information

- 5.1 The Capital Programme is in the process of being reviewed following recommendations from the Peer Review carried out by the LGA last year, and because of the Administration's and Governance and Audit Committee's concerns about wider budget pressures and affordability given likely increases in the costs of borrowing.
- 5.2 This review is following a parallel path and includes a reconciliation of Financing Costs against those provided for in the approved Budget for 2023/24. Members will be engaged as part of this review and the conclusion will be used to form the basis of developing an updated Capital Programme for 2024/25 and beyond.
- 5.3 Affordability is a key consideration and has been impacted over the previous 12 months by rising costs of delivery and higher borrowing costs. Funding pressures are also impacting on the General Fund Revenue Budget and incurring avoidable additional financing costs without a full understanding of these and the budgetary choices potentially facing the Council, that may be required in order to balance the budget, should be avoided without a complete picture available.
- 5.4 For this reason, the inclusion of other new schemes and a full update of the Capital Programme will be aligned to the consideration and revision of the Medium Term Financial Forecast (MTFF) following completion of the ongoing Capital Programme Review. The most recent full Capital Programme is attached to this report as **Appendix A**, to provide context.
- 5.5 However, there are some schemes which are urgent (for legislative or operational reasons) or already committed through other democratic processes and which therefore need to be formally included into the base Capital Programme so that spending can commence.
- 5.6 This paper presents only these schemes, with all others effectively deferred so that they can be considered as part of the budget development process.
- 5.7 **Appendix B** presents £3.206M of schemes which have already been given approval by Cabinet or other delegated democratic body for inclusion into the Approved Capital Programme.
- 5.8 The largest single inclusion is the Capital Cost associated with rolling out the chargeable Garden Waste collection arrangements (£1.655M) later this year. The spend was approved by Cabinet in July and will be funded through Borrowing. The associated repayment costs were factored into the Business Case considered by Cabinet.
- 5.9 The Anglican Chapel is one of a pair of Victorian Gothic Chapels, built in 1855 in Colchester Cemetery. From 1856 when the cemetery opened through to 2003, the chapel was regularly used for burial services. But in 2003 damage to the structure was identified which meant that the chapel was unsafe for access by the public. Burial services are no longer held there, and railings were erected around the chapel to prevent anyone getting hurt should there be a fall of stone or roof tile. Gradually the chapel fabric has slid even further into decline until now, when maintaining the fabric is at the crucial point. Without renovation now the chapel will decline beyond repair. Due to delays in

approving the Capital Programme urgent works with an estimated value of £270,000 have been commissioned to mitigate serious safety risks.

- 5.10 Hollytrees Museum (£500,000) relates to essential extensive repairs to prevent water ingress through the roof and a thorough review of the electrics, thereby preventing further deterioration and damage. The scheme is Grant match funded with the £228,000 successfully secured through grant and a residual borrowing requirement of £272,000.
- 5.11 Of the remaining scheme inclusions, £0.663M relates to S106 funded schemes and allocated in accordance with negotiated S106 agreements either to fund replacement of end-of-life play equipment or to meet Disability Discrimination Act (DDA) or access requirements. A further £0.100M is funded through Grants for Shop Front improvements under the Levelling Up Funding (LUF) scheme approved for this specific purpose. There are no direct revenue consequences associated with the funding of these schemes.
- 5.12 **Appendix C** presents a further of £2.992M of schemes not previously approved but which need urgent approval to allow commitments to be raised to meet operational or legislative obligations. Delaying approval until the full review of the Capital Programme, to be considered alongside the presentation of the budget, would impact upon the operational delivery. The request for permission to include these schemes now is driven by this consideration.
- 5.13 Of the £2.992M, £2.122M relates to scheduled replacement or acquisition of vehicles to ensure the continued delivery of Street Care and Safety and Recycling and Waste Services. The Council buys vehicles outright to deliver these services as this is financially more advantageous than leasing or contract hire. The financing costs of these vehicles is factored into the operational running costs of the service and as one set of vehicles reaches end of life they are replaced by new vehicles, with the financing costs only increasing by higher purchase costs due to inflation.
- 5.14 Of the remaining £870,000, the provision relates to the following schemes:
- 5.15 Castle Park Area Replacement (£700,000) - Replacement of play equipment due to end of life. The scheme is expected to be funded approximately 2/3rds by Section 106 and Revenue Contributions, with the remaining 1/3rd coming from Borrowing. The use of Section 106 is being reviewed to see if the proportion of S106 funding can be increased.
- 5.16 Middle Mill (£80,000) – A scheme of works to mitigate flood risk in upstream open spaces and housing.
- 5.17 Ferry Marsh (£46,000) - Extend outlet pipe to stop flooding and enable use of nature reserve.
- 5.18 Smart Locks (£44,000) - Automated locking and unlocking of Colchester City Council maintained toilet blocks. This project will allow the Council to automate the locking and unlocking of all 6 Public Toilet block locations: 3 in Castle Park, 1 in Highwoods Country park, 1 in Dedham and 1 at St Marys Car Park. The locks will be able to be managed remotely allowing wintering opening and fault management to be centrally managed. The chosen locks will allow any customers to exit a locked door via an easy to operate lever. Provision of automated locking has significant Environmental and Time saving benefits. To complete the project will require 24 locks and a replacement door for the middle Castle Park toilet block.
- 5.19 A review of completed schemes has also been undertaken so that the Capital Programme can be condensed, and underspent or unused capital allocations can be

removed, thereby reducing the funding requirement. This list of completed schemes is attached as Appendix D. The deletion of the schemes reduces the size of the capital programme by £221,000 and is reflected in the Appendix A.

6 Equality, Diversity and Human Rights implications

6.1 None identified at this stage.

7 Strategic Plan References

7.1 The Capital Programme will deliver the Council's strategic priorities as set out in the Strategic Plan 2023-26 and aid recovery in Colchester.

8 Financial implications

8.1 These are set out within the report. Most revenue implications are mitigated either within approved Business Cases or through the use of monies given for the specific purpose under Section 106 obligations, or through Grant. Where the associated costs of schemes are not covered under these headings, they are only brought forward for approval at this point due to compelling operational, Health and Safety or Legislative requirements.

8.2 All other proposals have been deferred to be considered alongside the development of the budget so that relative prioritisation can be properly considered.

9 Health and Safety Implications

9.1 These are covered within the report.

10 Risk Management Implications

10.1 In Projects are monitored using Power Bi which is an interactive piece of software, part of the corporate suite of MS SharePoint functionality. Power Bi graphically depicts progress against Delivery, Time and Cost and must be measured against the Project Initiation Document (PID).

10.2 Project Progress Reports and Risk Registers use the Red/Amber/Green (RAG) status as a visual clue to performance. Its purpose is to demonstrate progress and make it clear when escalation is required. This is in accordance with Agile project management methodology which is the corporate approach used for delivering projects.

11 Environmental and Sustainability Implications

11.1 In All budget measures are assessed for their likely environmental impact, reflecting the Council's commitment to be 'carbon neutral' by 2030. Environment and Climate Change is an essential cross-cutting theme in the Council's recovery planning, a core theme of the new Strategic Plan and a clear category of investment through the capital programme.

