

Cabinet

Rowan House, Colchester

3 December 2008 at 6:00pm

The Cabinet deals with

the implementation of all council services, putting into effect the policies agreed by the council and making recommendations to the council on policy issues and the budget.

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COLCHESTER BOROUGH COUNCIL CABINET

3 December 2008 at 6:00pm

Leader (& Chairman): Councillor Anne Turrell (Liberal Democrats)
Deputy Chairman: Councillor Martin Hunt (Liberal Democrats)
Councillor Lyn Barton (Liberal Democrats)
Councillor Tina Dopson (Labour)
Councillor Theresa Higgins (Liberal Democrats)
Councillor Beverley Oxford (The Highwoods Group)
Councillor Paul Smith (Liberal Democrats)
Councillor Tim Young (Labour)

AGENDA - Part A

(open to the public including the media)

Pages

1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched to off or to silent;
- location of toilets;
- introduction of members of the meeting.

2. Urgent Items

To announce any items not on this agenda which the Chairman has agreed to consider because they are urgent and to give the reasons for the urgency.

3. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to

Speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

4. Have Your Say!

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

5. Minutes

To confirm as a correct record the minutes of the meeting held on 22 October 2008.

6. Call-in Procedure

To consider any items referred by the Strategic Overview and Scrutiny Panel under the Call-In Procedure. At the time of the publication of this Agenda there were none.

7. Strategy/Resources and Business

i. 2009/10 Revenue Budget and Financial Reserves

1 - 21

See report from the Head of Resource Management and the extract from the draft minutes of the Strategic Overview and Scrutiny Panel meeting of 4 November 2008.

8. Performance and Partnerships

- i. Essex County Council consultation on secondary schools in Colchester** **22 - 73**

See report from the Head of Life Opportunities and appendices including the minutes of the Policy Review and Development Panel meeting of 3 November 2008.

9. Regeneration and Planning

- i. Visual Arts Facility - firstsite:newsite** **74 - 80**

See report from the Executive Director, Ian Vipond

10. Resources and Business

- i. Office Accommodation Strategy - Purchase of Rowan House** **81 - 88**

See report from the Executive Director, Ann Wain.

- ii. Borrowing Limits and Prudential Indicators** **89 - 95**

See report from the Head of Resource Management

11. General

- i. Calendar of Meetings** **96 - 102**

See report from the Head of Corporate Management

- ii. Appointment of Deputy Mayor for 2009/10 Municipal Year**

To consider any recommendations put forward at this meeting for recommendation to the Council

- iii. Progress of Responses to the Public** **103 - 105**

To note the contents of the progress sheet.

12. Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this

agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).



Cabinet

3 December 2008

Item
7(i)

Report of	Head of Resource Management	Author	Sean Plummer ☎ 282389 Laura Skinner ☎ 282355
Title	2009/10 Revenue Budget and Financial Reserves		
Wards affected	Not applicable		

This report provides an update on the 2009/10 Revenue Budget and Financial Reserves

1. Decisions Required

1.1. Cabinet is requested to:

- i) Note the current 2009/10 revenue budget forecast which at this stage shows a budget gap of £264k and the forecast variables and risks.
- ii) Note the action being taken to close the budget gap including the development of savings delivery plans.
- iii) Agree that revenue balances should be maintained at a minimum of £1.7m for 2009/10 as set out in the Risk Analysis subject to consideration of outstanding issues as part of the final budget report in January (Appendix D).
- iv) Note the current budget forecast for this year as set out at paragraph 9.6.
- v) Agree that in respect of second homes the Council Tax discount applied shall be retained at 10% as set out at paragraph 11.5.
- vi) Agree that in respect of long term empty properties the discount be retained at nil as set out at paragraph 11.5.

2. Background

- 2.1. A timetable for the 2009/10 budget process (see Appendix A) was agreed at Cabinet on 9 July 2008 and endorsed by the Strategic Overview and Scrutiny Panel on 8 September 2008.
- 2.2. An initial 2009/10 budget forecast was presented and agreed at the Cabinet meeting on 10 September 2008. This showed a budget gap of £63k.

3. Comprehensive Spending Review 2007 (CSR 2007) and Local Government Finance Settlement

- 3.1. The Government announced details of the grant settlement including funding in respect of concessionary fares at the end of 2007. This included forecasts for 2009/10 and 2010/11.

3.2. Minor changes to the already notified figure are possible and an announcement is expected in advance of this Cabinet meeting and any impact will be reported verbally on the night

4. Summary of 2009/10 Budget Forecast

4.1 The revised 2009/10 revenue budget forecast shows a budget gap of £264k:

	£'000	Note / Paragraph
Budget Gap reported to Cabinet 10 Sep 2008	63	
Less: Updated one off items	(87)	
Add: increase in cost pressures:-		
<i>Impact on income of economic downturn</i>	930	General economic downturn is impacting on expected income for planning, building control, car parking and land charges. Final budgetary assumptions will be made in light of fees and charges proposals and risk assessment
<i>Inflationary impact on costs</i>	395	Energy prices have dramatically increased and although we anticipate some energy savings through LACM measures there will be a significant increase in energy costs. Includes revised assessment for inflationary costs on pay, fuel and grounds maintenance. All assumptions remain under review.
Add: Growth	No change	
Less: Savings:-		
Proposed savings	(737)	Includes mitigating action to offset falling income. Some savings are one-off.
Concessionary Fares	(500)	See paragraph 6.3.
<i>Changes to previous forecast:-</i>		
Revised LABGI scheme	100	Reduce assumption from £150k to £50K grant for 09/10
Net interest earnings	100	Reduce forecast for additional interest from £150k to £50k.
Council Tax	No change	Current assumption remains @ 2.9% and 2% increase in taxbase
Government Grants	No change	
Changes re use of reserves:-		
Regeneration Team	166	
Use of Regeneration Reserve	(166)	
Planning staff + planning projects	140	As agreed by Cabinet – Sep 08
Balances re: HPDG carry forward	(140)	Re HPDG carry forward.
Updated Gap	264	

4.2 Cabinet is asked to note the above 2009/10 revenue budget forecast, the assumptions set out in this report concerning cost pressures, growth items, funding streams and risks.

5. Changes in 2009/10 Budget Forecast

Cost Pressures

- 5.1. Appendix B sets out an update of cost pressures. The most significant areas impacting on the budget forecast relate to the impact on both income and expenditure budgets of the current economic climate.

Income (Planning, car parking, land charges)

- 5.2. Finance and Audit Scrutiny Panel (FASP) considered a report on 19 November 2008 which outlined some of the forecast shortfalls of Council income this year. The main areas affected being planning, car parking and land charges. There is a clear link between the economic downturn and these pressures in particular in respect of planning fees. Forecasts have been made for all income and these assume a continuing period of lower income.

Inflationary pressures (energy prices, fuel)

- 5.3. Alongside the reduced income the Council is also experiencing pressures on some core areas of spend. Energy prices have increased significantly and further increases are expected. The Council procures electricity and gas through the use of the OGC (Office of Government Commerce) which aims to purchase energy in bulk to secure efficiency in procurement.
- 5.4. The increase in energy prices further highlights the benefits of the Council's Local Authority Carbon Management (LACM) programme. Steps being taken as part of this scheme will therefore help to partly mitigate some of the increasing cost prices.
- 5.5. Current budget forecasts have also been adjusted to take account of fuel prices, changes in agreed pay awards and potential increase in certain contract prices. All these assumptions will be considered as part of the final budget proposals.

Growth Items

- 5.6. No further growth items are included within the budget forecast.

6 Savings/Increased Income

Further budget savings

- 6.1. The previously reported budget forecast already included savings identified by services of £152k. As part of the budget process Senior Management Team (SMT) and Portfolio Holders have considered a number of further potential savings or income options. These include some issues emerging from the different strands of the budget strategy and also proposed steps to mitigate the impact of reduced income. For example, within Environmental and Protective Services steps have been taken to freeze certain posts and redeploy some staff to support work within planning policy.
- 6.2. The table below sets out all new proposals in summary by service area showing a total of £737k. Risk assessed delivery plans for these items are currently being produced and will be reported in detail to Cabinet in January 2009.

Corporate Management	EMT	Environmental and Protective	Life Opportunities	Resource Management	Strategic Policy and Regeneration	Street
£'000	£'000	£'000	£'000	£'000	£'000	£'000
64	15	340	50	208	35	25

Concessionary Fares

- 6.3. In the current year the Council has negotiated an agreement with other local authorities in the Essex area and the bus operators with regard to the cost of the new national scheme. This will deliver a substantial saving against the 2008/09 budget. For 2009/10, negotiations continue on the arrangements that will apply, including containing the inflationary pressures, and the most likely outcome will see a significant reduction in the costs of the scheme to Colchester BC compared to the original estimate i.e. the savings from 2008/09 will be preserved for another year. We are therefore able to show this as a cost saving of £0.5m in the 2009/10 Budget forecast. There remains a risk that final negotiations will not be successful but this is not considered to be likely.

Revised projections

- 6.4. The previous budget forecast assumed additional income in respect of the proposed replacement of the LABGI scheme and additional interest in respect of net investments. The table below sets out changes made to the forecast:-

<i>Area</i>	<i>Previous forecast £'000</i>	<i>Revised forecast £'000</i>	<i>Comment</i>
"LABGI" (Local Authority Business Incentive Scheme)	150	50	The 3-year LABGI scheme ended in 2007/08 and the Government has announced that there will be new scheme. The details of this new grant have not yet been announced, however, indicative figures provided as part of the consultation indicate that the previous assumption of income of £150k should be revised to £50k. When final budget proposals are made additional information may be available to refine this estimate.
Interest earnings	150	50	We continue to anticipate additional net interest this year (08/09), the current forecast being an additional £300k. However, in light of the rapidly changing interest rate outlook the assumed level of any additional income for 09/10 will need to be revised. At this stage a revised forecast of additional interest of £50k is proposed, however, this will be reviewed in more detail and in light of any proposed changes to the Council's treasury management and investment policy.
	300	100	

7. Council Tax

- 7.1. The budget forecast for the increase in Council Tax income included an allowance for an increase in the Council Tax base (the equivalent number of Band D properties used for

tax setting) of 2%. The tax base will be calculated and agreed in December and any changes to this forecast will be assessed within the final budget report.

7.2. The current assumed increase in Council tax income is based on an increase in Council Tax of 2.9%.

8. Risk and variables

8.1. The key areas of potential 2009/10 budget forecast variations and risk are highlighted below with the current assumption shown.

Item	Risk Assumption	Comment / Timing
Government Grant	Increase assumed in line with 3 year CSR	Announcement expected end of November
Concessionary Fares	Assumed saving of £500k	Subject to final negotiations on arrangements for funding scheme.
Car Park Income	Budget includes forecast income based on revised charges.	Review forecast in light of up to date usage.
Complete risk-assessed savings delivery plans	Report includes assumption that significant savings will be delivered	Delivery plans in progress. To be reported to Cabinet in January 2009.
Complete budget reviews	The budget forecast includes some savings arising from budget review work, however, not all reviews are yet complete.	On-going meetings taking place in November and December reporting to Cabinet in January.
Completion of detailed budgets / HRA recharges	Assumed all delivered as per budget allocation. No adverse impact on charge to HRA.	Detailed budgets to be finalised and recharges calculated in December.
Interest Budget	Now assuming an extra £50k	Complete detailed budget, assumptions and risks and assessment of impact of revised investment policy proposals. Completed by end of December,
Minimum Revenue Provision (MRP)	Currently based on previous statutory 4% calculation.	Agree proposed MRP policy and assess impact specifically on Community Stadium, accommodation proposals and other capital programme projects.
Links to capital programme	Budget proposals based on current programme.	Assess revenue impact of any proposed changes to capital programme.
Taxbase calculated	Assumed increase of 2%.	Taxbase determined in December
Tax rate agreed	Assumed 2.9%	1% change = circa £100k
Forecast balances position at 31 March 09	This note forecasts general balances of between £1.6m - £1.9m	Continue monitoring of current year budget. Review position in December.

8.2. The above highlights the key risks and variables that may affect the budget forecast. SMT and Leadership Team will continue to review these areas to minimise any potential impact.

- 8.3. In summary, there is a current budget gap of £264k. SMT and Leadership Team are continuing to work through the outstanding areas of work and proposals to deliver a balanced budget will be detailed in the final budget report in January.

9. Revenue Balances

- 9.1 The Local Government Act 2003 places a specific duty on the Chief Financial Officer (Head of Resource Management) to report on the adequacy of the proposed financial reserves when the budget is being considered. This section on Revenue Balances and the following section on Earmarked Reserves and Provisions, together with the attached appendices, address this requirement.
- 9.2 The Council is required to maintain a prudent level of revenue balances in order to ensure sufficient funding is available to meet cash flow requirements and urgent or emergency issues that may arise during a financial year.
- 9.3 The minimum level of revenue balances is determined through a Risk Management Analysis based on criteria recommended by the Chartered Institute of Public Finance and Accountancy and endorsed by the Audit Commission. The approach taken last year was reviewed and updated.
- 9.4 Attached at Appendix D is a schedule detailing the risk analysis for the financial year 2009/10. The analysis concludes that the minimum revenue balances to be maintained should remain at £1.7m. As this report shows there remain a number of potential risks and variables that need to be considered as part of the final budget report. It is suggested that the recommended level of balances is reviewed in the final budget report when the implications and details of items such as the grant settlement, budget savings and other variables will have been more fully assessed.
- 9.5. Appendix E details the forecast revenue balances position. This includes assumptions regarding the use of balances and the current forecast outturn position against the 08/09 budget as explained below.

2008/09 Outturn

- 9.6. The report to FASP on 18 November 2008 sets out a number of forecast variances on the 2008/09 budget. In total, a forecast budget deficit of £345k is currently identified. A number of variables remain that could affect this position, both favourably and adversely. This position is under review with an aim to minimise any potential shortfall. As part of the final budget report in January the current year position will be reviewed.

Use of Balances to support 2009/10 budget

- 9.7. It is proposed that balances of £140k are used to support the 2009/10 budget. This reflects the carry forward of Housing and Policy Development Grant (HPDG) received this year and allocated for spending next year.
- 9.8. Further one-off costs may be necessary to deliver budget savings currently being assessed. The position shown at Appendix E shows that depending on the outturn position for the current year there maybe some potential "headroom" compared to the current proposed recommended level.

10. Earmarked Reserves and Provisions

- 10.1 The Council maintains a number of earmarked reserves and provisions, which allows it to prudently plan for future expenditure requirements. As at 31 March 2008 earmarked reserves totalled £9.02m and provisions £0.32m.

- 10.2. As part of the budget process a review has been undertaken into the level and appropriateness of earmarked reserves and provisions. The review concludes that the reserves and provisions detailed in Appendix F remain appropriate and at a broadly adequate level. However, further detailed work is on-going to confirm this assumption and the position will be considered as part of the final budget report.
- 10.3. It is currently assumed that £166k will be used from the Regeneration Reserve in relation to Renaissance Team staff costs in 09/10.

11 Council Tax Discounts

- 11.1 The Local Government Act 2003 gives local billing authorities the ability to vary the discounts on second and empty homes.
- 11.2 In respect of second homes the discount can be set within the range of 10%-50% (currently set at 10%). In respect of long term empty properties the discount can be set in the range of 0%-50% (currently set at nil%).
- 11.3 The financial implications for second homes are that the revenue will be shared between Colchester Borough Council (CBC), Essex County Council (ECC), Essex Police Authority (EPA) and Essex Fire Authority (EFA). The actual monies raised will depend on the tax rates set by each body. An agreement has been reached with ECC for 60% of additional income due to the reduction in discount on second homes to be returned to CBC. Essex Police Authority has agreed to make their additional funds raised available to the Colchester Crime and Disorder Reduction Partnership.
- 11.4 In the case of empty properties, there is no financial gain to CBC as any change will be offset by a reduction in government grant. Any additional costs of administration will fall on the Council as the billing authority. However, the ability for the Council to set the level of discount can be used as an incentive to bring properties into occupancy sooner. It is worth noting that where a property becomes empty and unfurnished there is exemption from charge for up to a maximum of 6 months.
- 11.5 It is recommended that from 1 April 2008 the Council Tax discount for second homes be retained at 10% and the discount for long term empty properties be retained at nil, both as set last year.