Background Papers

None

Appendix A - Capital Programme

Capital Programme - Qtr 1 June 2023-24 - Existing Projects							
Project Name	2022/23 Balances Rolled Forward	2023-24 Budget Allocation	2023-24 Budget (Updated)	Actuals to Q1	Remaining Budget	Forecast outturn for 2023-24	Variance (Forecast v Budget)
	£'s	£'s	£'s	£'s	£'s	£'s	£'s
Corporate Services							
Lending to new Council Housing Company	26,700,000	0	26,700,000	0	26,700,000	0	(26,700,000)
Equity Investment in CCHL	5,800,000	0	5,800,000	0	5,800,000	0	(5,800,000)
Facility Loan to CAEL	1,020,000	0	1,020,000	0	1,020,000	0	(1,020,000)
Strategic Finance	33,520,000	0	33,520,000	0	33,520,000	0	(33,520,000)
Sub-Total	33,520,000	0	33,520,000	0	33,520,000	0	(33,520,000)
Economic Growth							
CNG Wastewater Improvements Pumping Station	209,581	0	209,581	0	209,581	138,715	(70,867)
Digital Strategy - LFFN	(76,797)	0	(76,797)	3,795	(80,592)	0	76,797
CNGS - Detailed Planning	282,628	0	282,628	0	282,628	287,000	4,372
CNGS - The Walk	38,322	0	38,322	0	38,322	2,200	(36,122)
CNGS - Mains grid connection & Infrastructure	2,278,818	0	2,278,818	27,548	2,251,270	525,000	(1,753,818)
Rowan House Refurbishment	(1,495,065)	2,500,000	1,004,935	591,694	413,241	1,044,654	39,719
Economic Growth	1,237,488	2,500,000	3,737,488	623,037	3,114,451	1,997,569	(1,739,919)
Greenstead Land Acquisition	2,263,035	0	2,263,035	5,297	2,257,738	2,249,276	(13,759)
Balkerne Gate Phase 2	99,928	811,144	911,072	(19)	911,091	0	(911,072)
Holy Trinity Square	44,319	780,364	824,683	(21,085)	845,768	624,683	(200,000)
Kerbless and Green Streets	601,144	223,556	824,700	(29,980)	854,680	0	(824,700)
Holy Trinity Church	322,413	181,993	504,406	11,350	493,056	12,750	(491,656)
Jumbo	(12,532)	61,000	48,468	0	48,468	48,468	0
Essex County Hospital	0	0	0	0	0	0	0
TD Development work and fees	143,384	(143,384)	0	0	0	102,693	102,693
Improved Youth Provision (ECC)	1,226,460	20,325	1,246,785	1,290,186	(43,401)	1,290,186	43,401
HoG - Liveable Neighbourhood	(8,031)	150,000	141,969	0	141,969	150,000	8,031
5G	650,200	21,000	671,200	0	671,200	500,000	(171,200)
Town Centre to Greenstead and University Cycle Path	841,456	(532,710)	308,746	187,753	120,993	339,753	31,007
Multiuse Community Hub	(28,900)	5,864,481	5,835,581	6,800	5,828,781	123,356	(5,712,225)
St Nicholas Square	805,717	257,498	1,063,215	210,199	853,015	700,000	(363,215)
Grow-on - former Queen St Bus Depot	4,129,007	352,255	4,481,262	12,654	4,468,608	2,000,000	(2,468,608)
Town Deal	11,077,599	8,047,522	19,125,121	1,673,155	17,451,966	8,141,165	(10,983,957)
LUF - Britannia Yard	100,000	850,000	950,000	0	950,000	500,000	(450,000)
LUF - Vineyard Street	50,000	388,282	438,282	0	438,282	200,000	(238,282)
LUF - St Botolphs roundabout	100,000	2,000,000	2,100,000	0	2,100,000	100,000	(2,000,000)
Levelling up	250,000	3,238,282	3,488,282	0	3,488,282	800,000	(2,688,282)
Sub-Total	12,565,087	13,785,804	26,350,891	2,296,192	24,054,699	10,938,734	(13,412,157)
Health Partnerships and Wellbeing							
Cemetery Improvement works	776	0	776	776	(0)	0	(776)
Bereavement Services	776	0	776	776	(0)	0	(776)
Stanway Community Centre	169,130	16,700	185,830	178,037	7,792	224,483	38,653
Stanway Toucan Crossing	199,340	0	199,340	0	199,340	100,000	(99,340)
St Marks Community Centre/Mill Road Rugby Club	1,365,254	410,000	1,775,254	1,800	1,773,454	75,000	(1,700,254)
Collingwood Road Scout Hut	7,873	0	7,873	0	7,873	4,764	(3,108)
Community & Partnerships	1,741,596	426,700	2,168,296	179,837	1,988,459	404,247	(1,764,049)
Sub-Total	1,742,372	426,700	2,169,072	180,613	1,988,459	404,247	(1,764,823)
Museums, Culture and Tourism							
Colchester Charter Hall - Security	16,889	0	16,889	0	16,889	16,889	0
Visitor and Cultural Services	16,889	0	16,889	0	16,889	16,889	0
Sub-Total	16,889	0	16,889	0	16,889	16,889	0
Neighbourhood Services							
Mobile Skate Park	2,829	0	2,829	3,337	(508)	3,337	508
Vineyard Car Park Lift Replacement	47,501	0	47,501	12,256	35,245	12,256	(35,245)
Street Care & Safety	50,330	0	50,330	15,593	34,737	15,593	(34,737)
Shrub End Depot	959,469	0	959,469	(19,290)	978,759	959,469	0
Light Fleet Replacement	477,381	0	477,381	0	477,381	227,381	(250,000)
Recycling & Waste	1,436,850	0	1,436,850	(19,290)	1,456,140	1,186,850	(250,000)
Sub-Total	1,487,179	0	1,487,179	(3,696)	1,490,877	1,202,442	(288,337)
Sports and Leisure							
CNGN - Sports Park	441,118	0	441,118	0	441,118	355,762	(85,356)
Sports Park	441,118	0	441,118	0	441,118	355,762	(85,356)
Sub-Total	441,118	0	441,118	0	441,118	355,762	(85,356)
Strategic Housing (General Fund)							
Private Sector Renewals - Loans and Grants	277,087	0	277,087	10,745	266,342	30,000	(247,087)
Mandatory Disabled Facilities Grants	4,250,923	1,452,105	5,703,028	242,977	5,460,051	1,100,000	(4,603,028)
Healthy Homes	4,528,010	1,452,105	5,980,115	253,722	5,726,393	1,130,000	(4,850,115)
Grants to Registered Providers	173,075	0	173,075	0	173,075	400,000	226,925
Strategic Housing - General Fund	173,075	0	173,075	0	173,075	400,000	226,925
Sub-Total	4,701,085	1,452,105	6,153,190	253,722	5,899,468	1,530,000	(4,673,190)
Sustainability							
Colchester Northern Gateway Heat Network	4,302,894	2,052,000	6,354,894	100	6,354,794	1,800,000	(4,554,894)
Micro Grid/Solar Farm	0	5,700,000	5,700,000	0	5,700,000	400,000	(5,300,000)
Sustainable Growth	375,813	0	375,813	109,317	266,496	103,799	(272,014)
Climate Change & Energy	4,678,707	7,752,000	12,430,707	109,417	12,321,290	2,303,799	(10,126,908)
E Cargo	165,215	0	165,215	0	165,215	75,000	(90,215)
Sustainable Travel	165,215	0	165,215	0	165,215	75,000	(90,215)
Recreation Ground Old Heath	8,205	0	8,205	0	8,205	8,205	0
Garrison Gym Playground	305,500	0	305,500	0	305,500	305,500	0
Floating Pontoon Mersea	(20,980)	35,000	14,021	(18,442)	32,462	14,021	0
Fieldgate Quay	(143,531)	2,500,000	2,356,469	19,831	2,336,638	1,118,779	(1,237,690)
Great Tey Rec Playingfield S106	75,581	0	75,581	68,222	7,359	75,581	0
Parks and Open Spaces	224,776	2,535,000	2,759,776	69,612	2,690,164	1,522,086	(1,237,690)
Sub-Total	5,068,698	10,287,000	15,355,698	179,029	15,176,670	3,900,884	(11,454,814)
TOTAL EXPENDITURE	59,542,428	25,951,609	85,494,037	2,905,858	82,588,180	18,348,959	(67,145,078)
Financed By:							
Grants	18,189,296	11,564,551	29,753,847	2,045,853	27,707,994	12,183,705	(17,570,142)
S106	680,279	0	680,279	229,559	450,719	616,484	(63,795)
Capital Receipts	277,087	0	277,087	10,745	266,342	30,000	(247,087)
Revenue	190,740	0	190,740	0	190,740	272,911	82,172
Borrowing	40,205,027	14,387,058	54,592,085	619,700	53,972,385	5,245,858	(49,346,227)
TOTAL FINANCING	59,542,428	25,951,609	85,494,037	2,905,858	82,588,180	18,348,959	(67,145,078)

Appendix B Capital Schemes

New Proposed Schemes – Previously Approved

Project Name	Total Budget	How the Budget is funded					Forecast in 2023/24	Forecast in 2024/25	Forecast in 2025/26	Forecast in 2026/27
		Capital Receipts	Borrowing	Revenue	Grants	S106				
LUF - Shop Front Improvements	100	0	0	0	100	0	100	0	0	0
Levelling up	100	0	0	0	100	0	100	0	0	0
ECONOMIC GROWTH	100	0	0	0	100	0	100	0	0	0
Anglican Chapel Renovations	270	0	270	0	0	0	218	52	0	0
Bereavement Services	270	0	270	0	0	0	218	52	0	0
Stanway Community Hall - S106	52	0	0	0	0	52	52	0	0	0
Rowhedge Allotments	181	0	0	0	0	181	0	181	0	0
Community & Partnerships	233	0	0	0	0	233	52	181	0	0
HEALTH PARTNERSHIPS AND WELLBEING	503	0	270	0	0	233	270	233	0	0
Hollytrees Museum	500	0	272	0	228	0	228	272	0	0
Colchester Museums	500	0	272	0	228	0	228	272	0	0
MUSEUMS, CULTURE AND TOURISM	500	0	272	0	228	0	228	272	0	0
Street Hoover	18	0	0	0	18	0	18	0	0	0
Street Care & Safety	18	0	0	0	18	0	18	0	0	0
Garden Waste	1,655	0	1,655	0	0	0	583	557	515	0
Recycling & Waste	1,655	0	1,655	0	0	0	583	557	515	0
NEIGHBOURHOOD SERVICES	1,673	0	1,655	0	18	0	601	557	515	0
Castle Park Café - DDA and EPC compliant	51	0	0	0	0	51	51	0	0	0
Eight Ash Green Village S106	190	0	0	0	0	190	190	0	0	0
Highwoods Play Area	140	0	0	0	0	140	140	0	0	0
Langham PC Play Equipment - S106	49	0	0	0	0	49	49	0	0	0
Parks and Open Spaces	430	0	0	0	0	430	430	0	0	0
SUSTAINABILITY	430	0	0	0	0	430	430	0	0	0
TOTAL CAPITAL PROGRAMME - NEW APPROVED	3,206	0	2,197	0	346	663	1,629	1,062	515	0

Appendix C Capital Schemes

New Proposed Schemes – Not Previously Approved

Project Name	Total Proposed Funding	How the Budget is funded					Forecast in 2023/24	Forecast in 2024/25	Forecast in 2025/26	Forecast in 2026/27
		Capital Receipts	Borrowing	Revenue	Grants	S106				
Middle Mill	80	0	80	0	0	0	80	0	0	0
Ferry Marsh	46	0	46	0	0	0	46	0	0	0
Smart Locks	44	0	44	0	0	0	44	0	0	0
Castle Park Area replacement	700	0	271	100	0	329	20	680	0	0
Parks and Open Spaces	870	0	440	100	0	329	190	680	0	0
SUSTAINABILITY	870	0	440	100	0	329	190	680	0	0
New sweeper	320	0	320	0	0	0	0	320	0	0
Street Care & Safety	320	0	320	0	0	0	0	320	0	0
2 x 50.50 split RCVs	460	0	460	0	0	0	0	460	0	0
Bin Lift	912	0	912	0	0	0	0	316	480	115
Hard 2 reach	200	0	200	0	0	0	0	200	0	0
HGV Split triple lift - recycling	230	0	230	0	0	0	0	230	0	0
Recycling & Waste	1,802	0	1,802	0	0	0	0	1,206	480	115
NEIGHBOURHOOD SERVICES	2,122	0	2,122	0	0	0	0	1,526	480	115
TOTAL CAPITAL PROGRAMME - NEW - (NOT YET APPR)	2,992	0	2,562	100	0	329	190	2,206	480	115

Appendix C Capital Schemes

Completed Schemes – Removed

Programme	Project
Capitalised Maintenance	Leisure World – Pool Filters
Capitalised Maintenance	Town Hall Fire Alarm System
Communities	St Botolph's Priory Lighting
Communities	Heritage Lighting
Communities	Replacement of Cremators
Communities	Mobile Skatepark
Communities	Mile End Sports Ground
Corporate & Improvement	Purchase of Properties for Temporary Accommodation
Corporate & Improvement	Leisure World – conversion of artificial pitch
Corporate & Improvement	Leisure World – Aqua Springs Refurbishment
Corporate & Improvement	CCTV Monitoring
Corporate & Improvement	Leisure World – Pool View
Corporate & Improvement	Leisure World – Health and Fitness Extension
Environment	LED Lighting in MSCP
Environment	Wivenhoe Adult Gym
Environment	Tiptree PC Stores and WC
Environment	Highwoods Country Park Visitors Centre
Environment	Rowan House EV Charging Points
Environment	Fleet Upgrade Caged Tipper
Environment	Northern Gateway Mile End Cricket Club
Place & Client	Heritage Fund Town Walls
Place & Client	Sheepen Road Phase Two
Place & Client	Moorings Utility Work
Place & Client	Creative Business Centre
Place & Client	Relocation of Museum Resource Centre ²²
Place & Client	Breakers Park
Place & Client	Pre-Development and Feasibility Fund
Place & Client	Northern Gateway North
Place & Client	Broad Lane Sports Ground Wivenhoe
Place & Client	East Colchester Enabling Fund works
Place & Client	Jacks - St Nicholas Street
Environment	St Johns Car Park
Environment	Food Waste Vehicles
Environment	Waste Fleet Vehicles
Environment	King George Basketball Court
Corporate & Improvement	Sport and Leisure Asset Review
Corporate & Improvement	Laptops
Communities	All St Church
Communities	Cemetery Improvements
Communities	Lion Walk Activity Centre
Communities	Oak Tree Community Centre Roof
Communities	West End Bowls Club
Communities	Floodlights Gilbred School
Communities	Castle Park Improvements
Communities	Old Heath Recreation Ground Improvements
Communities	Priory Street Mosque
Communities	St Botolph's Public Realm

Capitalised Maintenance	Leisure World – Access Control Gates
Capitalised Maintenance	Leisure World – Capital Maintenance Roof
Capitalised Maintenance	Town Hall Boilers



Cabinet

Item
10(i)

11 October 2023

Report of	Head of Public Protection	Author	Lisa Hobson
Title	Council Response to Anti-Social Behaviour (ASB)		
Wards affected	All Wards, particularly Castle		

1.0. Executive Summary

- 1.1 Colchester is a safe city with low crime rates. However, “Anti-Social Behaviour” (ASB) has been an increasingly cited concern at recent Council meetings and there is a perception of crime that needs to be addressed to ensure people continue to feel confident to enjoy the many great experiences the city has to offer.
- 1.2 The perception that crime is increasing is at odds with the reported police statistics, which demonstrate that overall ASB is down by 34% compared to the previous years. Indeed, longer-term trends also show there were 3,244 fewer incidents of ASB reported last year compared to five years ago.
- 1.3 It is true that some specific types of reported crime have seen some spikes or general increases have been observed in 2023 (e.g., thefts from businesses). A spike of shop thefts in June was responded to with 6 arrests, whilst some similar incidents in August have led to the equally targeted police responses against a known small group of perpetrators.
- 1.4 There are also some issues around specific sites such as St Mary’s Car Park where noise from inconsiderate behaviour with vehicles has caused distress and upset. Some of the issues of concern are criminal offences; actions which are punishable under the law, rather than being ASB enforced by the Council. Nonetheless, the highlighted issues all detract from the image of the city, cause harassment of a others, and thus meet the definition of ASB within the [Anti-social Behaviour, Crime and Policing Act 2014](#).
- 1.5 These matters, amongst others, were discussed at length at the recent Crime and Disorder Panel meeting of 19 September 2023. This report updates Cabinet with the short and long-term strategies to tackle ASB across Colchester, in particular the City Centre. It also recommends the creation of a new ASB Policy and asks for the endorsement for the renewal of the Public Space Protection Order (PSPO) for the City Centre in October 2023, for a period of 3 years.