12. Strategic Plan References

- 12.1 The 2009/10 Budget is underpinned by the Strategic Plan priorities.

13. Consultation

- 13.1 As part of the development of the Strategic Plan an IPSOS MORI review of research data and consultation work carried out by the Council in recent times has been received. This covers items such as residents' priorities both here in the Borough and at a national level, and offers a range of useful customer insight.
- 13.2. Some qualitative work is taking place in November with groups who can be hard to reach or are 'seldom heard'.
- 13.3. The December issue of The Courier will include a questionnaire asking readers for their views on which of the nine priorities are most important to them. Readers can reply by

freepost or e-mail. The Courier page will be replicated on the Council's website so that people can respond online.

- 13.4. Statutory consultation on the 2009/10 budget will also take place with Business Ratepayers. Finance and Audit Scrutiny Panel will review the final budget report to Cabinet in January.

14. Financial implications

- 14.1 As set out in the report.

15. Risk Management Implications

- 15.1 The strategic risks of the authority are being considered in developing the 2009/10 budget and all forecast savings/new income options are being risk assessed as part of the budget process.

16. Other Standard References

- 16.1 Having considered publicity, equality, diversity and human rights, community safety and health and safety implications, there are none that are significant to the matters in this report.

Background Papers

Report to Cabinet 10 September 2008 – 2009/10 Revenue Budget Update
2009/10 Budget Progress Report – Review of Revenue Balances 2009/10

2009/10 Budget Timetable	
Budget Strategy April – July 2008	
April – May (SMT)	Update MTFF /Budget Strategy Review cost pressures, growth and risks Consider approach to budget
May - June 08	Service budget summaries considered by Leadership team
Cabinet –9 July 08	<ul style="list-style-type: none"> • Report on updated budget strategy / MTFF • Timetable approved • Approach to consultation outlined
SOSP – 26 August 08 (changed to 8 September 08)	Review Cabinet report
Detailed Budget preparation and Budget Setting Consultation	
<u>Management Team regular sessions on progress / budget options</u>	Review progress on efficiencies
Leadership Team (July / August)	<ul style="list-style-type: none"> • Review outcomes of budget reviews and agree and carry out further detailed work
Cabinet – 10 September 08	<ul style="list-style-type: none"> • Budget Update • Review of capital resources / programme
Cabinet – 22 October 08	Budget Update (if required)
Cabinet – 3 December 08	<ul style="list-style-type: none"> • Budget update • Reserves and balances • Grant settlement
FASP – 20 January 09	Review consultation / Budget position
Cabinet – 28 January 09	Revenue and Capital budgets recommended to Council
Council – 18 February 09	Budget agreed / capital programme agreed / Council Tax set

APPENDIX B

Updated Cost Pressures

	Previous Forecast	Updated Forecast	
	£'000	£'000	Comment
Inflationary pressure	740	1,135	Net inflation impact, including an allowance for pay and prices and an increase in fees and charges. The provision now includes an allowance for increased costs in respect of energy, fuel and other changes.
Incremental pension contributions	148	148	The triennial review of the pension fund has shown a significant deficit due to market conditions and increased life expectancy. This financial pressure is one being felt by all local authorities and other organisations.
Minimum Revenue Provision (Commutation adjustment)	100	100	Increase in calculated figure based on statutory criteria.
Concessionary Fares	100	0	Provisional allowance based on take up of scheme / changes in operating hours. Now assumed will not be required due to negotiation on ongoing cost of scheme (see para 6.3.).
Equality and diversity	15	15	Cabinet agreed to allocate £15k from the 2007/08 outturn position and this therefore needs to be included in the 2009/10 budget forecast.
Community Project Capacity	15	15	Funded through external income.
Planning income		500	Reduced income due to falling number of planning applications. Savings proposed to offset some of impact.
Building Control income		30	Reduced income forecast
Car Park Income		300	
Land charges income		100	
Total	1,118	2,343	

Growth items

Area	Amount in previous Forecast £'000	New Items / Change in Forecast £'000	Comment
Street Wardens	80	80	Funding in this financial year has been reallocated to enable two new street wardens to be introduced. This cost represents the full year impact of this decision.
Planning, Protection and Licensing review.	80	80	Remaining one-off costs of review including IT development and training (note: other one off costs in 08/09 have already been removed in budget forecast).
	160	160	

REVIEW OF REVENUE BALANCES 2009/10

RISK MANAGEMENT ASSESSMENT

Introduction

A risk assessment has been undertaken to determine the prudent level of general fund balances as part of the 2009/10 budget process.

Background

Historically we have maintained a strong level of balances and these have been used to:-

- Support the annual budget - particularly to fund one off items.
- Fund new initiatives identified during the year.
- Provide cover for cashflow and emergency situations.
- Provide flexibility and a resource for change management.

Over recent years general fund balances have been reduced in a managed and prudent manner: -

	£'000	
31 March 2004	2,639	
31 March 2005	2,193	
31 March 2006	1,997	
31 March 2007	2,708	(includes £902k to support 2007/08 budget)
31 March 2008	3,347	(includes £1,232k to support 2008/09 budget)
31 March 2009 (estimated)	1,690	(includes £140k to support 2009/10 budget)

A thorough review of the balances position was reported to Cabinet as part of the 2008/09 budget exercise. This included a risk assessment to establish the minimum prudent level, which was agreed at £1.7 million. In view of the difficult medium term position it was agreed to retain balances of £1,722k.

Risk Assessment

The risk assessment has been kept under review and has now been updated. The results of the assessment are summarised in schedule 1 with further details being provided in a background paper. This shows the minimum prudent level of balances to be retained should be maintained at £1.70 million. It is then a matter of judgement whether it would be desirable to hold any further level of balances beyond this "minimum", or to seek to rebuild balances above this level in the future to provide for future flexibility.

The main issues to mention concerning the assessment are: -

- While the possible requirement to meet capital spending from revenue resources is still recognised as a potential risk the assessment is "nil" because of the current level of funds held in the capital expenditure reserve and the introduction of the Prudential Code.

- Revenue impact of capital schemes. The capital programme includes one major scheme - Firstsite. This project is subject to a rigorous risk assessment and monitoring. This balances risk assessment exercise is only concerned with the potential revenue implications and for 2009/10 this has been included as a low risk.
- In the prior year risk assessment – Concessionary fares was assessed as a High risk due to the difficulties in the estimation of the costs for the provision of this service. For 2009/10, negotiations continue on the arrangements that will apply, including containing the inflationary pressures, and the most likely outcome will see a significant reduction in the costs of the scheme to Colchester BC compared to the original estimate. The status of these negotiations will be reflected in the final budget report for Cabinet and Council. Due to the negotiations and agreements that have been made for this service the attached risk level has been reduced to Low risk.
- Investment income has been identified as a risk area. In the prior year this risk has been assessed as a Medium risk. In the current risk assessment this risk has been increased to a High risk due to the current uncertainty in the world economy.
- The assessment includes the risk that the VAT exemption limit will be exceeded with a consequent loss of recoverable VAT. Regular monitoring and active management of new schemes minimises this risk.
- The concern over the funding of the pension fund is recognised in the assessment. However “risk” is assessed as “low” for 2009/10 because the anticipated increased contributions from the 2007 valuation required have been built into the budget.
- On the basis of earlier years’ outturns and current year monitoring particular areas have been identified as potential risk areas for variances: cash flow, inflation, benefits, various fees income, emergencies, new spending, litigation, partnerships, Renaissance programme and the budgeting process. These are being regularly reported on as part of the current year monitoring. All of the areas are addressed in the risk assessment.

Implications

The risk assessment will be carried out at least annually as part of the budget process. While the current assessment indicates a minimum prudent level it is important to recognise that there are implications of operating at this level. As noted above we have traditionally had a level of balances that have provided flexibility and enabled new initiatives to be considered outside the annual budget process. Operating at the prudent level requires an approach and a discipline to: -

- Ensure all spending aspirations for the coming year are assessed as part of the annual budget process. The continued development of the Medium Term Financial Forecast will assist in this.
- Recognise that it will not be possible to draw on balances to fund new discretionary initiatives identified in the year, however desirable they may be; an alternative source of funding would need to be identified.
- Realise future assessments could identify a need to rebuild balances.
- Accept that the potential for interest earnings on balances will change depending on the level of balances held. (This will be reflected in the budget accordingly.)

- Acknowledge that any balances desired for future flexibility/change management will need to be built up over and above the prudent level identified.

REVIEW OF REVENUE BALANCES 2009/10

RISK MANAGEMENT ASSESSMENT

Factor	Assessed Risk		
	High £'000	Medium £'000	Low £'000
Cash Flow	950		
Capital (nil given reserves and receipts)			0
Inflation		200	
Investment Income	150		
Trading Activities	100		
Fees & Charges		170	
Emergencies		50	
Benefits			100
New Spending – legal commitments			100
Litigation		175	
Partnerships			100
VAT Exemption Limit			350
Budget Process		175	
Revenue impact of capital schemes			200
Renaissance programme			0
Concessionary fares			100
Pension Contribution			100
	1,200	770	1,050

	Minimum Provision
High Risk – 100%	1,200
Medium Risk – 50%	385
Low Risk – 10%	105
Sub Total	1,690
Unforeseen Factors – say	10
	1,700

**General Fund Balances
Current Position**

	£'000	£'000
Balance as at 31 March 2008 (As per Statement of Accounts)		3,347
Movement on balances during 2008/09:		
• Financing carry forwards		(250)
• Funds released in 07/08 to carry forward to 08/09		(213)
• Supporting 2008/09 budget:-		
Items included in 2008/09 budget	(607)	
New emerging pressures	(325)	
		(932)
• Further changes to balances agreed by Cabinet / Strategy Portfolio Holder		(7)
• 2008/09 net budget unfavourable variance		(345)
• Carry forward Of HPDG grant to meet costs in 2009/10		140
Projected Balances as at 31 March 2009		1,740
Less anticipated support to 2009/10 budget		(140)
		1,600
Proposed minimum balance		1,700
Potential Deficit Balance as at 31 March 2009		(100)
Potential headroom as at 31 March 2009 (if 08/09 outturn can be delivered on budget)		245

Note:

- This forecast is on the basis that there are no further calls on balances during the remainder of the year and that the current year's budget is delivered in line with the current position reported to FASP, with the position also shown if the outturn is delivered on budget.
- The projected balance at 31 March 2009 reflects the level of balances retained when the 2008/09 budget was approved because of the difficult medium term position. A proposal is made within the main report (paragraph 9.7) to use £140k from balances to support the 2009/10 budget.

Earmarked Reserves and Provisions

A. Earmarked Reserves

Reserve	Amount 31/03/08 £'000	Estimate 31/03/09 £'000	Comment
Renewals and Repairs (including Building Maintenance Programme)	3,565	2,931	Maintained for the replacement of plant and equipment and the maintenance of premises. Annual contributions are based upon the estimated renewal or repair cost, spread over the life of the asset.
Insurance	618	600	To cover the self-insurance of selected properties. The balance held in reserve is considered to be at an appropriate level. The balance of the fund is split with a proportion specifically identified as a provision against the cost of claims (see section B).
Capital Expenditure	3,218	2,675	Revenue provision to fund the capital programme. The reserve is fully committed to funding the current capital programme. However actual use of balance is dependent not only on progress of spending on approved capital schemes but also level of other resources, mainly capital receipts, received. £205k per annum is being transferred to revenue in respect of accommodation. The transfer in respect of the Community Stadium will also continue in 08/09.
Regeneration Reserve	665	387	Maintained to finance non-recurring expenditure incurred during the development of the Council's four regeneration areas. Spending of £278k included in budget for 2008/09 and £166k planned for 2009/10.
Asset Replacement Reserve	35	10	A reserve for the future replacement of vehicles and plant. The vehicle replacement policy has been reviewed. Revenue contributions to this reserve have now ceased and the funding for the majority of repairs is now sourced from the Council's Capital Programme. The residual balance relates to the R&R funding for the Eurobins.

Reserve	Amount 31/03/08 £'000	Estimate 31/03/09 £'000	Comment
Heritage Reserve	9	0	Created to provide funding for the repair, maintenance and development of ancient and historical monuments. Schemes are now being funded through capital programme.
Gosbecks	430	408	Maintained to provide for the development of the Archaeological Park. The main source of funding was a 'dowry' agreed on the transfer of land.
Mercury Theatre	154	179	Provision for the building's long term structural upkeep.
On street parking	89	0	Any surplus ring fenced to cover deficits. It is anticipated that the current surplus will be required to cover a shortfall in 2008/09.
Hollies Bequest	13	13	Provision for the upkeep of open space.
Section 106 monitoring	188	190	Required for future monitoring of Section 106 agreements. From 2008/09 onwards it has been agreed to use £30k from this reserve on an annual basis to support the budget.
Community Stadium - loan	35	35	To cover set up costs and working capital. No repayments are expected within 2008/09. The loan is repayable to the Council within 7 years from the agreement date of 29 January 2008.
	9,019	7,428	

B. Provisions

Reserve	Amount 31/03/08 £'000	Estimate 31/03/09 £'000	Comment
Insurance	323	300	This element of the fund is specifically set aside as a provision to meet the cost of claims, notably subsidence. Some work on properties in respect of subsidence planned to be completed in 2008/09.
	323	300	

**Extract from the Minutes of the Strategic Overview and Scrutiny
Panel of 4 November 2008**

Councillor Theresa Higgins (in respect of being a Blue Badge Guide) declared her personal interest in the following item. Councillor Peter Higgins (in respect of his wife being the Portfolio Holder for Culture, Tourism and Diversity) declared his personal interest in the following item.

22. Review of the work of the Portfolio Holder for Culture, Tourism and Diversity in respect of Colchester Roman Heritage.

Have Your Say

Mr. Andrew Hemmings addressed the panel, saying Colchester retained some of the best roman remains in the Country, some unique, such as the Roman Circus. That said, Mr. Hemmings remained concerned about the state of the current roman heritage, for example, the Roman Wall, taking the view that it was not particularly well looked after.

Mr. Hemmings believed people having visited roman towns and cities such as Bath, Chester and York, would, when visiting Colchester, think our roman heritage (RH) was not looked after or well presented. Mr. Hemmings felt that by not marketing or presenting the roman heritage was a commercially lost opportunity.

Councillor Willetts addressed the panel, saying the panel had agreed to his request to review Colchester's RH (as part of the work of the Portfolio Holder for Culture, Tourism and Diversity) separately from the remainder of the portfolio responsibilities as it was worthy of review in its own right. Councillor Willetts said Colchester is miserly in its contribution towards RH and in particular the Roman Circus, a unique differentiator for Colchester, treating RH as a millstone around its neck.

Councillor Willetts said the RH reserve fund was lost in 2001/02 and was the start of a reduction in funding and the will to preserve our RH. Councillor Willetts concluded by requesting serious effort by the forward planners to ensure a fully costed programme and assessment of all ten RH sites was undertaken.

Councillor Theresa Higgins, Portfolio Holder for Culture, Tourism and Diversity presented the report on Colchester's RH. Photographic slides were shown of a Map of Roman Colchester, the Roman Walls at Roman Road (to be refurbished), Priory Street (refurbished) and Balcerne Gate, the Butt Road Roman Church and Colchester Roman Circus.

Mr. Philip Wise, Heritage Manager, addressed the panel, explaining the development of the Roman Circus as a new visitor attraction, including a gladiatorial virtual reality facility along the lines of the cinematic film Ben Hur, visitor direction signs and orientation points.

Councillor T Higgins said whilst there was no longer a Heritage Reserve, the panel, if it were so desired, could propose to Cabinet a reinstatement of this reserve.

Councillor Hogg suggested to the Portfolio Holder that an invitation should go to Lewis Hamilton, F1 World Champion, to publically open the Roman Circus.

Councillor Hogg and Councillor Naish thanked officers for a very good, informative report. Councillor Hogg also asked the Portfolio Holder to consider an exchange package on RH with Colchester's twin towns.

Councillor Young welcomed this report, saying Colchester does undersell itself. Councillor Young endorsed the comment by the Portfolio Holder to propose to the Cabinet a reinstatement of the Heritage Reserve Fund.

Councillor Kimberley added her congratulations to officers on the report and thanked the Portfolio Holder for Culture, Tourism and Diversity and officers for attending the meeting.