2.0 Recommended Decisions

1. To review and note the content of this report and make any direction or comments as deemed appropriate.
2. To endorse the introduction of an ASB policy that clearly states the types of behaviour that can be investigated and acted upon using the Councils legal powers, the appropriate mechanisms for reporting, and the methodology that the Council will use to take proportionate action in response to issues; so that this information is more clearly communicated to the public; and
3. To endorse that, in line with the Scheme of Delegation to Officers, the Head of Public Protection will renew the Public Space Protection Order (PSPO) for the City Centre for a further 3-year period to October 2026 (Draft PSPO in Appendix A).

3.0 Reason for Recommended Decision

- 3.1 Anti-Social Behaviour (ASB) is one of the five priorities for the Safer Colchester Partnership, with a multi-agency approach to preventing, or supporting victims of such crimes or misbehaviour. Given the heightened publicity around this issue an ASB policy would set out clear objectives, responses times to reports and provide guidance and reassurance to residents that the Council has a commitment to address the issue of ASB. This can be made available online and updated so that the latest information is always easier to find using the Council resources.
- 3.2 In addition, the Public Space Protection Order (PSPO) for the City Centre will currently expire on 23 October 2023. The issues that the PSPO seeks to prohibit are still relevant, and therefore the PSPO should be renewed for a further 3 years to allow more robust enforcement to be practiced and dissuade potential perpetrators from taking part in such behaviours.

4.0 Alternative Options

- 4.1 Not to introduce a Policy; this would maintain the status quo as to how information is provided, expectations managed, and how we work currently. However, it would miss an identified way to improve the way that we work, and the information given to our residents, visitors, and businesses.
- 4.2 Not to renew the Public Space Protection Order; but this would mean that we would have a reduced ability to act on issues that have been highlighted as important and would conflict with our Strategic Plan.

5.0 Background Information

5.1 Contextual Information

- 5.1.1 The definition of Anti-Social Behaviour includes:
- conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person,
 - conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 - conduct capable of causing housing-related nuisance or annoyance to any person.
- 5.1.2 On a rolling 12-month basis to the end of July 2023, the recorded police statistics show that, in Colchester:
- Overall crime has reduced by 5.3% (994 fewer offences) compared to the previous 12 months.
 - Violence with injury has reduced by 4.7% (a total of 1,962 offences) compared to the Essex reduction of 7.6%.
 - Violence without injury reduced by 5.1% (or 3,377 offences) compared to a Force reduction of 4.7%
 - Sexual offences reduced by 15.5% (776 less offences) compared to an Essex reduction of 8.8%
 - Robbery increased by 36.8% (182 more offences) compared to a Force increase of 4.8%
 - Residential Burglary reduced by 7.4% (314 offences) compared to the wider increase of 4.7%
 - Business and Community Burglary reduced by 11.1% (224 offences) compared to a Force increase of 2.2%
 - *Reported* Domestic Abuse reduced by 11.6% (2,875 fewer offences) compared to the Essex reduction of 15.2%
 - Anti-Social Behaviour reduced by 34.0% (a total of 1,818 offences) in the context of a reduction 31.5% across Essex.
- *Note above, that the number of domestic abuse incidents reported to other agencies in the Safer Colchester Partnership, such as Next Chapter, has increased. Indicating that whilst less people are approaching the Police to report the crime, there are still underlying issues that are leading to more people seeking support as victims.*
- 5.1.3 Some previous work undertaken this year by the Council's Community Safety Team and our Safer Colchester Partnership colleagues included:
- 5.1.4 Op Spade: "Op Spade" was a multiagency operation through the summer, that saw the deployment of a drugs dog within the city centre to provide enforcement opportunities around persons who may be carrying drugs. Often this can also be linked to the carrying of knives. It was a proactive and preventative measure that also provided good engagement opportunities as well as enforcement.
- 5.1.5 Op Jupiter: In conjunction with the Colchester Institute, Essex Police conducted this operation to improve data sharing to safeguard young people. Using education, the focus was to reduce the use of controlled substances within the use of educational premises and raise awareness of knife crime.

5.2 Current / Ongoing Work by the Community Safety Team & Partners

- 5.2.1 The Safer Colchester Partnership has 5 priorities, but with a focus on ASB the work that the Council and its partners have been undertaking, and that continues to progress at this time includes:
- 5.2.2 City Centre Action Panel (CCAP): The CCAP is supported by a fortnightly partner meeting and overarching Action Plan, at which Police, Colchester City Council, Colchester Borough Homes, the BID, Phoenix Futures, Open Road, Beacon House, and The Probation Service meet to confidentially discuss those individuals who are vulnerable, or those who are causing harm, distress, or harassment to the public, and actions are agreed. These meetings are proving to be invaluable in terms of partnership working and creating a full picture of activity in the City Centre. The plan and good practice are something we have shared with colleagues in Chelmsford, Watford, and London as a project they looking to adopt within their own area.
- 5.2.3 Op Dial: In March 2023, Rishi Sunak launched the ASB Action Plan and stated that 16 areas across England and Wales will be funded to support a Hotspot to tackle ASB. It was indicated that ten areas would be selected for the Hotspot Pilots, one being Essex. Hotspots have been calculated from 5-year dataset (01/04/2018-31/03/2023) and are based on 250m x 250m grid squares.
- 5.2.4 The Community Safety team have secured funding, and in partnership with Police and PFCC (Police, Fire and Crime Commissioners) have developed our plans, bespoke to the hotspots and will be using employed staff within the Local Authority to patrol. The pilot started in July 2023, the patrolling activity is split into three patrols in each hotspot area, every week. Each patrol lasts three hours and made up of two Officers. These patrols will look to target the Hotspot when the ASB is most prevalent. Colchester Leisure World has been a focus as an “Op Dial” hotspot. We will also be working with partners to deliver 3 nights / days of action around these areas.
- 5.2.5 Op Grip”: Is Essex Police’s strategy to reduce community violence. 67 Harm spots have been identified in seven major towns across all parts of Essex. This has been achieved with academic research highlighting the areas where most street violence occurs. The purpose is to regularly enter these harm spots with activities such as business checks, routine and directed patrol, stop searches, quality of life improvements. Colchester has 2 “Op Grip” areas, both located within the Castle Ward.
- 5.2.6 “Op Luscombe”: This is a partnership approach that aims to tackle begging by enforcing the requirement on individuals to get support from partners, to negate the need to beg. Working in collaboration with partners “Op Luscombe” provides a “one stop shop” to support those that beg alongside appropriate enforcement.
- 5.2.7 “Project Morpheus”: Involves diversionary work that encourages young people aged 10-18 years to engage and participate in activities such as Army days and paintballing to prevent young people going down the route of crime and ASB.
- 5.2.8 Mobile CCTV cameras: CBH (COLCHESTER BOROUGH HOMES) and CCC to continue to deploy mobile CCTV cameras to assist in identifying and tackling ASB in hotspot areas along with environmental ASB, fly tipping etc.
- 5.2.9 In September 2023 the Police introduced a brand new Newsletter for “City Centre Policing” designed to communicate to people what is happening around the city. A copy of this is attached as Appendix B. This Newsletter illustrates some of the recent work, including proactive and preventative measures, that the Police have been undertaking.

Their work, and similar measures, will continue over the coming months and it is hoped that the Newsletter will aid more open communication and understanding. We will work with the Police to ensure that the circulation list includes relevant partners, businesses and Councilors.

5.3 Public Space Protection Orders

- 5.3.1 Public Spaces Protection Orders (PSPOs), introduced in 2014, sit amongst a broad range of powers and tools to help tackle anti-social behaviour locally and are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour. The Anti-Social Behaviour, Crime and Policing Act 2014 provides a broad legal framework within which PSPOs can be implemented.
- 5.3.2 Colchester City Council have three current PSPO's. The Dog Fouling PSPO came into effect on 09 January 2023 and has a duration of 3 years. The order applies to the whole "borough" administrative area. The Vehicular PSPO was introduced on 30th September 2022 for a duration of 3 years to tackle vehicle ASB across the whole district, including the car parks within the City Centre. Finally, the Town Centre PSPO was introduced in 2020 for a duration of 3 years and is due to expire on the 22nd of October 2023.
- 5.3.3 Following consultation, no further considerations are required for the PSPO, whilst the existing matters remain relevant, and thus it is suggested that the "City Centre" PSPO will be renewed for a further 3 years. Whilst Cabinet have already delegated this decision to Officers, it is a recommendation of this report that the Cabinet endorse this decision.

5.4 City Centre ASB

- 5.4.1 During 2017, Colchester Town Centre experienced an increase of activity in relation to aggressive begging, rough sleeping and general anti-social behaviours (ASB). By its very nature, those rough sleeping were vulnerable and complaints from members of the public and businesses regarding ASB, particularly begging and street drinking had become a frequent occurrence.
- 5.4.2 The introduction of the Public Space Protection Order (PSPO) proved an effective tool to engage with members of the public who were impacting on the ability of others to enjoy, and feel safe within, the Town Centre.
- 5.4.3 People involved in committing ASB, particularly begging and drinking, were rough sleeping or homeless. Officers alongside other agencies such as Police, Colchester Borough Homes, Beacon House, and Open Road spent many hours trying to engage and to work with individuals to improve their situation and support them. While this had some success, it did not solve the problem.
- 5.4.4 It was felt that a wider partnership approach with an action plan was required to tackle the ongoing issues. Therefore, in July 2018, the Colchester Borough Council Community Safety Team created the Town Centre Action Plan (TCAP); a partnership concept designed to address the persistent issues of begging, street drinking and anti-social behaviour whilst supporting those vulnerable individuals involved. The strategy consisting of support, awareness, education and when required enforcement relied on partnership collaboration to be successful.
- 5.4.5 This approach was successful up to (and throughout) the Pandemic, however it is acknowledged by partners, that whilst the data shows a decrease in reported figures, the perception of ASB and Crime is increasing.

5.4.6 Although the City Centre is affected, there are two particular hot spots that require a partnership approach to reduce the perception of crime and reassure residents and visitors that the city is a safe place. This is essential if our City Centre is to thrive.

5.5 St. Mary's Car Park

5.5.1 It is recognized that ASB incidents within St Mary's Car Park have been an ongoing issue. Historically these problems stemmed from the behaviours of those sleeping in the car park or using the site to participate in illegal drug activity. With the introduction of the PSPO, and partnership work there has been a shift in the type of Neighbourhood ASB within this location. Reports of Vehicular ASB have increased within this location, and other hot spot areas across the borough, namely Colchester Leisure World. We are beginning to also receive reports from other areas such as Stane Park and Turner Rise Retail Park.

5.5.2 Since the PSPO was introduced in September 2022, Colchester City Council's Community Safety Team have received 13 reports of vehicle ASB at St Mary's. This involved 54 vehicles. In comparison, Colchester Leisure World have seen 16 reports, involving 58 vehicles. Using a partnership approach, working with residents to obtain evidence, and issuing enforcement the last report from residents at Colchester Leisure World was 17th July 2023. We are aware that there have been a much larger number of reports through other means. Whether to police, or within emails to various persons (which highlights the importance of using the correct reporting methods available).

5.5.3 To assist with the gathering of evidence, ultimately resulting in more action, and providing proper records of incident trends in activity, it is important that any reports to this Council are reported using the online reporting function. Where possible, anyone reporting incidents of ASB should provide as much information and detail as possible, as this allows for further investigation (including pinpointing with CCTV). Reporting this will also ensure that the information can be responded to in the absence of any individual officers. We would also encourage reporting all incidents of ASB to Essex Police. This should be done on every occasion, and wherever possible at the time of the incident. Matters such a drugs and violence go beyond ASB and are a crime that should be reported directly to the police immediately.

5.5.4 With acknowledgement of growing distress at St Mary's Car Park, following a meeting with St. Mary's Residents Association, we have agreed several measures to reduce the number of incidents in the car park and reduce the negative impact this behaviour is inflicting on the residents.

5.5.5 From 29th September 2023, Heras fencing will be used to close the entry lanes into the car park overnight. This will apply to the entrance lane only, allowing those e already in the Car Park to access and leave the site as usual, when the entrance will be closed off at 2200. Initially this is to be on a Friday, Saturday, and Sunday night only, being monitored and reviewed to see if the time and days require amendment. Initially, Monday-Thursday will remain open 24/7 as usual but will have more patrols. The Heras fences are therefore a quick, but temporary, solution whilst options are being explored. We will continue to gather the information about further barrier options, costs, timescales, etc.

5.5.6 Whilst we do not envisage there will be impact to the NTE, we have advised the Mercury Theatre, Arts Centre, and BID of this action. Their feedback was sought prior to introducing the measures, balancing the legitimate needs of city centre users, economic benefits, and the issue of nuisances.

- 5.5.7 In addition, Titan Security will be conducting a patrol and litter pick of the car park before locking and unlocking. We will also be providing a reactive response contact to enable the residents' representatives to request a fast and visible response if vehicle ASB is occurring. Titan will address and / or report any observation of incidents with appropriate evidence to allow for enforcement action to be taken.
- 5.5.8 Whilst we have had some success with the evidence capture resources, the data gathered has not always been legally sufficient to take a zero-tolerance approach to enforcement. The patrols and cameras all help put in place measures that improve the evidence to the required standards to enforce. In the longer term, we will take this approach not only in St Mary's, but other locations where vehicle ASB is occurring.
- 5.5.9 Following an audit walk around there is also scope to improve the existing CCTV camera coverages. A costed plan will be supplied in due course for fixed and relocatable options. The success of rapid deployment cameras in Greenstead meant that we have already placed an order for two rapid deployment cameras, and two Street Watch Column wireless CCTV cameras, which can be utilised in St Mary's. We remain mindful that the actions taken will likely move the issue to other areas. Therefore, there is particular benefit to installing re-deployable cameras, at least in the short term (as this allows movement should the issue relocate).
- 5.5.10 As one of the key, statutory partners in the Safer Colchester Partnership, Essex Police will continue to support us by utilising policing powers under the Anti-Social Behaviour Act, Roads Policing Act, and other powers within the city centre to tackle anti-social use of vehicles in the city centre and surrounding car parks. The Council will continue to work in a coordinated and collaborative manner with support of our Police colleagues.

5.6 Castle Park

- 5.6.1 Castle Park not only encompasses much of Colchester's rich heritage within its boundaries but provides a green oasis in the city centre where people should enjoy spending time. Whilst the environment and heritage of our city is important, our focus will always be the community and residents within it. Sadly, for some, this includes a lifetime of substance misuse and / or mental ill health and committing crime to support an addiction.
- 5.6.2 With this in mind we will be working together with our colleagues in Essex Police, BID, Community Outreach, Neighbourhood teams and others to repeat the success of 2018 across the city by conducting the following measures:
- Use effective communication and information sharing through Op Luscombe and the City Centre Action Panel to address current issues such as begging, street drinking and crime and work in partnership to find sustainable solutions to problems.
 - With colleagues, communicate with more communities within the city centre to understand and proactively deal with any issues raised. This will include and not limited to businesses, residents, workers, students, shoppers, and visitors to the city centre. Police will holding regular engagement events in the city centre and pre-advertising them online for local communities to speak to local officers. The Essex Police business crime team will be engaging with businesses within the town centre as well as the BID and ColBAC to improve crime prevention.
- 5.6.3 Essex Police will increase visibility in the city centre during the daytime and nighttime economy. Joint patrols with city wardens, Essex Police, and other partners to ensure a joint up approach to problem solving. This activity will feed into the City Centre Action Plan

5.6.4 We will reset our approach with the renewal of the Public Space Protection Order, utilising the powers of enforcement by working with the Police on tackling crime and anti-social behaviour. A key element of this to ensure more success is to develop and train our staff that work within our communities. Individuals that work within Castle Park should have the skills and confidence to engage with those causing ASB and where appropriate issue enforcement or obtain sufficient evidence for Officers with the appropriate powers of delegation to do this on their behalf. A review of the tasks carried out by existing security provision should also be considered to achieve this outcome.