RESOLVED that the panel:

- i) Noted the report on the Review of the work of the Portfolio Holder for Culture, Tourism and Diversity in respect of Colchester's Roman Heritage.
- ii) Proposed to the Cabinet a request to have the Heritage Fund Reserve reinstated into the 2009-10 Budget.
- iii) Requested an update report on Colchester's Roman Heritage in 2009-10.
- iv) Asked the Portfolio Holder for Culture, Tourism and Diversity consider innovative ways of marketing Colchester's Roman Heritage, e.g. sponsored signage / visual displays to show where the RH locations are, a location for cinematic and television filming.



Cabinet

Item
8(i)

3 December 2008

Report of	Head of Life Opportunities	Author	Gareth Mitchell
Title	Essex County Council Consultation on Secondary Education in Colchester		☎ 506972
Wards affected	All Wards		

This report concerns the Council's response to Essex County Council's Consultation on Secondary Education in Colchester

1. Decision(s) Required

- 1.1 To agree the Cabinet's recommended response to Essex County Council's Consultation on Secondary Education in Colchester
- 1.2 To agree to refer the Cabinet's recommended response to the consultation to Full Council to gather the views of all councillors prior to a formal response being submitted to Essex County Council.
- 1.3 To delegate to the Portfolio Holder for Performance and Partnerships the responsibility for responding to the consultation on the Council's behalf following the debate at Full Council.

2. Reasons for Decision(s)

- 2.1 The Portfolio Holder for Performance and Partnerships has requested that this matter be referred to Cabinet to provide an opportunity for Cabinet to agree a recommended response to the consultation.
- 2.2 As the district local authority, the Council recognises the importance of educational performance in improving the life opportunities of local children and young people.
- 2.3 As a signatory to the Essex Local Area Agreement (LAA), the Council has agreed to 'have regard' to the LAA targets that relate to education. The Council is also working in partnership with other agencies towards the achievement of more local Life Opportunities targets relating to educational attainment through the Colchester Public Service Partnership. These targets are set out in Appendix 1.
- 2.4 The Council is an active member of the Colchester Children and Young People's Strategic Partnership (CYPSP) Board, the statutory partnership responsible for overseeing outcomes for children and young people in Colchester borough, including those that relate to educational attainment. The Council is represented on this important partnership by the Portfolio Holder for Performance and Partnerships and the Head of Life Opportunities.

3. Alternative Options

- 3.1 Cabinet could choose not to agree a recommended response and not to refer the consultation response to Full Council. To do so would be to miss the opportunity for all Councillors to provide input to a consultation on options that will have a significant impact on the life of the borough.
- 3.2 The Council could choose not to respond to the consultation. To do so would be to miss the opportunity to influence the provision of secondary education in Colchester borough in the future, something that has a material effect on the wellbeing and life opportunities of local children and young people.

4. Supporting Information

- 4.1 The Policy Review and Development Panel considered the consultation options and provided an opportunity for members of the public and other interested parties to have their say at its meeting of 3rd November 2008. The minute of the panel meeting and a record of the contributions made by members of the public are at Appendix 2 and Appendix 2A.
- 4.2 The County Council's consultation document (Appendix 3) emphasises the following contextual factors for the proposals:-
- Persistent and ongoing concerns about standards in some schools;
 - Forecasts of pupil numbers in the town and the implications for the viability of some of the schools;
 - The development of potential federative and trust arrangements and academies
- 4.3 The three options for consultation are as follows:-
1. to close Thomas, Lord Audley and Alderman Blaxill schools and offer places to pupils living in their priority admission areas at the five schools that ring those areas and to redevelop Sir Charles Lucas Arts College as an academy.
 2. to progress the closure of Alderman Blaxill School and consider the development of a number of federative and trust arrangements in Colchester without the opening of an academy or academies.
 3. to re-organise all the non-selective and non-denominational secondary schools in Colchester town and re-open them in new or existing premises, in new or existing locations (using BSF funding), in some cases with new names.
- 4.4 Option 1 is Essex County Council's preferred option.
- 4.5 Annex 1 of the consultation document provides an explanation of the different types of school models mentioned in the consultation document.
- 4.6 Annex 2 of the consultation document sets out the other options that were considered for consultation and discounted.
- 4.7 The consultation closes on 19 December 2008.
- 4.8 On the 4th November 2008 the Council was provided with a copy of a proposal and petition from Alderman Blaxill, Stanway and Thomas Lord Audley schools. A copy of the proposal and petition and a Frequently Asked Questions sheet are at Appendix 4 and Appendix 4A.

5. Strategic Plan References

5.1 Opportunities for Young People in one of the Key Aims in the Council's Strategic Plan.

6. Consultation and Publicity Considerations

6.1 The Council is a statutory consultee in this process. Essex County Council has distributed the consultation document to parents/carers throughout the borough via schools and is holding a number of consultation meetings for anyone with an interest in their proposals. Several of the schools involved have also held consultation meetings.

7. Equality, Diversity and Human Rights Implications

7.1 Access to good quality education is recognised as a key determinant of future life opportunities.

8. Standard References

8.1 There are no particular references to the financial; community safety; health and safety or risk management implications.

Background Papers:

Appendix 1 – LAA Targets

Appendix 2 – Minutes of Panel Meeting 3 November 2008

Appendix 2A – Appendix to Panel Minutes 3 November 2008

Appendix 3 – ECC Consultation Document

Appendix 4 – Consultation Petition

Appendix 4A – FAQs

ESSEX LOCAL AREA AGREEMENT AND LIFE OPPORTUNITIES TARGETS

The Council has signed-up to 'have regard' to the following Local Area Agreement targets that relate to education:-

Target No:	Target
72	Achievement of at least 78 points across the Early Years Foundation Stage with at least 6 in each of the scales in Personal Social and Emotional Development and Communication, Language and Literacy.
73	Achievement at level 4 or above in both English and Maths at Key Stage 2 (Threshold).
74	Achievement at level 5 or above in both English and Maths at Key Stage 3 (Threshold)
75	Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths (Threshold).
78	Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths (Floor).
79	Achievement of a Level 2 qualification by the age of 19.
83	Achievement at level 5 or above in Science at Key Stage 3.
87	Secondary school persistent absence rate.
87A	Primary school persistent absence rate.
92	Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest.
93	Progression by 2 levels in English between Key Stage 1 and Key Stage 2.
94	Progression by 2 levels in Maths between Key Stage 1 and Key Stage 2.
95	Progression by 2 levels in English between Key Stage 2 and Key Stage.
96	Progression by 2 levels in Maths between Key Stage 2 and Key Stage 3.
97	Progression by 2 levels in English between Key Stage 3 and Key Stage 4.
98	Progression by 2 levels in Maths between Key Stage 3 and Key Stage 4.
99	Children in care reaching level 4 in English at Key Stage 2.
100	Children in care reaching level 4 in Maths at Key Stage 2.
101	Children in care achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths).

The Council is also working in partnership with other agencies towards the achievement of more local Life Opportunities targets relating to educational attainment through the Colchester Public Service Partnership:-

	Target
1.	Improve the number of schools where less than 65% of pupils achieved KS2 level 4 or above in English by 2 schools by Dec 08
2.	Improve the number of schools where less than 65% of pupils achieved KS2 level 4 or above in Maths by 2 schools by Dec 08
3.	Improve the percentage of half day sessions missed in primary schools from 5.2% to 4.9% and secondary schools from 7.7% to 7.1%.
4.	Reduce the difference between boys' and girls' attainment in reading at KS2 by 2%.

**POLICY REVIEW AND DEVELOPMENT PANEL
3 NOVEMBER 2008**

Present:- Councillor J. Young (Chairman)
Councillors Barlow, Davies, Hardy and Knight.
Substitute Member:- Councillor Hazell for Councillor Bentley.

17. Minutes

The minutes of the meetings of the Policy Review and Development Panel held on 30 September 2008 were confirmed as a correct record.

Councillors Hazell (in respect of her governorship of Gosbecks Primary School), J. Young, (in respect of her membership of Essex County Council and her governorship of Greenstead St Andrews Nursery and Infants School) and T. Young, (in respect of his spouses' membership of Essex County Council) declared their personal interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

18. Essex County Council Consultation on Secondary Education in Colchester

The Chairman explained the circumstances behind the consideration of the substantive item of business at the meeting in that Councillor Tina Dopson, the Portfolio Holder for Performance and Partnerships, had requested that the Panel considered the Essex County Council Consultation on Secondary Education in Colchester and provide recommendations to support the Portfolio Holder's response to the consultation on behalf of the Council.

It was explained that the Borough Council was a consultee in the process and therefore did not have any decision making powers

The intention was for the Panel to invite contributions on the consultation from any interested parties, whether they be headteachers, school governors, teachers, parents, students or councillors. It was anticipated that these views would be used to inform the Portfolio Holder in determining her final response to the consultation.

Councillor Dopson attended the meeting and, with the consent of the Chairman, addressed the Panel. She thanked the Panel for giving the consultation paper sufficient level of priority to allow for the meeting to be dedicated to its consideration and to gather opinions. Councillor Dopson explained that the Council's responsibilities as a District Authority did not extend to the provision of education in Colchester but that it did include the powers of wellbeing of young people. She went on to confirm that the Cabinet would discuss this matter at its meeting on 3 December 2008 and she anticipated that it was likely that the matter would also be referred to the Council meeting on 11 December 2008 prior to a formal response being prepared in the form of a Portfolio Holder report. The portfolio holder took the opportunity to remind and encourage those present to also respond to the consultation on an individual basis if they wished to do so.

Finally Councillor Dopson confirmed to the meeting the three options set out in the consultation document, which were:

- To close Thomas, Lord Audley and Alderman Blaxill schools and offer places to pupils living in their priority admission areas at the five schools that ring those areas and to redevelop Sir Charles Lucas Arts College as an academy;
- To progress the closure of Alderman Blaxill School and consider the development of a number of federative and trust arrangements in Colchester without the opening of an academy or academies;
- To re-organise all the non-selective and non-denominational secondary schools in Colchester town and re-open them in new or existing premises, in new or existing locations (using Building Schools for the Future funding), in some cases with new names.

The first was Essex County Council's stated preferred option.

To assist the Panel in its deliberations, Mr Jonathan Tippett, in his capacity as both an Executive Headteacher of the Thomas Lord Audley School and Language College and Alderman Blaxill School and as Chair of the North East Association of Secondary Heads in Essex and Jude Hanner in her capacity as Headteacher of Sir Charles Lucas Arts College, were invited to make presentations.

Also in attendance, in order to clarify any issues raised, were the following officers from Essex County Council:

- Graham Tombs, Executive Director for schools, Children and Families;
- Graham Ranby, Head of School Access Services and
- Helen Russell, Policy Analyst.

On being invited to address the Panel, Jonathan Tippett made two separate presentations. Firstly, in his capacity as Chair of the North East Association of Secondary Heads in Essex, he set out the following issues and arguments:

- How well the secondary schools and, in particular the Headteachers, in the Borough were currently working together;
- People should not overlook the contributions made by the selective schools and St Benedict's School, in particular in terms of their ability to access central government funding;
- Had the review been undertaken in 2002 it would have been Stanway School which was facing closure as, in November of that year, Stanway School was the only school in the Borough with unused capacity;
- In November 2005 both Sir Charles Lucas and Thomas Lord Audley had been put into special measures by OFSTED but by November 2007 Sir Charles Lucas had emerged from special measures whilst in May 2007 Alderman Blaxill had been put into special measures and it was due to be announced that in October 2008 Thomas Lord Audley had come out of special measures;
- The targets set by the Government in terms of the percentage of pupils achieving five GCSE A – C grades with English and Maths (currently 30%) and the associated goal of ensuring all schools achieve and well exceed this target by 2011 would be easier in circumstances where pupils at lower performing schools are placed in larger and relatively higher performing schools and by placing pupils in an Academy which are not managed by Education Authorities and their performance is therefore not counted towards Government targets.

In his capacity as both an Executive Headteacher of the Thomas Lord Audley School and Language College and Alderman Blaxill School, Jonathan Tippett then set out the following issues and arguments:

- The importance of grasping the potential opportunity, whatever the outcome of the consultation process, to access Building Schools for the Future funding in the order of £100 million earlier than the existing time-frame of 2018 for the benefit of all schools in Colchester;
- The implication of the potential closure of two schools in the Borough is the need for the remaining five schools between them to 'grow' by an estimated 180 pupils;
- It had been intended that the existing 'soft' federation between Thomas Lord Audley and Stanway would, in the future, officially include Alderman Blaxill, however a federation approach with separate governing bodies would not provide a mechanism to aggregate the GCSE A – C grades for the federated schools;
- His had therefore formulated an alternative proposal, the details of which would be published on 4 November 2008, , having taken into account the following factors:
 - Demand for Secondary Education in the catchment areas of the three schools,
 - Need to raise standards,
 - Need to reduce surplus places,
 - Need to secure £100 million investment for all Colchester schools,
 - Local Authority requirement that GCSE results meet national standards,
 - Undesirability of pupils travelling across town,
 - Insufficient space at Stanway to accommodate for more students,
 - Recognition that schools with greater than eight forms of entry are difficult to manage,
 - Need to maximize continuity of pupils' education.
- The alternative proposal would involve the setting up of one single school operating on three sites, the merged school would publish pupil admission numbers corresponding to eight forms of entry at Stanway, six forms of entry at Thomas Lord Audley and two forms of entry at Alderman Blaxill, the catchment areas and admission policies would remain unchanged.

In her capacity as Headteacher of Sir Charles Lucas Arts College, Jude Hanner was invited to make a presentation to the Panel and she set out the following issues and arguments:

- The opportunity, in accordance with option 1 in the consultation, for Sir Charles Lucas Arts College to be redeveloped as an Academy, to strengthen the position of the existing school and enable it to continue to serve the Greenstead community on its existing site;
- She felt redevelopment of the school as an Academy would provide for a continuation of the existing leadership team, including the headteacher and staff which would provide the opportunity to cater for the needs of young people;
- Sir Charles Lucas' performance in terms of GCSE A – C grades had improved by 13% and the Government's floor target of 30% had been achieved, she did not therefore feel that this option meant securing the future of a failing school but of increasing their chances of sustained success and an endorsement of the hard work undertaken by the existing staff;
- She hoped to see a further 7% increase in GCSE performance in the current year but some of Sir Charles Lucas' pupils needed extra vocational opportunities which would require a high degree of input in terms of specialist facilities and buildings;
- She welcomed the opportunity for the school to become an extended facility for the use of the wider community as a whole such as in terms of adult education;
- The exiting Sir Charles Lucas building was not fit for purpose, being expensive to maintain, with accommodation on four floors, no wheelchair access and generally not conducive to a positive learning environment;
- She welcomed having an opportunity to help with the shape and design of a new purpose-built school building;

- One of her main aspirations was that she had high aspirations for all students and she considered this was reflected in the ethos and concept of Academies;
- In terms of location for any new building, there was ample room on the existing site for redevelopment and this would be her preference;
- She was aware of concerns expressed regarding Academies generally, but she had been reassured that the consultation proposals would address these concerns in terms of an academy continuing to serve Greenstead and its existing catchment area, an admission policy not based on academic standards and she welcomed the opportunity to work and form a positive relationship with the sponsor of the Academy.

In response to the three presentations members of the Panel sought clarification on a number of matters including:

- The efficiency of managing one very large school on one site as opposed to two (or more) schools on separate sites;
- The intentions regarding reducing spare capacity and the corresponding opportunities for spare school capacity to be used to allow community groups to access the school facilities;
- The potential impact of the proposals not just on secondary schools but also on local primary schools as these proposals would take at least five years to implement;
- The desirability of strong local involvement, in terms of community and parental representation, on Boards of Governors and the make-up of Governing Bodies of Academies which would be determined by the sponsor;
- The potential benefits of Sir Charles Lucas going into partnership with the University of Essex and Colchester Institute which, it was considered, to be of great benefit in raising pupils' higher education aspirations;
- The ability of an Academy to determine its own salary structure and terms and conditions of employment for staff although staff transferred to an Academy would be protected by statutory TUPE arrangements.