5.7 ASB Policy

5.7.1 To assist with clarity, communication and the management of expectations, it is proposed that the Community Safety team lead work with other Services and Partners on a new ASB Policy. This Policy can explain who has which powers, inform people how to contact those persons and when, set out what would be considered and layout the processes for investigating. Other matters such as timescales for responses can also be indicated, though each case has its own intricacies.

5.7.2 It is envisaged that some form of prioritisation through triage and matrix scoring system can be used to respond to the most urgent matters and create response plans. A Policy would also give clear communication to someone newly experiencing ASB how to help us resolve the issue by providing the right information, to the right person, at the right time. This will provide a better customer experience at times when they will have experienced some form of disruption and upset to their lives.

5.7.3 The ASB Policy can then be kept up to date with any changes in legislation and published on our website. It will also be available to be provided to people by email, so it can also be shared with partners and ward Councillors should they need to pass it on to residents and signpost them correctly.

6. Equality, Diversity and Human Rights implications

6.1 The matters in this report have no direct impact on equality and diversity considerations and do not have a negative impact on the promotion of equality, overcoming discrimination in relation to gender, gender reassignment, disability, sexual orientation, religion or belief, age, and race/ethnicity.

6.2 The new policy would confirm current practices, but as a new policy this would need an Equality Impact Assessment (EIA) to be completed.

6.3 Furthermore, the courses of action will not breach human rights, but may help protect some of the rights of individuals who would otherwise suffer victimisation or offences against them.

7. Strategic Plan References

7.1 The Strategic Plan 2023-2026 includes, under “Modern City Services”, aims that:

- Colchester Council and supporting organisations work together to a shared and ambitious vision for the future of our city.
- Put communities, and their needs, at the heart of our vision and supporting local areas as they help shape and deliver the services which are most important to them.

- Work closely with local partners, charities, and organisations to add value (including but not only; Essex County Council, The NHS, The Garrison, and The University of Essex)

7.2 In addition, under “Celebrate our city, heritage and culture” it adds an aim “To make our city a better place in which to live and work and visit”.

8. Consultation

8.1 Consultation was undertaken on the PSPO renewal in September 2023.

8.2 Any consultation necessary prior to the creation of a new Policy will be picked up during that work.

8.3 In all matters mentioned, the Council has consulted with key stakeholders, partners (both statutory and non-statutory) and worked closely, in particular, with the local Essex Police teams. Local businesses such as The Mercury Theatre, Arts Centre and BID were consulted specifically prior to introducing entrance closure at St Marys Car Park.

9. Publicity Considerations

9.1 There is no specific publicity requirement generated regarding this report. Some of the content has, and will be, subject to communications planning and publicity. The PSPO renewal has been advertised as required, including public notices.

10. Financial implications

10.1 There are some financial implications related to some of the measures mentioned in the report with regards to CCTV, barriers, and patrols. Agreement for these would be under the thresholds for Cabinet and would be taken at the appropriate delegated levels once they can be confirmed. Other impacts on income, for example from car parks, have been advised by NEPP and considered to be of insignificant impact.

10.2 There is grant funding that may be used for some of the matters outlined in the report. The Council has, for example, worked with partners to secure Safer Streets funding.

10.3 There would also be a cost implication to not doing anything, in addition to the lost social value.

11. Health, Wellbeing and Community Safety Implications

11.1 Health and wellbeing is influenced by a number of factors, many of which fall under the responsibility of the council. These include planning, housing, access to green space, licensing, environmental health protection and economic development and many more. The council must do all it reasonably can to promote positive health benefits to our residents whilst reducing, removing, or minimising any unintended consequences to health that may arise from services or decisions.

11.2 The community safety considerations outlined herein have been taken into account and consideration has been given on how the decision will impact upon crime and disorder. It

is considered that there would be a positive impact on this, indeed it is a primary focus, and this is to the greater benefit of health and wellbeing in the city.

12. Health and Safety Implications

12.1 Health and Safety would be improved for residents, visitors, and businesses. There is some risk to health and safety of those patrolling, however they are fully trained to undertake such roles.

13. Risk Management Implications

13.1 The risk of not acting outweighs any risk of acting. There is some risk to individuals patrolling, however there would be greater risk to a larger number of people if no action was taken. The whole focus of the report, and work mentioned within, is to reduce risk.

14. Environmental and Sustainability Implications

14.1 There would be limited impacts on environmental and sustainability considerations. However, there would be no overall negative impacts.

15. Appendices

Appendix A – Draft Public Space Protection Order for the City Centre (October 2023 – 2026)

Appendix B – September Police Newsletter

Appendix C – Recommendation from the Crime and Disorder Committee 19 September 2023

Anti-Social Behaviour, Crime and Policing Act 2014

The Colchester City Council (City Centre)

Public Space Protection Order 2023

The Colchester City Council (“the Council”) makes this order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, having consulted as required by section 72.

Before expiry of this Order the Council may extend, vary, or discharge it in accordance with the provisions of the Act.

The order takes effect on 23rd October 2023 and has a duration of 3 years.

This order applies to all public spaces formed by the areas within Colchester City Centre (“The Restricted Areas”)

(a) which is open to the air (including land which is covered but open to the air on at least one side).

(b) to which the public are entitled or permitted to have access (with or without payment); and

(c) which is outlined in red on the plan attached as the Schedule to this Order

In making this Order the Council is satisfied on reasonable grounds that

(a) the activities covered by this Order have been carried on in a public place within the Council’s area and have had a detrimental effect on the quality of life of those in the locality; and

(b) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature; is, or is likely to be, such as to make the activities unreasonable; and justifies the restrictions imposed

The Council is also satisfied that the prohibitions and requirements set out within this Order are reasonable.

(a) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring, or recurring; or

(b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence, or recurrence.

The Council is satisfied that activities have been carried out in the restricted areas which have had a detrimental effect on the quality of life of those in the locality.

Further, it is satisfied that the effect of the activities is or is likely to be of a persistent or continuous nature, is or is likely to be such as to make the activities unreasonable and the effect justifies the restrictions imposed.

In making this Order the Council has had regard to the rights and freedoms of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights

The **activities** carried out are as follows:

- Urinating or defaecating anywhere other than a toilet or depositing any human bodily fluids / excrement anywhere open to the air

- Be in possession of (without a lawful or reasonable excuse); Consume, inhale, inject or smoke any substance capable of stimulating or depressing the central nervous system including open vessel(s) of alcohol / intoxicating liquor in a public place.
- Being as a result of intoxication by ingesting alcohol or drugs be in a condition as to be considered by a constable, any other member of the emergency services, or an authorised person behaving in a manner that causes or is likely to cause intimidation, harassment, alarm, distress, nuisance, or annoyance to any person.
- Sitting or loitering on the highway or any pedestrian area of the restricted area demanding or begging or perceived to be begging by an authorised person for money or any other item, whether placing any item before them for receipt of money or otherwise.
- Using a skateboard, bicycle, scooter, skates, or any other self-propelled wheeled vehicle, including electric scooters in such a manner as to cause or is likely to cause intimidation, harassment, alarm, distress, nuisance, or annoyance to any person.
- Unauthorised Advertising by the stationing of advertising boards (A-Frames), or other structures including any hoarding or similar structure used, or adapted for use, for the display of advertisements being used as such, this includes flyposting (including the unlawful affixing of any placard, notice or sign to street furniture) or any person permitting and / or benefitting from such flyposting.

Prohibitions under section 59(4) are therefore as follows:

1. A person shall not engage in any of the activities anywhere within the restricted area as shown on the attached map and marked 'restricted area'.
2. A person shall surrender any open vessel(s) of alcohol / intoxicating liquor, equipment and / or paraphernalia being used for the consumption of any psychoactive substance in that person's possession to an authorised person.
3. The effect of the order is to impose the prohibitions and requirements detailed herein, always, save where specified exemptions apply or where the express permission of the Council has been given on the use of the restricted area.