Pursuant to the provisions of Meetings General Procedure Rule 5(1), the following contributors addressed the Panel, details of their representations being set out in the Appendix to these minutes:

- Miles Bacon, Headteacher, Thurstable School, Tiptree in support of Option 1 and the opportunity for all schools to benefit from Building Schools for the Future funding;
- Mrs Cowans, Headteacher, Philip Morant School Colchester on her concerns about the narrowness and divisiveness of the proposals;
- Mrs Shepherd, resident of Fitzwalter Road, Colchester on the impact of school closures in terms of the effect on pupils attending the remaining schools and associated increased traffic movements;
- Mrs Robb, resident of Straight Road, Colchester on the ability of schools to absorb additional capacity caused by school closures and the implications for current Year 6 pupils;
- Mr Wiggins, Chairman of Thurstable School Governing Body in favour of the consultation process and the proposals and supportive of a traffic management policy to deal with pupil movements;
- George Beeken, resident of Lethe Grove, Colchester in support of local community schools with concern school closures and its impact on transport and family life;
- Essex County Councillor Jeremy Lucas, Drury Division in support of proposals to bring forward Building Schools for the Future funding and the potential for redevelopment;
- Kevin Prince, Headteacher, St Helena School, Colchester in support of the vibrant, social community at St Helena and the opportunities for it to be redeveloped and expand;

- Jean Quinn, National Union of Teachers expressing opposition to the principle of Academies on grounds including teachers' pay and conditions, admission policies and make up of governing bodies;
- Juliette Keay, teacher, Thomas Lord Audley School in support of that school's recent achievements;
- Roger Buston, of Asher, Prior Bates Solicitors in support of Alderman Blaxill, welcoming proposal put forward by Jonathan Tippett and advocating opportunity to improve the education of those pupils whose parents are based at Colchester Garrison ;
- Ian McNaughton, Principal, Colchester Sixth Form College voicing concern about the narrowness of the proposals, the need for consensus, his expectation that Colchester would see an improvement in national terms in its 16 year attainment in the current year and that no absolute assurance could be given in terms of the availability of Building Schools for the Future funding ;
- Tim Oxtan, resident of Colchester on his concerns about the management of schools larger than 1,000 pupils and the traffic implications associated with all three proposals in the consultation;
- Clare Dillen, resident of Mersea Road, Colchester in support of Alderman Blaxill School in terms of its size, its ethos and the support it provides to its pupils;
- Essex County Councillor Richard Bourne against any option advocating the closure of Alderman Blaxill and Thomas Lord Audley, in support of the proposal for a foundation school on three sites;
- Sheena Clover, Headteacher, Parsons Heath Primary School in support of a variety of views being expressed;
- Robert Lunsden, student at Colchester Institute in support of the work already undertaken at Stanway, Alderman Blaxill and Thomas Lord Audley and the need for investment to be made in school building;
- Mrs Hearn, resident of Bricdel Avenue, Dovercourt whose daughter would be attending one of Colchester's Secondary schools in September 2009 and having attended six of the schools open evenings her preference was for Alderman Blaxill and Thomas Lord Audley;
- Reverend Andrew Fordoice of St Margaret's Church, Berechurch, Colchester on his concerns regarding the implications of Option 1 in the consultation and any potential closure of Thomas Lord Audley in terms of the effect on other schools and transport movements;
- Patrick Duggan, resident of Buckingham Drive, Colchester in opposition to all three options in the consultation which he considered to be divisive, expensive and unworkable.

The following Councillors attended and, with the consent of the Chairman, addressed the Panel:

Councillor Harris was very concerned at the prospect of the closure of Thomas Lord Audley and Alderman Blaxill Schools. He was passionately in favour of the fourth option put forward by Jonathan Tippett and he challenged Essex County officers and Councillors to visit Shrub End and Berechurch to talk to and listen to the views of local residents;

Councillor G. Oxford spoke from the perspective of the impact on Gilbert School. He was already concerned at the likely future growth for the school which would be greater, should the proposals in the consultation document be implemented. He believed that schools should be sited within the communities where their pupils lived and was opposed to students having to travel across town to attend school. He was of the opinion that Jonathan Tippett should be encouraged to continue the work he had already started at Thomas Lord Audley and Alderman Blaxill schools;

Councillor Offen stated his concern regarding the nature of the consultation process, given that a similar exercise had been commenced some months previously when outcomes were

intended to be published in February 2008 but this had not happened. He was opposed to the travelling of students to school across town and believed that the current consultation had omitted to take into account the impact of the forthcoming rise in school leaving age. His view was that greater consideration needed to be given to the students who would be affected by these proposals, in particular he was concerned at the implications for the children whose parents were stationed at the Garrison, who had already experienced difficult circumstances;

Councillor T. Young voiced his confidence in the leadership of Jude Hanner at Sir Charles Lucas school and he was wholeheartedly in support of the redevelopment of the school on the current site which he considered would become a hub and a magnet for excellence in the local community. He had been assured that there were no proposals to build a new school on land owned by the University of Essex. He was of the view that any redeveloped school would need strong local and parental representation on its governing body with potential for the school to also be used for adult education;

Councillor Naish was fully in support of the fourth option proposed by Jonathan Tippett as he believed that schools should form part of their local community with periods of under-capacity being used to increase use by other parts of the community. He was also concerned at the traffic implications for the town as a whole should the closure of schools take place and students are forced to travel further to attend school;

Councillor Hogg considered Sir Charles Lucas to be an excellent school and was in support of its redevelopment so long as this was on the existing site. He was concerned at the impact on the feeder primary schools and felt that any relocation of the school would have a very poor impact on the community. He understood the need to explore the implications in terms of Academy status, particularly in relation to the sponsor but he was hopeful that it would be possible for a consensus to be reached which would be beneficial to all;

Councillor Barton indicated her support for the fourth option proposed by Jonathan Tippett.

Following the representations the Panel sought clarification on a number of issues and the following information was provided by Graham Tombs on behalf of Essex County Council:

- All Primary feeder schools had been provided with copies of the consultation document and meetings were taking place with Primary school Headteachers;
- The tick boxes in the consultation document were in no way meant to prevent other options being put forward for consideration;
- The representations made in relation to children whose parents were stationed at the Garrison had been powerful ones and these issues would not be dismissed;
- The consultation was intended to be an open dialogue and it was feasible for other options which had been discounted to be revisited;
- The County Council welcomed any and all views on what people would like to see for the future;
- There was no assurance available in respect of Building Schools for the Future funding but preliminary discussions had indicated that a bid for additional funds from Essex County Council would be welcomed if a workable proposal could be submitted reasonable promptly;
- The Building Schools for the Future Programme not only offered capital funding but also continued investment particularly in terms of enhanced IT provision and internet access;
- The wider implications of the fourth option proposed by Jonathan Tippett would need to be fully considered, in particular in relation to the status and management of the three schools involved.

RESOLVED that all the contributors be thanked for putting forward their views, the main points

emerging from which included:

- Concerns over pupils travelling outside of their local communities and the resulting traffic congestion issues;
- Preference for Sir Charles Lucas to remain on its current site as there was sufficient room for development;
- The consultation proposals were too narrow and not sufficiently developed;
- Concerns regarding the composition of the Governing Bodies, pay and conditions of employment and admissions policies in an Academy model;
- The fourth option for a Federation of one school on three sites, involving Alderman Blaxill, Thomas Lord Audley and Stanway schools with aggregated GCSE results;
- Some schools were already at capacity with little scope for further development;
- The opportunity should be taken for school buildings to be used for the wider community;
- NUT was opposed to the Academy model;
- Thurstable School was in favour of Option 1;
- Concerns that options put forward contradict parental choice;
- Investment in new structural and IT facilities was welcomed;
- Colchester schools perform well compared to other towns when results are taken across the Borough;
- Children whose parents are based at the Garrison need to be shown special circumstances;
- Building Schools for the Future funding was not assured.

RECOMMENDED to the Cabinet that the views expressed at this meeting by all the contributors, as set out in these minutes and in the Appendix to the minutes, be considered and used to inform the Portfolio Holder for Performance and Partnerships in determining her final response to the consultation.

19. Work Programme 2008/09

The Panel considered a report by the Head of Corporate Management giving details of the work programme for 2008/09 which had been updated to reflect the need to reschedule items deferred from this meeting to accommodate the item on Education and for the Waste and Recycling Options Appraisal to be submitted to the meeting on 19 January 2009.

In terms of Task and Finish Groups, Beverley Jones, the Council's Environmental Services Manager, had been appointed to lead the Night Time Economy Group and it was reported that political group membership of the Groups had yet to be finally determined.

RESOLVED that the revised Work Programme for 2008/09 be noted.

APPENDIX TO MINUTES OF THE POLICY REVIEW AND DEVELOPMENT MEETING HELD ON 3 NOVEMBER 2008

18. Essex County Council Consultation on Secondary Education in Colchester

Details of contributions made Pursuant to the provisions of Meetings General Procedure Rule 5(1):

Miles Bacon, Headteacher, Thurstable School, Tiptree

Speaking in support of Option 1, although he was aware that this might not be a popular view.

This was because it resolved, on a long term basis, the problem of children from 'deprived' backgrounds being concentrated in one or more schools which in turn made it virtually impossible for those schools to succeed in those circumstances.

Secondly it put together a coalition at local and national level that made it possible to bring forward Building Schools for the Future funding. He was concerned that, if this opportunity was not grasped now, then it would not happen at all for Colchester.

He had huge sympathy for those schools particularly affected by the proposals. He had previously worked at Chantry School which had experienced very similar circumstances. He now considered that schools within the heart of communities did the people within the community and the young people no favours. The cycle of economic and educational deprivation needed to be broken by balancing the intake and catchment areas of all the schools in the area. He considered Colchester to be fortunate as the geography made that balancing process possible.

Mrs Cowans, Headteacher, Philip Morant School, Colchester

She believed the proposals in the document were already too narrow and had been drawn up rather quickly.

She was surprised that primary education was not being given more consideration.

A lot of issues in the town needed to be considered across the whole range of educational provision but she felt scant regard had been given to social issues which, in her opinion, needed huge support. She felt all pupils needed buildings which were fit for their education and although her own school was considered to be performing well currently she felt that this was a miracle at some times, given the quality of the buildings in which the pupils were being educated.

She was also surprised that the document appeared to be divisive in that three schools had been effectively singled out and not included in the debate. Philip Morant was already a large school and was resourced accordingly but both she and the Governing Body questioned whether the size of the school should be increased further.

The government agenda of parental choice did not seem to be taken into account within the proposals in the document. There needed to be an investigation as to the effect of introducing greater parental choice in the town and what it would continue to do.

She was concerned to note from recent reports in the local paper that Education was becoming a political football and she considered this to be extremely damaging to pupils and parents alike.

Mrs Shepherd, resident of Fitzwalter Road, Colchester

Speaking as a parent, she felt people were being asked to pick one of the three options set out in the consultation paper, without sufficient explanation being provided, particularly in terms of the implications for those children already at secondary school. Her son attended Philip Morant, a school which was already oversubscribed and she did not understand how any additional numbers could be accommodated. She had concerns regarding the impact on catchment areas and the transfer of young people in a town which already suffered badly with congestion at peak times.

Mrs Robb, resident of Straight Road, Colchester

A parent with a daughter in Year 6 at Gosbecks Primary School, currently in the process of applying for a place at Secondary School. She was concerned at the timing of the consultation, given the potential impact on the choices that parents were currently making.

She did not consider that parents were being given sufficient access to the document or that the document made it clear as to its purpose.

She felt that the impact on things like catchment areas and capacity of schools to absorb additional pupils was significant.

She felt the work undertaken at Thomas Lord Audley needed to be supported and for it to continue.

Mr Wiggins, Chairman of Thurstable School Governing Body

He interpreted the document as an outline proposal to answer the many questions which needed to be answered.

He felt it was important to consider what would be put in place within communities, should schools be closed but that this was not an education issue.

In terms of education, he considered that any successful proposal needed to benefit not just some but all the pupils in Colchester. He considered that the proposals in the document did this as they provided for the possible access to Building Schools for the Future funding in the order of £100 million. This, in turn, would provide buildings fit to educate all pupils in Colchester in the 21st century.

He considered a large number of pupils were already transported around Colchester to school, some of whom travelled by school bus, others were driven by parents or had other piecemeal arrangements. He felt a cohesive transport policy, incorporating the transfer of school pupils, may even make the current transport situation better.

His own pupils had attended Thurstable School although they were not in its catchment area prior to his joining the Governing Body. He didn't believe it

was necessary for schools to be within a community for pupils and parents to feel part of a wider community.

He was convinced that the proposals set out in the document were the best for all the people of Colchester.

George Beeken, resident of Lethe Grove, Colchester

He believed education was all about the community. He was worried about potential problems when young people missed their bus home, or walked home from school because of detentions. Not all families were multiple car owners with the ability to collect children from locations many miles away from home. Also he was concerned about the potential for pupils choosing not to attend school and the problems for parents and services looking for them. He considered that the proposals would have a detrimental effect on family life and was also concerned about the financial and environmental cost of additional vehicle journeys.

Essex County Councillor Jeremy Lucas, Drury Division

He wished to emphasise how much the County Council wanted this exercise to be a full consultation process and alternative ideas were very much welcomed.

He felt it to be vitally important to bring forward, if possible, Building Schools for the Future funding. At the moment, Colchester was at the end of the queue and there were no provisions in the Government's plans to allow any funds to come to Colchester before 2018 at the earliest. He felt to turn away this opportunity would deprive more than a generation of secondary school pupils of satisfactory buildings within which to be educated.

He felt better buildings would help to attract good teachers, make it easier for pupils to learn and to improve the community and education generally.

Competition between schools in terms of results has been going on for some time but the situation needed to change and schools need to be improved.

Kevin Prince, Headteacher, St Helena School, Colchester

He wished to alleviate fears in terms of pupils travelling distances to school. At St Helena School, all pupils travelled in as there is no surrounding housing at the school. He considered it to be a vibrant, social community which was not adversely affected by pupils not living close at hand.

St Helena was built in 1938 and he felt it needed redevelopment. The school was, however, oversubscribed with an admission of around 1,000 pupils. GCSE results had improved from 41% to 57% but the school was not fit for purpose with no vocational facilities whatsoever.

The location of the school, adjacent to Colchester Institute, provided a fantastic opportunity to increase school numbers to 1,200 and to link with the Institute to become the hub in terms of vocational education in Colchester.

His preferred option would be relocate to a site owned by the Institute on Hilly Fields but this would require additional investment from Essex County Council.

Jean Quinn, National Union of Teachers

She represented the National Union of Teachers for Colchester. Whichever

option was adopted the NUT were vehemently opposed to Academies because the pay and conditions of employment for teachers and other workers was not guaranteed to be the same as in other state schools. Teachers who transferred were protected but new teachers would not have the same level of protection.

Also Academies had higher rates of exclusion than other state schools because the right of appeal mechanism if a child was excluded was different. She was concerned about their admissions policies and the effect of this on numbers of pupils with special needs. She felt that academies could cherry-pick their pupils and were undemocratic as the number of parent governors was often limited in number.

She believed that academic achievements of Academies were no better than comparable state schools.

She wanted to see a good local school for every child, with no school closures in Colchester.

She requested Essex County Council to give their support to small schools which were popular with parents and pupils. She cited Eton as being a small school of 600 which chose not to expand.

She wanted Colchester schools to be given time to improve with more investment.

She was reluctant to support any of the proposals in the consultation but, if pushed, she would favour Option 2.

Juliette Keay, teacher, Thomas Lord Audley School

She had been at Thomas Lord Audley since 2006 as a school counsellor.

She felt Jonathan Tippett had turned the school around. It now had a positive and friendly atmosphere and had benefitted from some refurbishment. The schools' results had recently improved and it had come out of special measures.

She felt pupils preferred the smaller class sizes at Thomas Lord Audley and the way the school was run. Additionally at the recent Open Day twice as many parents attended than in previous years.

She had personally heard compliments from visiting firemen and also bus drivers as to how pleasant and well behaved the pupils were.

Roger Buston, of Asher, Prior Bates Solicitors

He had represented Shrub End and Colchester Garrison as a Borough Councillor for four years.

He was pleased that this matter was receiving wide publicity.

Alderman Blaxill school, and all the other schools for that matter, served Colchester as a whole and did not operate in a vacuum. He always advocated the best life chances for all pupils whatever their background. He was concerned that the matter was beginning to become a political football and the people of Colchester deserved better.

He had previously and continued to declare his support for Alderman Blaxill's principles and for the raising of educational life chances.