Penalties

Failure without reasonable excuse to comply with the prohibitions or requirements imposed by this Order is a summary offence under section 67 of the 2014 Act. Any person guilty of an offence under sections 67 is liable on a summary conviction to a fine not exceeding level 3 on the standard scale.

A constable or an authorised person may under section 68 of the 2014 Act issue a Fixed Penalty Notice to anyone he or she has reason to believe has committed an offence under section 67 in relation to this order.

A person who is believed to have engaged in a breach of this order, or in anti-social behaviour within the Restricted Area, is required to leave the area, and remove his/her vehicle(s) if asked to do so by an Authorised Person and not to return for a specified period not exceeding 48 hours.

If a constable or an authorised person believes that a person is or has been consuming alcohol within the restricted area, they may require that person:

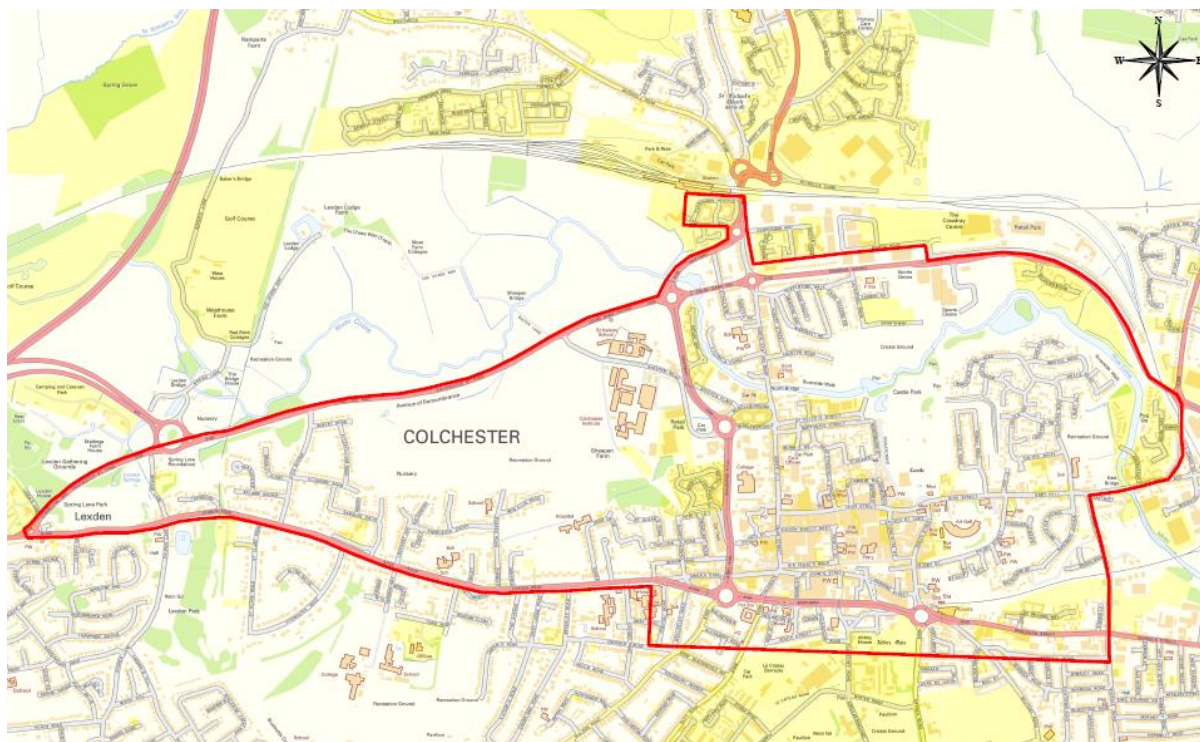
- a. Not to consume alcohol or anything which the constable or authorised person believes to be alcohol.
- b. To surrender anything in that person's possession which is, or which the constable or authorised person believes to be alcohol or a container or vessel for alcohol to be disposed of as they deem fit.

Signed:

By authority of the Colchester City Council under section 101 of the Local Government Act 1972

Restricted Area

The activities described above would be prohibited within the redistricted area, marked in red.



Colchester City Centre Policing Newsletter

September 2023

Welcome to our monthly City Centre Policing Update, where you can read how we keep the City Centre a safe place to live, work and visit while dealing with concerns raised by the City Centre community.

Throughout September the city centre policing team have carried out a number of high visibility road traffic operations under OPERATION CALLOUS. This operation was put in place after numerous reports and concerns about the delivery drivers who use the city centre.

On the first Operation Callous deployment we saw a large number of vehicles seized due to insurance and driving licence offences being identified. Since then we have seen a much improved compliance with these pieces of legislation.



While Operation Callous is designed to educate those using the city centre roads, enforcement action is taken against those who do not have the correct documentation to drive and the high visibility and likelihood to be stopped acts as a deterrent to those using vehicles to come to Colchester to commit crime and those who want to act anti socially on the high street.



On Saturday 9th September the City Centre team conducted plain clothed patrols in the city centre. Using a mixture of plain clothed patrols and uniformed officers they completed 13 stop and searches. Of the searches 5 drug offences were identified and dealt with, including an arrest for possession with intent to supply class A drugs after discovering a quantity of suspect class A drugs during a search.

Stop and search is a useful policing power that is regularly used in the city centre to prevent and deter all crime types. Continuing with the work on this day, the officers also visited locations whereby anti social behaviour had been reported and a quantity of alcohol was seized and people dispersed from the town under the PSPO with details passed to our colleagues at Colchester City Centre to process fines for breaching the PSPO.

Similar to the day time, the night time economy in Colchester is regularly a busy evening for policing in the city centre. We want to ensure everyone enjoying an evening out does so in a safe and enjoyable environment. Our officers are supported by special constables who volunteer their time to ensure you enjoy a safe evening out and the venues in the city centre receive policing support when needed. Earlier in the month we saw 11 special constables assist the community team in policing the city centre on a busy Saturday night. The special constables alone managed to carry out a range of policing activity including high visibility patrol, seizing a vehicle due to it causing anti social behaviour, being first on scene to some medical emergencies whereby they gave initial first aid until colleagues from the SOS bus and ambulance service arrived. They also broke up some drunken fights, made arrests for assaults and drug offences and engaged with 7 licensed premises to ensure license conditions were met and that they did not have any issues.



If you are interested in joining the specials visit www.essex.police.uk/careers



Do it online at:
essex.police.uk

**IN AN EMERGENCY
ALWAYS CALL 999**



Officers from the city centre team attended a number of licensed premises in the city centre with Julie Taylor who completes a lot of charity work after her grandson was tragically murdered in Chelmsford. Part of this work is providing bleed kits to licensed premises to if there was a serious injury in one of their venues, they would have potentially life saving equipment on hand to use while awaiting medical assistance. The officers also used this as a great time to speak to the staff in the licensed premises to listen to and address any issues they may have and talk about concerns and how we can tackle those concerns.



Officers from the Community Policing Team and Special Constabulary have been carrying out patrols around the city centre including St Marys car park and Balcerne Hill following reports to police and to the City Council around anti social driving. While you can see the high visibility patrols, you can not see the various discussions and meetings we have held with the council around a long term problem solving approach to this re-occurring issues.

You may have seen in the news this week that the council are going to trial closing the car park overnight to stop access to those causing a nuisance to the local area. We are also regularly out looking to evidence and enforce any breaches of the vehicle PSPO. More information around this can be found on the Colchester City Council Website.

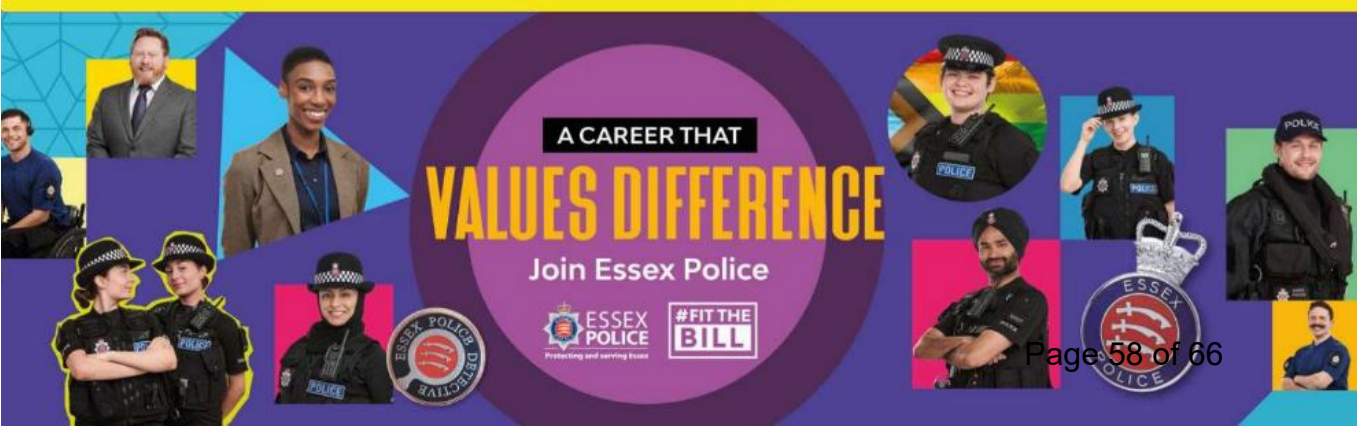
The City Centre sees a large number of events happen in the park, from shows, concerts, festivals and community group meets. This means thousands of people can attend the city centre on any given day. We work closely with planners of events to ensure they are run safely and that any events do not have a negative impact or encourage crime to occur in the town centre. We also hold our own events in the city centre. Such as the first Thursday of every month we are in the Community 360 Hub on long wyre street between 10:30-11:30am to speak to anybody about any local issues they wish to discuss.

If you have a community group or club and you would like engagement from the police please contact—colchestercommunitypolicingteam@essex.police.uk

Your community policing team are regularly conducting foot patrols in the town centre so make sure you say “hello” to them while they are passing.



Digital 101 is available on the Essex Police website: essex.police.uk



If you, or anyone you know, is interested in protecting and serving Essex, you can follow us on social media, or search **#FitTheBill**

Resolution from the meeting of the Crime and Disorder Committee meeting of 19 September 2023

The resolution made by the Crime and Disorder Committee at its meeting of 19 September 2023 is attached below for Cabinet's information.

RESOLVED that the CRIME AND DISORDER COMMITTEE hold an additional meeting, within the next six months, to scrutinise the Strategic Assessment document of the Safer Colchester Partnership for the coming year, and to receive benchmarking data against a wider selection of different geographic areas, and an explanation of the divergence of domestic abuse statistics compiled by different partner organisations.

RECOMMENDED to the SAFER COLCHESTER PARTNERSHIP that: -

- a) Enhanced efforts be made by all relevant Safer Colchester Partnership partners to enforce the City Centre and vehicular Public Spaces Protection Orders [PSPOs];*

- b) Whilst the Crime and Disorder Committee concurs that the Safer Colchester Partnership is dealing well with its priorities, a clearer place within its priorities should be found for addressing fraud, knife crime, shoplifting and other crimes against businesses.*

Recommendations from the meeting of the Policy Panel meeting of 27 September 2023

Cabinet is invited to consider the recommendations below made by the Policy Panel at its meeting on 27 September 2023:-

82. City Centre Marketing & Inward Investment

RECOMMENDED to CABINET that: -

- a) Cabinet give approval for the Panel to receive a report from the City Status Marketing Task and Finish Group, as led by the Business Improvement District
- b) Cabinet commissions work, involving all relevant partners, to develop a Retail Strategy which addresses the retail offer beyond the city centre
- c) In light of the Panel's concerns regarding increasing anti-social behaviour and crimes against businesses (including shoplifting), Cabinet advocates that the Safer Colchester Partnership should assign a higher priority to tackling anti-social behaviour and crimes against businesses, and that all local partnerships should work together to address these problems

84. Cost of Living Crisis – Council Response reflection and next steps

RECOMMENDED to CABINET that Cabinet agree that adequate staffing levels are vital for the Employment & Financial Support Team to conduct its work, given the essential work it does to support residents, and the likely additional costs to the Council and public services later, if eligible residents are not able to access the advice and support provided by this team.

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

(i) Have Your Say submissions from members of the public

Date of Meeting	Details of Members of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 6 September 2023	Sir Bob Russell	The legitimacy of the current administration, Town Deal Board proposals for Holy Trinity Church.	Verbal response given at the meeting by Councillor King, Leader of the Council and Portfolio Holder for Strategy.	6 September 2023
Cabinet, 6 September 2023	Nick Chilvers	Councillor responses to the City Centre Masterplan	Verbal response given at the meeting by Councillor King, Leader of the Council and Portfolio Holder for Strategy.	6 September 2023
Cabinet, 6 September 2023	Local resident	Anti-Social Behaviour in St Mary's Car Park	Verbal response given at the meeting by Councillor King, Leader of the Council and Portfolio Holder for Strategy.	6 September 2023
Cabinet, 6 September 2023	Sir Bob Russell	The impact of proposals for Holy Trinity Church on anti-social behaviour in the city centre.	Verbal response given at the meeting by Councillor King, Leader of the Council and Portfolio Holder for Strategy and Councillor Burrows, Portfolio Holder for Leisure, Culture and Heritage.	6 September 2023
Crime and Disorder Committee 19 September 2023	Mr Colin Ffloyd-Thurgood	Antisocial behaviour in Castle Park and need for better signage and enforcement.	Verbal response given at the meeting by Councillor Natalie Sommers, Portfolio for Communities	19 September 2023

Crime and Disorder Committee 19 September 2023	Sir Bob Russell	The impact of proposals for Holy Trinity Church on anti-social behaviour in the city centre.	Verbal response given at the meeting by Councillor Darius Laws, Committee Chair	19 September 2023
Crime and Disorder Committee 19 September 2023	Local resident	Anti-Social Behaviour in St Mary's Car Park	Verbal response given at the meeting by Councillor Natalie Sommers, Portfolio for Communities	19 September 2023
Crime and Disorder Committee 19 September 2023	Ms. Michelle Reynolds	Crime and anti-social behaviour affecting City Centre businesses, especially shoplifting	Verbal response given at the meeting by Councillor Darius Laws, Committee Chair	19 September 2023
Environment and Sustainability Panel 21 September 2023	Steven Vince	Village Green signs.	A written response is being prepared for Mr Vince.	To be confirmed.
Environment and Sustainability Panel 21 September 2023	Gillian Mockridge	Garden Waste collection.	Verbal response given at the meeting by the Head of Neighbourhood Services.	21 September 2023
Environment and Sustainability Panel 21 September 2023	Carinna Cooper	Public meeting request to debate climate issues.	Written response prepared and sent on behalf of the Leader of the Council.	2 October 2023

Environment and Sustainability Panel 21 September 2023	Alan Short	Concern about the enforcement of conditions in relation to future development on Middlewick.	Verbal response given at the meeting by Cllr Nissen, Panel Chair.	21 September 2023
Environment and Sustainability Panel 21 September 2023	Kemal Cufoglu	Representing Pesticide Free Essex.	Verbal response provided by the Head of Neighbourhood Services at the meeting, and officers will arrange to meet with Mr Cufoglu to discuss his concerns.	21 September 2023
Environment and Sustainability Panel 21 September 2023	Jane Black	Concern about the Council's proposed plans for the management of the Ferry Marsh nature reserve.	Verbal response provided at the meeting by The Parks, Countryside & Greening Operations Manager	21 September 2023
Environment and Sustainability Panel 21 September 2023	Rob Neve	Concern about the Council's proposed plans for the management of the Ferry Marsh nature reserve.	Verbal response provided at the meeting by The Parks, Countryside & Greening Operations Manager	21 September 2023

(ii) Petitions

Date petition received	Lead Petitioner	Subject Matter	Form of Response	Date Completed
No valid petitions received in this period.				