He had been pleased to witness the drive injected by Jonathan Tippett when Alderman Blaxill had been dying on its feet and he felt Mr Tippett was owed a debt of gratitude.

However he believed Colchester's educational needs must be developed and

doing nothing is not an option.

He was also heartened at the prospect of the process providing for a Garrison centric facility. The circumstances of children whose parents were based in a Garrison often made them particularly difficult to cater for and he felt it would be highly appropriate, in a town with a newly developed Garrison, for this process to become a pathfinder as to how to address these particular educational challenges.

Ian McNaughton, Principal, Colchester Sixth Form College

He wished to endorse the point made by Sue Cowan, in terms of the proposals being narrow and having been developed too quickly.

He welcomed the meeting as the Borough Council, with Essex County Council and the local communities, should work together to forge a way forward in terms of a consensus view to suit the majority of interested parties.

His advice was that the matter needed leadership to take it forward.

He was of the view that there had been significant improvement in 16 year old attainment in Colchester. He believed that the 2008 data for Colchester regarding GCSE A – C grades including English and maths when published in January 2009 would come out very well. Far from having an element of failure in terms of 11 to 16 education, he believed the reality was that Colchester had done very well by national standards, particularly so since 2004.

He felt it was important not to jump at solutions on the back of suggestions regarding additional funds which may not actually be made available and bearing in mind the fact that the Building Schools for the Future Programme was due to be reviewed nationally in any event.

Tim Oxtton, resident of Colchester

He was speaking as a local resident, tax payer, local tax payer and grand parent of two children, one in Year 6 and one in Year 9 at the largest secondary school in Colchester.

He considered it a generally known fact that schools which grew beyond the optimum size, suffered a decrease in the quality of education provided. The consensus in terms of optimum size of a school was between 800 and 1,000. He believed the management problems associated with schools over 1,000 pupils contributed to the decline in educational achievement.

The government was said to be offering £100 million, although there was no guarantee. However he doubted whether this would come to fruition, given the fact that the nation's soldiers were claiming to be currently acutely under funded.

The options on offer all involved the increased movement of vehicles at peak hours. Colchester had no policy regarding transport, or indeed public transport, the result of which, he considered would be more congestion, disruption and a lower quality of life for all residents of Colchester.

Clare Dillen, resident of Mersea Road, Colchester

She was speaking as a parent of two children at Alderman Blaxill school who lived outside the catchment area for the school and paid £750 per year for transport in order to attend. They selected the school because they liked it.

The options contained in the consultation paper did not provide for a small

school and therefore she believed that the process was too narrow. She recollected that in the course of the previous consultation process people had been made to feel misguided or stupid if they did not agree with the proposals presented. But in the event these proposals were all rejected. She referred to the Government agenda regarding parental choice but she felt that the three options presented in the consultation did not allow for her parental choice. She did not consider Alderman Blaxill to be a failing school and she wondered whether Lord Hanningfield had visited the school to find out whether it was indeed a failing school. She explained that her eldest daughter had been Head Girl at Alderman Blaxill in 2004 and she was currently studying at Berkeley University, having won a scholarship for the third year of her Honours degree in Dramatic and Performing Arts. She had been supported in this by Alderman Blaxill school and for this reason she wanted it to remain open.

Essex County Councillor Richard Bourne

He was totally against any option which proposed the closure of Alderman Blaxill or Thomas Lord Audley Schools as nothing would convince him that closure would be in the best interests of children within those communities. He was a member of the Interim Executive Board at Alderman Blaxill and he felt that the school was currently performing well such that it was providing a good education to all the pupils who attended the school. The current approach had been in terms of a partnership with other schools and the three schools in the area were working well together. The schools had developed a proposal around having a single school operating over three sites, as a foundation school, still within the local authority family. He believed it was a very well worked out and sustainable proposal which could deliver the necessary improvements in the longer term. In addition, it would not adversely affect any other proposals affecting other schools in the town. He agreed with the need for additional schools infrastructure in the area and he did not believe that this alternative proposal would prejudice the bid for additional funds for other schools. He was of the view that moves should be made quickly as there were some urgent issues that needed to be addressed and this alternative proposal could be implemented in the short timescale required. He felt, however, that it would be extremely unwise and detrimental to the young people in the area for Alderman Blaxill and Thomas Lord Audley to close.

Sheena Clover, Headteacher, Parsons Heath Primary School

She felt it was important to consult with everyone as, what was at stake, was the future of all pupils currently attending primary schools in Colchester. She felt that all primary school headteachers worked well together and she hoped that they would all participate in joint discussions on this issue.

Robert Lunsden, student at Colchester Institute

He was attending as a former pupil of Thomas Lord Audley School and an active campaigner against the closure of that school.

He believed that any changes to educational provision would have massive effects across Colchester. He felt the federation between Stanway, Thomas Lord Audley and Alderman Blaxill schools had been extremely beneficial for Thomas Lord Audley. He explained that he had personally benefitted from this partnership and, with time, these benefits would be far more wide reaching. He felt that the resources already available should be investigated in preference to schools being closed or redeveloped. He currently attended Colchester Institute and had experience of pupils from St Helena school travelling across town in school buses which had been over crowded and had not been able to accommodate all those pupils who wished to travel.

Mrs Hearn, resident of Briardale Avenue, Dovercourt

She lived in Dovercourt, had a 10 year daughter moving to secondary school in September 2009 and was intending to move to Colchester next summer. Her daughter had certain medical conditions, including diabetes, which meant that she had attended a number of the schools' open evenings in order to adequately assess the merits of each school, bearing in mind her daughter's requirements.

She had visited four schools in Colchester, the Gilberd, Alderman Blaxill, Thomas Lord Audley and Sir Charles Lucas against which she had allocated a points system based on various criteria, including size of school and number of pupils. Alderman Blaxill had scored highest, with Thomas Lord Audley a close second.

Both schools had demonstrated that they were prepared to give her daughter the close support and medical supervision that she required.

She was concerned that the consultation exercise would mean that the schools affected would not be accepting pupils for the 2009 Year 7 intake and she felt the timing of the consultation was unacceptable given the choices needed to be made for current Year 6 pupils.

Reverend Andrew Fardoice of St Margaret's Church, Berechurch, Colchester

He explained that he had five schools in his Parish, including Thomas Lord Audley.

He had grave concerns regarding Option 1.

He considered the closure of Thomas Lord Audley would be sad day for the people of Berechurch. The school had received a good OFSTED report recently but, nevertheless was faced with the threat of closure.

He was concerned at the prospect of a very large school with over 2,000 pupils. He had experience of teaching at a school of this size and personal responsibility for 550 pupils over a two week timetable. He did not consider that this experience was a good one. The standards dropped as the numbers increased. The issue of school transport on this scale would be a real issue for staff and bus drivers.

He proposed the scrapping of Option 1 in order to save Thomas Lord Audley school.

Patrick Duggan, resident of Buckingham Drive, Colchester

He was against all of the options set out in the consultation paper. He considered them to be unworkable, expensive and unwanted. He believed them to be Essex County Council's solutions to a problem which it had created over the years.

He was concerned that only three options had been presented and it was difficult to pick any one as a preference. He felt that the options had been deliberately selected to divide the people of Colchester over which schools should close and which schools should stay open.

He felt the people of Colchester should stand together and fight for all of Colchester's schools to remain open on their existing sites but redeveloped using public funds rather than the more expensive public finance initiatives and for them to remain under local control.

He believed that the alleged problems had not happened overnight. If the schools were failing and were in such poor states of repair that they were in that way because of Essex County Council's failure to maintain the schools in a proper and timely fashion over the years.

He was concerned at the remarks reportedly made by Lord Hanningfield, that Colchester was in danger of failing. If this was the case it was because of the interference of Essex County Council in the business of Colchester which was driving Colchester into the ground.

He asked people to support a fourth option advocating the rejection of the proposals in the consultation paper and for Colchester to break away from Essex County Council and take control of its own education system.

Raising achievement through the transformation of secondary schooling in Colchester

Options for consultation





Introduction

Essex County Council is committed to delivering world-class learning opportunities for the pupils of Colchester, which is why we are undertaking a major consultation on secondary education in the town.

This consultation will consider three options including the development of federations, trusts and educational improvement partnerships as well as the potential benefits of academies.

During the consultation we conducted last year, which focused specifically on south Colchester, there was significant enthusiasm expressed by a range of stakeholders, including Headteachers, governors and parents, for the council to consider the town as a whole.

Given this level of interest, the council has now taken the sensible step of opening out discussions to consider secondary education throughout the whole of Colchester.

It is important to understand the context in which this consultation is being held, including:

- **persistent and ongoing concerns about standards in some schools;**
- **forecasts of pupil numbers in the town and the implications for the viability of some of the schools;**
- **the development of potential federative and trust arrangements and academies.**

Given these challenges, it is important to make clear that the current situation is not an option. We are determined to deliver an excellent education for pupils in Colchester. However, this can only be achieved with change.

We are sure that everyone in Colchester shares the desire to provide the town's young people with the finest education possible, which is why we want you to be involved with assisting us to make this change.

It is important that as many people as possible contribute to the consultation so that we can come to the right option and ensure the best possible solution for the town's pupils together.

Lord Hanningfield
Leader, Essex County Council



1. Overview

- 1.1 Essex County Council has agreed to the development of new options and proposals intended to raise achievement and transform secondary education across Colchester. This is a response to issues raised by parents, schools and stakeholders during the consultation in November 2007 to January 2008 on proposals to close the Alderman Blaxill and the Thomas, Lord Audley Schools and replace them with an 11–16 academy on the site of the latter.
- 1.2 Essex County Council is taking a wider approach than previously in developing these options and proposals. We will consider the implications for the whole town and the broader district, drawing upon lessons learned elsewhere, to avoid developing a solution in one part of the town that creates a problem elsewhere. We will also seek to create a long-term sustainable solution. Essex County Council will draw in various stakeholders including local secondary schools, Colchester Institute, the University of Essex, Colchester Sixth Form College, the Garrison, other interested partners (e.g. the Colchester 14–19 Area Planning Group) and local parents and young people.
- 1.3 This paper sets out a number of options for discussion with stakeholders and partners in Colchester. However, because the school improvement agenda is so important, the County Council wishes to make it very clear that the current situation is not a sustainable option. We are determined to ensure the provision of an excellent education for all learners in Colchester and will work with partners to achieve that. The options put forward address the important need to secure resilience in terms of pupil numbers and standards of education for all the secondary schools in Colchester and the wider community benefits that would accrue as a result of this.
- 1.4 We have developed a number of robust options for public consultation this autumn.



2. Background

2.1 This section outlines the background to proposals intended to transform secondary education in Colchester in light of the vision for Essex set out in EssexWorks. This includes the specific priority ‘Increasing educational achievement and skills’ and its associated pledge that in 2008–2009 Essex County Council will introduce radical initiatives to ensure diverse, high quality secondary schools in every area of the County. It sets the scene for the development of options in Colchester in the context of:

- concerns about standards in some of the schools;
- forecasts of pupil numbers in the town and the implications of these for the viability of some of the schools; and
- the potential development of different types of school models such as federative and trust arrangements and academies (see Annex 1 for an explanation of these models).

2.2 The options will be developed in the light of discussions with stakeholders and partners in the town and with officials at the Department for Children, Schools and Families (DCSF).

2.3 School Standards

2.3.1 Essex County Council is concerned about educational standards in Colchester.

2.3.2 **Alderman Blaxill School** was placed in Special Measures¹ following an OfSTED inspection in May 2007.

Essex County Council’s concerns about the situation at Alderman Blaxill School have led to the replacement of the Governing Body with an Interim Executive Board and the appointment of the Headteacher at The Stanway School as the Executive Headteacher with effect from 1 January 2008.

These robust actions, which at the time were not met with universal local approval, resulted in progress being reported in the second OfSTED monitoring inspection of the school on 20 and 21 February 2008. Judgements about the progress made since the first visit took into account what would have been feasible in the time available. Satisfactory progress in improving the school had been made ‘in the last few weeks’, but not enough to counter to the inadequate progress of the previous six months. At the third monitoring inspection on 4 and 5 June 2008 progress since the February visit was satisfactory, but progress overall since being subject to Special Measures was inadequate.



Pupil numbers were lower in September 2008 than in the previous academic year and only 26.1% of pupils achieved 5+ A*-C GCSE passes including English and Mathematics in the 2008 examinations.

- 2.3.3 **The Thomas, Lord Audley School** is making progress under the same Executive Headteacher appointed to Alderman Blaxill School and was removed from Special Measures in September 2007 but, because of long term underachievement, was given a Notice to Improve² by OfSTED. An OfSTED monitoring inspection of the school took place on 1 May 2008 and the outcome was that ‘the school is making satisfactory progress in addressing the issues for improvement and in raising the standards achieved by students’. The Notice to Improve still applies.

Pupil numbers were lower in September 2008 than in the previous academic year and the numbers admitted to Year 7 were lower than anticipated. The percentage of pupils achieving 5+ A*-C GCSE passes including English and Mathematics in 2008 was 32.3%.

- 2.3.4 **Sir Charles Lucas Arts College** was placed in Special Measures in November 2005 shortly after the arrival of a new Headteacher who agreed with the issues OfSTED raised. The new Head engaged with Essex County Council and set about driving the necessary changes. The school was removed from Special Measures in November 2007. The report graded the school as satisfactory in each of the 26 inspection judgement areas. The report acknowledged that standards were still not high enough, especially at Key Stage 4. Consequently the school has continued to receive support. Within the community, Essex County Council is concerned to address some of the underlying issues affecting the school’s ability to reach the national floor target for GCSE³. The percentage of pupils achieving 5+ A*-C GCSE passes including English and Mathematics in 2008 was 29.9%.

2.4 Pupil numbers

Essex County Council is concerned about the number of surplus places in secondary schools in Colchester and the forecast that this will increase by 2013. The Draft Essex School Organisation Plan 2008–2013 shows a fall in pupil numbers in Colchester with a surplus of 1105 places by 2013. Even allowing for the maximum number of pupils that might be generated by new housing there would still be more than 400 surplus places. Most of the surplus places are forecast to be at the three schools at which there is also concern about educational standards (see Table 1).



Table 1

School	Net Capacity	Pupil	Forecast 2013	
	2008 (2013*) if different	Numbers 2008	Pupil Numbers	Surplus Places(*)
Alderman Blaxill	662	457	330	+ 332
Thomas, Lord Audley	1050	712	582	+ 468
Sir Charles Lucas	1226	995	805	+ 421
Gilberd	1350	1273	1351	- 1
Philip Morant	(1625*)	1610	1656	- 31
St Helena	1000	1018	994	+ 6
Stanway	(1120*)	1064	1117	+ 3

(*) Based on capacity figures in draft School Organisation Plan for 2008 - 2013 using increased capacities for Philip Morant and Stanway.

2.4.2 In line with the above predictions, the actual numbers on roll at Alderman Blaxill, Thomas, Lord Audley and Sir Charles Lucas schools at January and May 2008 showed a fall in total numbers on roll and therefore an increase in surplus places since 2007 (see Table 2). The provisional on roll figures for October 2008 have continued to fall. (see Table 3).

Table 2

School	Net Capacity 2007	Pupil Numbers			Surplus (over) Places		
		2007	Jan 2008	May 2008	2007 2008	Jan 2008	May
Alderman Blaxill	662	559	457	451	16%	31%	32%
Thomas, Lord Audley	1050	773	712	717	26%	32%	32%
Sir Charles Lucas	1226	1076	995	987	12%	19%	19%
Gilberd	1350	1264	1273	1272	6%	6%	6%
Philip Morant	1510	1617	1610	1598	(7%)	(7%)	(6%)
St Helena	1000	1002	1018	1013	0%	(2%)	(1%)
Stanway	985	999	1064	1065	(1%)	(8%)	(8%)



Table 3

School	Net Capacity	Provisional numbers and capacity	
	2008	Pupil Numbers Oct 2008	Surplus (over) Places Oct 2008
Alderman Blaxill	662	376	43%
Thomas, Lord Audley	1050	666	37%
Sir Charles Lucas	1226	920	25%
Gilberd	1350	1305	3%
Philip Morant	1559	1618	(4%)
St Helena	1000	998	0%
Stanway	1128	1092	3%

2.4.3 It is predicted that, without additional pupils from housing, the surplus places at the three identified schools would increase to 50%, 45% and 34% respectively in 2013. These figures are based on the number of pupils who will be of secondary school age living in the area and historical patterns of admissions to the schools. Surplus places at the schools have arisen mainly as the result of many local parents being successful with preferences for their children to attend other schools.

2.4.4 When the forecast for 2013 is adjusted to take account of housing development, the roll at Alderman Blaxill School could increase by up to 225 pupils. However, much will depend on a number of factors:

- **the timing of the construction and occupation of the new homes;**
- **the number of families moving in during the early stages of the development;**
- **the ages of the children in the families moving in; and**
- **the parents' preferred choice of school.**

The adjusted and unadjusted forecasts are summarised in Table 4



Table 4

Forecast 2013	Pupil Numbers without housing	Surplus Places without housing(*)	Pupil Numbers with housing (max)	Surplus Places with housing (min) (*)
Alderman Blaxill	330	+ 332	555	+ 107
Thomas, Lord Audley	582	+ 468	614	+ 436
Sir Charles Lucas	805	+ 421	808	+ 418
Gilberd	1351	- 1	1429	- 79
Philip Morant	1656	- 31	1657	- 32
St Helena	994	+ 6	1212	- 212
Stanway	1117	+ 3	1178	- 58

() Based on capacity figures in draft School Organisation Plan for 2008-2013 using increased capacities for Philip Morant and Stanway.*

2.4.5 Alderman Blaxill School is in Special Measures and this is likely to have a negative effect on admissions to the school with many parents continuing to express preferences for other schools. In January 2008 only approximately 33% of children of secondary age living in the priority admission area of Alderman Blaxill School actually attended the school.

2.4.6 The pupil number forecasts for Colchester as whole indicate that over the course of the next 10 years there could be a requirement for a maximum number of 10,275 places. This figure includes those pupils it is anticipated might be generated by the new housing planned for the town. If there are no additional pupils generated from this new housing then the maximum number of places required falls significantly to 9,520. These two figures could therefore be regarded as the upper and lower planning limits for pupil places in the town. In 2008 there are 9,518 pupils on roll at secondary schools in Colchester town. Colchester secondary schools can currently accommodate 10,365. These figures indicate that there are currently circa 847 spare places available in the town.



3. A town-wide approach to transforming secondary education in Colchester

- 3.1 In taking a town-wide approach to transforming secondary education in Colchester, we wish to make very clear that the current situation is no longer an option. We are determined to ensure an excellent education for all learners in Colchester and we will work with stakeholders and partners to achieve that. Therefore, we have developed options for the way forward that address:
- **the currently low and forecast falling roll at Alderman Blaxill School and the poor standards at the school;**
 - **the currently low and forecast falling roll at Thomas, Lord Audley School and the need to sustain the satisfactory progress now being made there;**
 - **the forecast falling roll at Sir Charles Lucas Arts College and the concerns about the school's ability to reach the national floor target for GCSE;**
 - **the overall supply and quality of secondary school places in Colchester; and**
 - **the difference in standards between the secondary schools in Colchester especially between Alderman Blaxill, The Thomas, Lord Audley and Sir Charles Lucas schools and the others.**
- 3.2 The options developed for consultation include the provision of an academy or academies in Colchester to replace one or more of the schools. The development of the options considers the potential benefits and disadvantages of academy provision including the implications of academies on other schools in the town⁴. Essex County Council believes securing an academy in Colchester is desirable for improving educational achievement as well as being more likely to help secure funding for other secondary schools in the town⁵.
- 3.3 The options developed also explore the possibilities of federations between schools in Colchester in order to improve standards at weaker schools. They also consider the development of trust arrangements as an overall management model for secondary schools in Colchester or the development of an Education Improvement Partnership (EIP). Annex 1 provides details on academies, trusts, federations and EIPs.
- 3.4 The options also take into account the possibility of securing significant additional funding for new, remodelled and refurbished school buildings whether as part of or separate from any development of an academy or academies.



4. Proposals and options for consultation

- 4.1 During the previous consultation there was interest from various stakeholders in developing a Colchester-wide solution. Several Colchester Secondary Headteachers responded to the original consultation that they would welcome, as a group, the opportunity to be part of an ongoing wider consultation regarding the future of secondary education in Colchester which takes into account the views of all stakeholders and the needs of all learners.

Essex County Council has listened to the views expressed and will take the opportunity to discuss with the Headteachers and Chairs of Governors, the future of secondary education in Colchester as a whole. This document sets out some options for consultation.

- 4.2 Essex County Council will also continue to involve key organisations and stakeholders who are prepared to both steer and take a direct interest and involvement in the future pattern of education. We value their involvement to date and the commitment to raising aspirations and achievement for the benefit of Colchester as a whole.
- 4.3 The County Council has developed options for consultation based upon a wider approach than previously, drawing in various stakeholders, including the local secondary schools, Colchester Institute, the University of Essex, Colchester Sixth Form College, the Garrison and other interested partners as well as local parents and young people. We will also explore the interests of these stakeholders in models such as federations, trusts and education improvement partnerships as well as looking at the potential benefits and disadvantages of academies. The nature and scale of the proposals requires a full and wide-ranging public consultation with all interested parties. The overall purpose of the proposals is to secure resilience in terms of pupil numbers and to improve standards of education available to all secondary school students in Colchester and the wider community benefits that would grow as a result of this. There will be continuing consultation and liaison between Essex County Council and Colchester Borough Council, and the Primary Care trust and voluntary sector to ensure that any complementary projects are co-ordinated as fully as possible. This activity will continue and help to ensure that the different investment schemes are used as effectively as possible, for the benefit of the town and the community.

Essex County Council will seek the agreement of the DCSF to exercise flexibility in the timing and development of Building Schools for the Future (BSF)⁶ in Colchester and bring forward its implementation to as soon as possible.

- 4.4 **Option 1 – to close Thomas, Lord Audley and Alderman Blaxill schools and offer places to pupils living in their priority admission areas at the five schools that ring those areas and to redevelop Sir Charles Lucas Arts College as an academy.**



This is a proposal that would create a long-term, sustainable solution for Colchester as a whole and as such is Essex County Council's preferred option. It is to close Thomas, Lord Audley and Alderman Blaxill schools and offers places to pupils living in their priority admission areas at the five schools that ring those areas, i.e. Philip Morant, St Helena, Stanway, The Gilberd and Thurstable. This would require the phased closure of Thomas, Lord Audley and Alderman Blaxill to minimise the effects on existing pupils. It would also require the closure of the schools to new pupils from September 2010 and giving all pupils living in their admissions areas priority for the other schools.

Essex County Council would ensure that their admissions arrangements reflected the need for these children to be given priority to attend one of the five schools. After Looked After Children the admission criteria would therefore need to give high priority to these children followed by siblings and other existing criteria.

The benefits of this option are that pupils are placed in one of five better performing schools with improved chances of success whilst these schools would benefit from very significant investment to provide new buildings and facilities. There are arguments against this option around taking the two schools out of their communities. However, these are the choices that many parents are already making in expressing preferences for their children to attend other schools. It could be concluded that it is the view of these parents that the two schools are not succeeding and this is clear from their falling pupil numbers and the low standards of education being achieved. Furthermore, Essex County Council would be seeking to secure more good school places by seeking an expansion of the better performing schools in the area as well as increasing choices for parents.

Any movement of existing pupils from the closing schools would need to be carefully managed to avoid disrupting the education of those moving and of those in the schools they would be moved to. However, it should be possible to work to lessen these effects and these are the choices some parents are making already for existing pupils. Any closure of schools would require a re-assessment of the travel patterns of pupils but it would be possible to consider and, where necessary, assist with the transport arrangements for pupils and for families with children attending more than one school.

As part of this option Essex County Council would also bring forward plans to propose the development of the Sir Charles Lucas Arts College as an academy. This would strengthen the position of the existing school and enable it to continue to serve the Greenstead community.

It will be necessary to assess whether the other schools have enough space to be expanded to accommodate the additional pupils they would have to take, which the BSF funding would support. Disposal of the Alderman Blaxill and the Thomas, Lord Audley sites



and assets would be an issue but the County Council could press for these to be used for the benefit of the other Colchester schools or retain them in part to provide a community resource in their areas.

4.5 Option 2 – to progress the closure of Alderman Blaxill School and consider the development of a number of federative and trust arrangements in Colchester without the opening of an academy or academies.

Essex County Council will facilitate with the schools the hard federation (see Annex 1 for general details of federations) of the Stanway School and Thomas, Lord Audley School to serve south Colchester and proceed with the closure of Alderman Blaxill School. In parallel with these proposals Essex County Council would undertake a complete rebuild/remodelling/refurbishment (subject to survey) of Thomas, Lord Audley School and complete the building work at Stanway School under BSF. Alderman Blaxill School would be closed over a phased period. Appropriate arrangements would be made for children currently attending the school to continue their education supported by the linked Stanway School and Thomas, Lord Audley School. Children due to start at the school in Year 7 in September 2009 would be offered places at Stanway School or Thomas, Lord Audley School. From 2010 the priority admission area for Alderman Blaxill would be included in the priority admission area of Thomas, Lord Audley.

As part of a **Colchester-wide approach** Essex County Council will seek to broker a proposal to federate Gilbert School and Sir Charles Lucas Arts College. As part of the move to federation we would undertake a complete rebuild/remodelling/refurbishment (subject to survey) of both schools. There would be a strong expectation that very serious consideration is given to the relocation of Sir Charles Lucas to accommodate changed priority admissions areas.

We will also seek to broker proposals to federate Philip Morant School and St Helena School. Again it would be part of the proposals to undertake a complete rebuild/remodelling/refurbishment (subject to survey) of both schools.

Within this model none of the schools would become academies. However, as an alternative to federation an individual school's Governing Body might express an interest in exploring this option.



It is also the intention to propose that the three federations comprising of six schools would also operate collaboratively as part of a **Colchester Education trust**. The Colchester Institute, Colchester Sixth Form College, the University of Essex and the Garrison would be invited to be part of the trust in the first instance. If the trust was to **evolve into an Education Improvement Partnership** it might be possible to incorporate other schools and partner organisations into it.

We need to be sensitive to the position of Thurstable School in this proposal and option. The school should, as a minimum, be invited to be part of the trust otherwise it could become isolated. It may also wish to consider joining the federative arrangements described above.

The development of the three federations and a trust (or Education Improvement Partnership) would be the basis of a whole town approach to education issues in Colchester.

As part of discussions with schools and other local stakeholders, we would carry out further work on:

- **transport arrangements, particularly for those pupils living in Shrub End;**
- **the identification of other potential co-sponsors or partners for the schools and the trust;**
- **further discussions with representatives of the Garrison to take forward their desire to support forces children;**
- **the exploration of possible community uses for the Alderman Blaxill School site should it become surplus and subject to a direction by the Secretary of State as to its future use;**
- **and**
- **discussions with all schools in the Colchester area on a wide approach to education and community wellbeing in the town.**

4.6 Option 3 – to re-organise all the non-selective and non-denominational secondary schools in Colchester town and re-open them in new or existing premises, in new or existing locations, (using BSF funding) in some cases with new names.

All, some or none of the schools could become academies. Revise the admission arrangements and consider fair banding so that the schools serve the needs of the sectors of the town in which they would be located. Operate the schools as a trust (with the other partners previously identified) with overall responsibility for the quality of the education provided in the town and the viability of each individual school.

The model could be to have a small, trust office at the centre and campuses offering educational services in the broadest sense arranged around the town to meet demand



and local needs. Post 16 provision would continue to be provided by the Institute (in new buildings) and the Sixth Form College in the centre of town and also on the campuses as required.

There could be six secondary non-selective and non-denominational secondary schools (with or without sixth forms). Each would serve an approximate 60-degree sector (a Learning Zone) around the central trust office (North East/East/South East/South West/West/North West). Alderman Blaxill and Thomas, Lord Audley schools might not be retained separately because they are so close to each other and could be replaced with one school serving that sector of the town. St Helena could be relocated to serve a sector currently with no school. Sir Charles Lucas could be relocated so that its current catchment area was split between at least two schools to help to address some of the underlying issues affecting its ability to reach all the national floor targets for GCSE.

Mapping the current secondary schools (but their names and locations might change) on to the sectors would give:

- **NE** **The Gilberd**
- **E** **Sir Charles Lucas**
- **SE** **Alderman Blaxill and Thomas, Lord Audley (replaced by one school)**
- **SW** **Philip Morant**
- **W** **The Stanway**
- **NW** **(relocated ‘St Helena’)**

The admissions arrangements and careful definition of the sectors or Learning Zones would ensure that each school enrolled a ‘fair’ cross section of pupils. This would be a particular challenge in the East/South East sectors.

Thurstable School is again outside this model and would continue to serve its existing priority admissions area. It could be a member of the trust and contribute to its development and enjoy the centrally provided support from the trust office and from other partners.

The numbers of sixth form pupils currently attending Philip Morant School would have to be accommodated at the Colchester Sixth Form College and Colchester Institute if it were decided that no school would have a sixth form. The Sixth Form College might have spaces because of the opening of the South West Ipswich South Suffolk (SWISS) Sixth Form Centre and the new sixth form at Notley High School, both of which might impact on student numbers there.



Six secondary schools, each of approximately 1200 pupils, (discounting the Grammar Schools and St Benedict's) would meet currently forecast need in Colchester town in 2012. With 1200 pupils each school would be of a size that could be sensibly expanded if additional pupils were generated by the new housing that might be built in parts of the town.

- 4.7 A number of other options were considered as part of this consultation but were discounted. For details and reasons why they were discounted please see Annex 2.

Notes

- 1 Special measures is the term used by Ofsted following an inspection when a school is failing to provide an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school.
- 2 Notice to Improve is the term used by Ofsted when schools are “requiring significant improvement because they are performing significantly less well than they might be expected to considering the school’s circumstances. A school which is currently failing to provide an acceptable standard of education, but has the capacity to improve, will also be in this category.”
- 3 The national floor target is for at least 30% of pupils to achieve 5+ A* – C GCSEs including English and Mathematics.
- 4 It should be recognised that for both the main political parties academies are considered a key plank of education policy and instrumental in driving up standards.
- 5 Through brought-forward Building Schools for the Future (BSF) funding.
- 6 The Department for Children, Schools and Families describes Building Schools for the Future (BSF) as “the biggest ever schools buildings investment programme. The aim is to rebuild or renew nearly every secondary school in England.”



5. Proposed schedule

17 June 2008	Cabinet meeting to agree the paper ‘Raising achievement through the transformation of secondary schooling in Colchester’ – The Cabinet was requested to comment on the intention to consult on proposals and options to deliver this initiative												
July 2008 – October 2008	Informal discussions with stakeholders and potential partners to develop proposals and options for consultation												
17 October 2008	Leader and officers to meet with Headteachers and Governors of the following schools:												
	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">The Stanway</td> <td style="width: 50%;">Thomas Lord Audley</td> </tr> <tr> <td>Alderman Blaxill</td> <td>Sir Charles Lucas</td> </tr> <tr> <td>St Helena</td> <td>Gilberd</td> </tr> <tr> <td>Philip Morant</td> <td>Thurstable</td> </tr> <tr> <td>St Benedict’s</td> <td>Colchester Royal Grammar</td> </tr> <tr> <td>Colchester County High</td> <td></td> </tr> </table>	The Stanway	Thomas Lord Audley	Alderman Blaxill	Sir Charles Lucas	St Helena	Gilberd	Philip Morant	Thurstable	St Benedict’s	Colchester Royal Grammar	Colchester County High	
The Stanway	Thomas Lord Audley												
Alderman Blaxill	Sir Charles Lucas												
St Helena	Gilberd												
Philip Morant	Thurstable												
St Benedict’s	Colchester Royal Grammar												
Colchester County High													
November 2008	Public meetings and meetings with stakeholders to consult on the options												
December 2008	Appraisal of the options in light of the responses to the consultation and preparation of a Cabinet paper												
January 2009	Cabinet takes a decision on a single option to take forward for formal consultation												
February 2009	Formal consultation on the single selected option												
March 2009	Appraisal of the option in light of the responses to the consultation and preparation of a final Cabinet paper for decisions on the proposals												



6. How you can make your views known

The consultation period will end on 19 December 2008. Consultation meetings have been arranged for:

Monday 17 November at 7.00 p.m. at Alderman Blaxill

Wednesday 19 November at 7.00 p.m. at Thomas Lord Audley

Tuesday 25 November at 7.00 p.m. at Sir Charles Lucas

Tuesday 9 December at 7.30 p.m. at Colchester Community Stadium

Anyone with an interest in the proposals is invited to attend one of these meetings.

In addition you may wish to write to us with your comments. This will assist the County Council in reaching a clear understanding of the views held. You may use the form attached, or write separately to the address provided on the form, or email to admin.strategy@essex.gov.uk.

The information contained in this leaflet can be made available in alternative formats on request: large print, Braille, audio tape or disk. We can also translate this document into other languages and provide clarification on any information contained in this document.

The County Council will consider all views submitted by the end of 19 December 2008.

Essex County Council handles information in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998 and is the data controller for the purposes of the Data Protection Act 1998. Your answers to this consultation will only be used to assess the community's view of the proposals for secondary education in Colchester and not for any other purpose. We will not give information about you to anyone outside Essex County Council.

Response form

Raising achievement through the transformation of secondary schooling in Colchester

Please indicate by a ✓ your view on the options.

- I support Option 1** – to close Thomas, Lord Audley and Alderman Blaxill schools and offer places to pupils living in their priority admission areas at the five schools that ring those areas and to redevelop Sir Charles Lucas Arts College as an academy.
- I support Option 2** – to progress the closure of Alderman Blaxill School and consider the development of a number of federative and trust arrangements in Colchester without the opening of an academy or academies.
- I support Option 3** – to re-organise all the non-selective and non-denominational secondary schools in Colchester town and re-open them in new or existing premises, in new or existing locations (using BSF funding), in some cases with new names.

Please provide any supporting information as to why you support/do not support the options.



Please use the reverse of this sheet as necessary.



Name:

Address:

Interest Group:

(eg parent, teacher, member of the local community etc)

Please return this form by 19 December 2008 to:

School Organisation and Planning
Essex County Council
Schools, Children and Families Directorate
PO Box 4261
County Hall
Chelmsford CM1 1GS

or use the FREEPOST envelope provided.

Alternatively, email admin.strategy@essex.gov.uk to make your views known.

Thank you for your response.



Annex 1

Academies – these are publicly funded independent schools catering for pupils of all abilities. A wide range of sponsors, including educational foundations, universities, colleges, business, private school trusts and faith communities, establishes them. Generally, they replace existing poorly performing schools, although some are wholly new schools in areas that have experienced low education achievement. All academies have specialisms. The Government has indicated its commitment to establishing 400 academies, with at least 200 open or in the pipeline by 2010.

Federations – the (then) DfES guidance on federations (2003) refers to the fact that the concept of federations has been around for some time – i.e. groups of schools working together to share ideas, best practice and combine management structures. The 2002 Education Act defines a federation as two or more schools with a joint governing body. The DfES guidance defines a federation as “a group of schools with a formal agreement to work together to raise standards”. Schools may federate either:

- **by using the new governance arrangements under the Act; or**
- **by having a formal contract between them with identifiable targets.**

In a **‘soft’ federation** two or more schools work collaboratively together for their mutual benefit, sharing good practice, ideas and perhaps staff. Both schools retain their separate governing bodies, Headteachers, budgets, etc. In a **‘hard’ federation** all the above would happen but the schools move to having one federated governing body and one (usually Executive) Headteacher.

Trusts – trust Schools are maintained Foundation Schools supported by a charitable trust. They:

- **are part of the maintained family of schools with funding on the same basis as other maintained schools and subject to the same accountability regime;**
- **are similar to Voluntary Aided and existing Foundation Schools with Foundations – the trust holds the school’s land and buildings, the governing body employs staff and sets admissions arrangements (in accordance with the law and the Admissions Code);**
- **must adhere to the National Curriculum and the School Teachers’ Pay and Conditions document; and**
- **must establish Parent Councils if the trust appoints the majority of the governing body.**

There are now 42 trust schools up and running and many more on the trust schools programme that sees schools harness the energy and experience of external partners to raise standards. Schools create long term partnerships with universities, businesses, charities and other schools to improve local education. Partners from all sectors have confirmed their involvement in the trust



programme. These are as diverse as The Royal Society for the Protection of Birds, Barnardo's, Microsoft, the Co-operative Group, and Unilever. The DCSF believes all schools should be looking to the world of business, charities, higher and further education to improve standards and strengthen leadership. The number of schools currently working towards trust status is more than 390.

Following the Budget the Government announced its ambition that all schools should have at least 30% of students achieving five good GCSEs (A*-C grade), including English and Maths by 2011 and that trust schools would be very helpful in meeting that challenge. Trust applications focusing on school improvement would therefore be given highest priority in the June 2008 round.

Two examples of recently announced trusts demonstrate the approaches that are being taken to address issues similar to those encountered in Colchester.

Heritage Park Community School, Sheffield, has formed a trust with Barnardo's, Sheffield College, Sheffield Youth Offending and Connexions. Barnardo's will provide expertise in supporting the most vulnerable pupils, and developing links with support agencies both on and off site. Sheffield College will provide opportunities for the staff to support the 14-19 curriculum, and also projects for post 16 courses. Sheffield Youth Offending will bring expertise in managing the most vulnerable pupils, offering alternative provision, as well as knowledge of the legal system. Connexions will support the most vulnerable students in the NEET (not in education, employment or training) category in transition into work or college.

Danum School Technology College in Doncaster, is partnering the Armthorpe School and Doncaster College. The trust will be a distinctive focal point for the borough with respect to raising aspirations. The raising of standards for all students, though particularly socially disadvantaged pupils, will be key. Collaboration between the schools and college will be developed further through the formality of trust arrangements, utilising each school's current areas of specialism (The Arts and Sport, Technology) and developing others to deliver an effective and tailored 14-19 curriculum. Disadvantaged communities in the town centre will benefit from the services and expertise of the public sector partners in the trust.

Education Improvement Partnerships (EIPs) – these take on specified functions and appropriate funding to enable them to carry out those functions delegated from the Local Authority. Schools and other organisations in the EIP are collectively accountable for delivering particular services and meeting defined targets. These arrangements do not detract from the continued responsibility of local authorities to secure the quality of school education in their areas. Local authorities retain their duty to support and challenge schools causing concern and retain their powers of intervention, for example when a school is placed in special measures, even when an EIP is supporting the school. However, if arrangements are clearly expressed, there is scope for groups of schools to take on significantly enhanced roles and funding from the local authority.



Annex 2

Options considered for consultation and discounted

1. To develop a federation and/or trust arrangement of the three schools in south Colchester

The detailed response to the original consultation of the federation of Stanway and Thomas, Lord Audley Schools Joint Strategy Committee raised a number of overarching policy, development related and people and management related issues. It stated specifically that it had not formed a view on the proposal to close Alderman Blaxill School as it had never considered its characteristics or performance. It confirmed that the Thomas, Lord Audley School Governors are very positive about their federation with Stanway School and will be continuing to strive for improvements to the existing school.

The formal response was ‘that in light of the information available at this stage we are unable to support the proposal to close Alderman Blaxill and Thomas, Lord Audley Schools and to establish an academy on the Thomas, Lord Audley site’. It added they would welcome being involved in a more detailed and costed Colchester-wide proposal, taking on board all the issues raised within their response to enable them to form a well-reasoned and argued response which they could recommend to their parents, pupils and staff.

Building on the views of the Joint Strategy Committee an option would be to consider the merits of a federation of the three schools in south Colchester led by the Executive Headteacher and supported by a trust. It would be necessary to assess whether there would be sufficient capacity in such a federation and from the trust to address:

- **the more recent satisfactory progress, but the overall inadequate progress at Alderman Blaxill School since it was made subject to Special Measures;**
- **the need to continue to secure recent improvements at Thomas, Lord Audley School; and,**
- **the need to maintain and improve the performance of the Stanway School.**

It would also be necessary to assess the actual and projected pupil numbers in the area that would be served by such a federation to consider its overall viability and that of the individual schools within it. Essex County Council and the federation could develop trust arrangements with the range of relevant and interested partners identified in option 2 above.

It is anticipated that this option would enjoy some public support but Essex County Council would need to be assured that it addressed the issues of **pupil numbers** and **standards of education**. This option would only work with certain very strong caveats, milestones and targets built into its development. The current federation’s Joint Strategy Committee would also have to be persuaded



of the case for incorporating Alderman Blaxill School into the existing federative arrangements.

Whilst this option can be seen as having some merits in providing a possible solution to the issues in south Colchester it would not address the town-wide issues of pupil numbers and standards of education and has therefore been discounted.

2. To develop a federation and/or trust arrangement for two schools in south Colchester and associate the third school with it

The hard federation between Stanway School and Thomas, Lord Audley School is already established. This does not include Alderman Blaxill School, which sits between them geographically, and does not resolve the problem of decreasing pupil numbers and the pupil number forecasts at Thomas, Lord Audley School. It is a possible option for the existing federation to continue and for the schools to continue to support Alderman Blaxill School without federating with it. However, this is unlikely to secure long term resilience in terms of **pupil numbers** and **standards of education** for the schools.

This option has been discounted because it is too much like the current situation and therefore unlikely to bring about the required improvements.

3. To progress the closure of Alderman Blaxill School and Thomas, Lord Audley School and consider their replacement with a new school with or without the opening of an academy

Option A – Essex County Council could take forward similar proposals for secondary education in south Colchester as those set out in the original consultation and decide to approve the closure of Alderman Blaxill School and the Thomas, Lord Audley School on 31 August 2009. This would be followed by the preparation and submission to the DCSF of an Expression of Interest to establish an academy on the site of the Thomas, Lord Audley School on 1 September 2009 or elsewhere in south Colchester.

It is known from the responses to the original consultation that this option does not enjoy broad public support and the opening of an academy on the Thomas, Lord Audley site was not considered appropriate by the DCSF in the circumstances at the time. However, the Secretary of State has recently decided to secure the closure or a ‘structural’ solution (academy, trust or federation) for any school judged unlikely to achieve the 30% floor target for 5+ A*-C GCSEs including English and Maths by 2011. The Government’s expectation is that by 2011 all schools will be above the floor target, with any stuck below it being closed or replaced by an academy or National Challenge trust. This has resulted in the need to consider this option again.



Any option that involves the closure of Alderman Blaxill is contentious. This option containing an academy proposal is additionally contentious because of some anti-academy feeling and the original proposal to open an academy on a site in a neighbouring community. The option might be less contentious if a way could be found of keeping some provision on the Alderman Blaxill School site to serve the family of schools in south Colchester or Colchester as a whole.

This option has been discounted because it is the same as the original proposal and received only limited support during the previous public consultation.

Option B – close Thomas, Lord Audley and Alderman Blaxill and using BSF funding replace them with a single new school (not an academy) on a new site that would enable it to serve those communities currently in the priority admissions areas of the predecessor schools. Members believe a site might be made available on the Garrison redevelopment.

This option has been discounted because it is similar to the original proposal to replace both schools with an academy. This met some opposition because pupils from Shrub End would need to travel to Monkwick. If a new school were built on the Garrison redevelopment the reverse would be true.

4. To develop plans to rearrange the governance and organisation of all non-selective secondary schools in Colchester to be organised under the leadership of a Colchester Education trust but without the simultaneous development of federation arrangements proposed in Option 2

The trust could also include Colchester Institute and Colchester Sixth Form College. The Sixth Form College is designated as ‘outstanding’ by OfSTED. The University of Essex, together with the Garrison, and other relevant and interested parties could join the trust.

The first task of the trust would be to address standards of education and pupil numbers in secondary schools in Colchester, in particular at Alderman Blaxill, Thomas, Lord Audley and Sir Charles Lucas schools. The trust would need to decide what approach to take with the three schools, on their existing or new sites, with or without the development of an academy or academies.

This option has been discounted because even if a trust of this type could be established it would need significant additional capacity and expertise drawn from all partners to do what was needed. It would be expected to succeed in an area where Essex County Council has so far been unable to secure majority agreement to its proposals for action.



5. To develop other Colchester-wide solutions

Several respondents to the original consultation raised the possibility of considering alternative proposals in Colchester around the possible federation of schools. One suggestion was that Alderman Blaxill School might be federated with the Philip Morant School; but the response from that school did not mention this possibility. The Alderman Blaxill School Parent and Community Forum suggested the federation of Alderman Blaxill School with another school, but felt it would be for the County Council to determine which school this should be. Essex County Council is of the view that it is unlikely to be able to identify any other Colchester secondary school with sufficient capacity to bring about the significant improvements required at Alderman Blaxill School, willing to do so through federation. However, it would be an option to consider with Headteachers and Governors, if any other school was willing to enter into such a federation with Alderman Blaxill School.

This option has been discounted because initial soundings have suggested that no other school would be willing to enter into federation with Alderman Blaxill School.

The information contained in this leaflet is published by Essex County Council.

You can contact us in the following ways:

By post:

School Organisation and Planning
Essex County Council
Schools, Children and Families Directorate
PO Box 4261
County Hall
Chelmsford CM1 1GS

By telephone:

01245 436 726

By email:

admin.strategy@essex.gov.uk

Visit our website:

www.essex.gov.uk/colchesterschools

The information contained in this leaflet can be translated, and/or made available in alternative formats, on request.

Published October 2008



INVESTOR IN PEOPLE



Alderman Blaxill, Stanway, Thomas Lord Audley
“Our response to Essex County Council consultation – Do you agree?”

Dear Parent, Guardian, Resident,

You will have seen the consultation document circulated by Essex County Council in which the preferred option for the future of secondary education in Colchester enforces the closure of both Alderman Blaxill and Thomas Lord Audley schools. The governing bodies of these two schools, together with Stanway, with which Thomas Lord Audley is federated, are preparing a formal response to the consultation. It will be available on the schools’ web sites shortly and will be updated if necessary as the consultation progresses.

We have taken into account the following factors;

- Demand for secondary education in the three catchment areas
- Need to raise standards
- Need to reduce surplus places in Colchester as a whole
- Need to secure £100 million of ‘Building Schools for the Future’ investment in Colchester secondary schools
- Local Authority requirement that results reported at GCSE meet National Standards
- Undesirability of pupils travelling across town in the rush hour.
- Need to maximise continuity of our pupils’ education
- Insufficient space at Stanway to accommodate more pupils and recognition that schools larger than eight forms of entry can struggle to maintain standards.

We therefore propose to create a single school operating on three sites. The merged school will publish pupil admission numbers corresponding to 8 forms of entry at Stanway, 6 at Thomas Lord Audley and 2 forms at Alderman Blaxill. Catchment areas will be maintained and there will be no change to admission policies for each site. Stanway is expected to remain fully subscribed from its catchment area.

Jonathan Tippett will remain as Head Teacher supported by the existing senior teams.

We believe that it is the quality of teaching that has the greatest impact on pupil achievement. Modern buildings, good management and governance are important but less so. A significant benefit resulting from the Federation of Stanway and Thomas Lord Audley has been the ability to recruit and deploy high quality teaching staff. Alderman Blaxill is already benefiting too from the secondment of staff from Stanway. Secondments are recognised as good professional development and career enhancing opportunities. They result in enhanced teaching for all the pupils. The enlarged school can offer opportunities for career progression internally enhancing the stability of the senior management teams, pupil discipline, reputation and ethos.

The enlarged school will be able to provide better opportunities in sports and other extra-curricular activities such as public speaking. It will inherit the ‘Humanities’ specialism, and a second specialism, currently at the application stage, from Stanway.

Alderman Blaxill, Stanway, Thomas Lord Audley
“Our response to Essex County Council consultation – Do you agree?”

Alderman Blaxill will be structured as an annex to control costs per pupil. A full curriculum will be provided through the flexible use of teaching staff. Pupils at the three sites will see little change but there will be quality and efficiency gains from the flexible use of staff, which gains already accrue significantly within the Federation, and result in additional resources for the pupils at Stanway and Thomas Lord Audley. Pupils will not be asked to move between sites.

Results at Key Stage 4, GCSE, will be reported in aggregate. They will be at or above the national average and exceed the Local Authority’s requirements. The reduced Pupil Admission Number will be a significant contribution to the removal of surplus places in the Borough.

Our proposal is independent of changes that may be made elsewhere in the Borough. It eliminates the need for pupils to cross town to go to school.

The Local Authority’s preferred option requires Stanway to expand to at least nine forms of entry. Governors at Stanway believe that any increase beyond eight forms of entry will disadvantage pupils. Whilst there are economies of scale there is no evidence that results improve as schools get too big and possibly quite the contrary. Acreage available at the Stanway site is just sufficient for the current roll. Additional land is not available. Closure of two neighbouring schools would necessitate rearrangement of catchment areas. Parts of the current Stanway catchment area could be allocated to other schools. Even at nine forms of entry places could not be guaranteed for all pupils resident and attending primary schools in the enlarged catchment area. It would not be permissible to prioritise residents in the current catchment.

We will provide secondary education on the Alderman Blaxill site for as long as there is a demand from the catchment area. A full curriculum will be provided by specialist teachers from the other two sites as required. The timetable will be organised to avoid any teacher teaching at more than one site any morning or afternoon session. Surplus capacity at Alderman Blaxill will be made available for education and sports and leisure uses. Only if there is a danger that the site becomes a financial burden will we request Secretary of State’s permission for disposal.

We will be holding open meeting at each school to answer questions;

Stanway	7pm November 11
Thomas Lord Audley	7pm November 12
Alderman Blaxill	7pm November 13

Our proposal can only be successful if it receives strong local support. We are asking that you sign and return the petition below rather than respond in the format enclosed in the Local Authority consultation paper.

**Alderman Blaxill, Stanway, Thomas Lord Audley
“Our response to Essex County Council consultation – Do you agree?”**

Please return the petition for collation to;

Jayne Castle at Alderman Blaxill, Paxman Avenue, Colchester, CO2 9DQ
Sharon Burns, Stanway School, Winstree Road, Colchester, CO3 0QA
or
Lindsey Wright, Thomas Lord Audley, Monkwick Avenue Colchester, CO2 8NJ

Or go to the schools web sites for an electronic response

Additional copies are available from the above.

Petition

I support the above proposal for secondary education in the three catchment areas of Alderman Blaxill, Stanway Schools and Thomas Lord Audley, as a contribution to the issues raised in the Essex County Council consultation paper.

Name

Address

Interest

(e.g. parent, resident etc,)

Comment

FAQs

Q. How do you know that you can raise standards across the three schools?

A. We have evidence from results and independent professionals from both OFTED and School Improvement Partners not only that standards of achievement have been improving but also that we have the capacity for further improvement.

Q. Will places at Stanway be on offer to pupils from the other two catchment areas?

A. Only if there are surplus places at Stanway after the current priorities have been met (pupils resident in or attending primary schools in the Stanway catchment area). We expect Stanway to be fully subscribed from its catchment area.

Q. Will places at TLA be made available to pupils from the AB catchment area?

A. Yes

Q. Will pupils from the AB catchment area be encouraged to apply to TLA?

A. We will provide secondary education at the AB site whilst a demand remains. There will be parental choice subject to availability. We expect TLA to be modestly undersubscribed for the next few years after a reduction in the Published Number to Admit.

Q. How will you manage as Pupil numbers increase in the medium term?

A. Rebuilding plans for TLA will be designed so that facilities to accommodate further forms of entry can be added if required. The major building plan for Colchester schools will take several years to design and construct by which time forecasts of pupil numbers may need significant revision.

Q. Can you afford to run three sites within available budgets and still provide quality education?

A. Yes. We have calculated the cost associated with three site operation. Salaries account for more than 70% of all costs for secondary schools. The AB site will be much larger than required but we will seek to raise revenue by leasing the excess facilities for educational and sports and leisure uses. For instance the Colchester Teacher Training Consortium, currently located at Stanway will be invited to relocate to AB.

Q. Where will the new buildings for TLA be located?

A. The Local Authority will have the final decision on the extent and location of new building at TLA. We may need to break new ground in order to minimise disruption to pupils during the construction phase. However at Stanway we were able to rebuild within the existing footprint without unmanageable disruption.

Q. Will the new TLA buildings be up to the standard of those at Stanway where you were not limited by bureaucratic guidelines?

A. Yes.

Q. Will you be making improvements to AB buildings?

A. No. £200,000 has just been spent to upgrade the facilities. There will now only be funding at AB to maintain buildings necessary to support the reduced numbers on roll.

Q. Do you recommend Federation as a way forward for other schools?

A. Yes but the benefits available would depend on individual circumstances.

Q. Do you consider a revision of catchment areas or school structures driven by a need to meet target results to be in the best interests of pupils?

A. We believe our proposal is in the best interests of pupils in the three catchment areas. It results in new facilities at TLA and completion of the building programme at Stanway. It provides secondary education in the AB catchment at reasonable cost while a demand exists. We are confident that we can raise the standards of achievements at all three sites to achieve and then exceed the national average in aggregate.

Q. Will Jonathan Tippett remain as executive head teacher?

A. Yes.

Q. Will TLA become a foundation school?

A. We will create a single Foundation School operating on three sites.

Q. Why are you proposing to maintain a small uneconomic establishment at AB when there will be surplus places at TLA?

A. Because there is a demand from the AB catchment area and we can structure the operation there to provide secondary education at a reasonable cost.

Q. Will pupils be bussed between sites for any reason?

A. Pupils will not be asked to move between sites for classes but will be offered extra curricula activities such as summer schools and sports competitions at other sites outside the normal school day.

Q. Will you sell the AB site for residential development?

A. If the site becomes a financial burden we will need to seek the approval of the Secretary of State for education for disposal. The Secretary of State is unlikely to approve disposal of playing fields for development and can mandate part or all the sale proceeds to the Local Authority for educational purposes.

Q. Will there be staff redundancies?

A. We can not make promises but we are confident that teaching staff numbers are already appropriate to current pupil numbers and that we can manage any changes as pupil numbers fluctuate without recourse to redundancy. We will need to re-organise non teaching staff as we reduce the scale of the operation at AB over time and will make every effort to avoid redundancies as we do so.



Cabinet

3 December 2008

Item
9(i)

Report of	Executive Director	Author	Ian Vipond ☎ 282717
Title	Visual Arts Facility – ‘firstsite:newsite’		
Wards affected	Not applicable		

The report covers the need to put in place provisional additional capital arrangements for the Visual Art Facility project – ‘firstsite:newsite’

1. Decision required

- 1.1 That Cabinet recommend to full Council to make a provisional sum of £2 million of capital available to the Visual Arts Facility (VAF) ‘firstsite:newsite’ project subject to a number of conditions as set out in paragraph 5.3 and that the capital programme be amended to reflect the forecast additional cost.

2. Reason for decision

- 2.1 The project costs have overrun compared to the funding that has been made available from a number of funders. The funders of the project are each being asked to allocate further funding to this project and the Council needs to consider whether an additional sum of capital should be allocated to the project to ensure its completion.

3. Alternative Options

- 3.1 The proposed recommendation is based on the funders jointly agreeing to find the required finance to finish this project. The Council could fund the completion of the project itself at a projected cost of £7.6m or it could decide that it did not wish to put further funding into the project. This would be likely to mean that the other funders would seek the return of their original funding, if the intended purpose of their grants was not being achieved, at a cost of between £11.2m and £15.2m. This would also leave the Council with an unfinished and unusable building.

4. Background information

4.1 The VAF 'firstsite:newsite' has been designed as a flexible and multi functional building to deliver space for high quality exhibitions, retail, learning, conference and as an accessible visitor experience which can adapt to future customer requirements. The cultural, social, economic and regenerative impact both locally in St Botolph's and the Town but also to the region was why a range of local and regional funders chose to invest in this project. The funding partners remain committed to the original vision and therefore to seeing the project completed.

4.2 A capital budget of £16.5 million was set for the project in 2003. The funding partners are:

Arts Council England East
East of England Development Agency
Essex County Council
Colchester Borough Council
University of Essex (Donation)
Firstsite (capital fund raising through Trusts, Foundations and private sponsors)

4.3 The £16.5 m was to cover:

Construction Costs	£13.32m
Professional Fees	£2.52m
Equipment	£0.66m

4.4 In September 2007 a case was agreed to increase funding to £17.8m. This was because of a number of factors including canopy deflection and inflation above original estimates (the development industry was at its peak)

The £17.8m was to cover:

Construction Costs	£14.17m
Professional Fees	£2.76m
Equipment	£0.66m
Servicing Cash Flow	£0.20m (this is the cost where CBC advance funds prior to funders' contributions).

The Borough Council's Capital commitment under this funding arrangement is for £1,755,000 but importantly the funding agreements by which the other funders put in the substantial part of the £17.8m place the responsibility for funding any increase in costs with CBC as the 'client'.

4.5 Original Contractual relationship with Banner Holding Ltd

4.6 The original contractual relationship between The Council and Banner Holdings (Banners) is set by a purchase order issued by CBC which imposes an obligation to work on the contract pursuant to the 'GC/Works/1 terms' and to a ceiling of £12.736m (The Cap). CBC therefore did and does have a contractual relationship with Banner Holding Ltd, but the actual contract remained unsigned and so importantly it was not a contract which had either an enforceable fixed price for completion or a fixed date for delivery. What was 'indisputable' is that the parties were committed to valuation of the work, as the way to determine what should actually be paid. This is important as until as late as February 2008 the cost report indicates a forecast out-turn of £17.34m which includes a risk provision of £377.5k i.e. within budget, although the same month's risk report had risks costed at £2.44m.

4.7 In February 2008, the total works completed under this contract was valued by Turner and Townsend Cost Management at £10.026m. CBC was paying 95% of the valued works in order to maintain 5% retention. Banner argued that in terms of sub contractual commitments that they had been instructed to enter into commitments beyond 'The Cap'. This is why work effectively ceased on site (in the majority, only minor and remedial work was taking place).

4.8 Project Costs

4.9 An exercise was undertaken in July to estimate the actual costs of completing the project (target cost verification). The estimate considered what had already been committed within The Cap, what was instructed or committed but deemed to be outside The Cap and what was still left to be procured and to pay for. This exercise gave a very different picture to the monthly cost reports.

4.10 The report provided by Turner and Townsend in July suggested that if all the estimated construction costs are realised then the potential construction costs are in the order of £5m above the current funded allowance of £14.17m for construction works. This rise in construction costs is a result of an estimated extra £2m for increased costs on glazing and roofing contracts, with the remainder largely down to the delays and prolongation of the build programme and a resulting inflationary allowance.

4.11 Furthermore the work undertaken also assessed the likely time for completion which in July was estimated to be June 2009. Additional professional fees would be payable during this period. Turner and Townsend our project management consultants estimated an increase of over £1m taking the total professional fees to an estimated £3.8m for the project. Clearly if the period of the project prolongs further then the fees potentially increase accordingly. There is no projected increase in

equipment costs (which will be directly funded by Firstsite) and the report is silent on servicing cash flow which was an anticipated cost.

- 4.12 Since a supplemental agreement to the GC Works contract was agreed with Banner (see below), further work has been undertaken by quantity surveyor representatives across the partnership to assess the likely costs to complete taking into account what is now fixed by the contractual arrangements and including consideration of the likely tender process for completing the project.
- 4.13 The review has identified several areas of risk that the Council will seek to manage to improve the outturn cost on the completion stage of the project. (These risks include factors affecting the professional team's fee settlements and other commercial arrangements and were reported to the Finance and Audit Scrutiny Panel) Taking these factors into account, the projected estimates on additional construction costs, professional fees and the inclusion of an allowance for contingency would bring the total project costs to around £25.5m against funding of £17.8m so the current projected shortfall is in the order of £7.6 m.
- 4.14 Discussions have continued with the other funders and despite this Council's legal obligation to cover any further increase in costs above the £17.8m the funders have indicated that collectively they will seek to assist the Council where possible to meet the funding shortfall.
- 4.15 **Current Contractual Position**
- 4.16 On 16 September 2008 the Council signed a supplementary contract with Banner Holdings for £14,220,000 to complete the external fabric of the building to a standard of permanent weather tightness (air and water tight). A bond for 10% of the value of the work that Banner has to complete (£1.4million) was also put in place. The contract completion date is 22 May 2009.
- 4.17 The scope of Banner's contract is to complete the roof and side cladding to provide a weather and air tight building envelope; complete glazing, external doors and louvers; and any other works that are required for the building to pass the Part L2 air test. There is no contract for Banner to finish internal works beyond this scope under the current contract. Therefore no more work will take place on partially completed internal packages or those not yet ordered until a new contract is tendered and entered into for those works. The Council and other Funders will obviously not know the actual price for those works until tenders for that work are received.
- 4.18 The Council is currently reviewing the scope of works to complete the building and the forecast outturn costs through a series of meetings with quantity surveyor representatives from Arts Council England East, East of England Development Agency and Essex County Council and Turner and Townsend. The fit out or completion scope of works

includes completion of: mechanical and electrical works and providing for the necessary commissioning process and warranties; partitions and ceilings package; architectural metalwork and plant room metal work; carpentry and joinery; secondary steelwork; plant room F louvers; and the internal finishes (timber panelling, kitchen fit out, toilet fit out, ceramic and stone tiling, hardwood flooring, signage, decoration, fitted furniture, retail fittings and external and landscaping works). The earliest this work could be completed would be autumn 2009. Firstsite have then to do their own fit out of equipment such as computers etc.

5. Financial Implications

- 5.1 There are clearly significant financial implications for the Council. At present it would appear that the Council has a potential additional capital liability in the order of £7.6 to find from its capital budget. Clearly the Council is working to reduce this potential liability both by seeking to raise additional contributions from funders and also to reduce the costs contained in the current projected costs. However this sum, even at this level, is substantially smaller than returning the contributions of the other funders to date and that option would still leave the Council with an unfinished building.
- 5.2 It also needs to be stated that there remains a number of risks around these cost figures. Particularly that a significant proportion of the current increase in costs is down to the prolongation of the build programme. The longer the programme to complete is then the costs increase.
- 5.3 In the context of the current negotiations with the other main funders it is proposed that a provisional capital allocation of £2m be sought from full Council and that the capital programme be amended to reflect the forecast additional cost. The allocation would only be used on the condition that the other funders were prepared to commit the remaining sum to complete the project. In addition the Contract to complete the building should not be authorised until such time that the Council is satisfied that the best price for the remaining work has been obtained and that all possible endeavours have been used to minimise risk and achieve cost certainty going forward.
- 5.4 If the whole of the suggested provisional allocation was used this would bring the Councils capital investment in the project to £3.755m which would represent 14.7% of the projected final cost. The Council would have title of the final building for that investment limited by the conditions imposed by the other funders.
- 5.5 The options available to the Council of funding an additional £2m of capital expenditure are to either borrow the required sum or identify existing capital schemes to that value that could be stopped.

- 5.6 Currently, all resources within the Council's Capital Programme are fully allocated. There would clearly be significant implications if the decision was made to remove or defer capital schemes, and there are further issues within the capital programme resulting from changes to capital receipts in light of economic conditions (e.g. declining council house sales, reduced value of land sales etc). Any changes to the capital programme of this level would require approval by Full Council.
- 5.7 The Council has the ability to borrow money in accordance with the CIPFA Prudential Code, which allows an authority to determine its own borrowing limits provided that the debt is affordable, prudent and sustainable. Borrowing is controlled by Council agreeing a number of 'prudential indicators' including upper limits on borrowing. These were last agreed at the budget meeting in February 2008. Borrowing in respect of the VAF firstsite:newsite project was not considered when the prudential indicators were set, so a decision to proceed with borrowing any significant amount would therefore require a Full Council decision to change the prudential indicators.
- 5.8 The revenue cost of borrowing £2m would include interest, a provision to repay the debt (MRP), and impact on recharges to the Housing Revenue Account (HRA), as well as cashflow implications:
- The annual interest cost is estimated to be in the region of £88k pa, however as the £2m will be spent during the year the interest costs will be lower at circa £52k. This is based on a 50 year loan 4.5%. In later years interest costs will reduce as the Council's provides for the repayment of debt as explained below.
 - The Minimum Revenue Provision (MRP) is a provision that the Council is required to make to repay debt. This is calculated to be in the region of £40k per annum, based on an estimated life of the asset of 50 years. This charge would not be incurred until the financial year after when the asset becomes fully operational.
 - There is a statutory charge made between the General Fund and the HRA to reflect borrowing in respect of the housing stock. This charge is based on the average rate of the Council's debt and the notional housing borrowing requirement (CFR). Borrowing in respect of VAF firstsite:newsite will reduce the average rate of debt, as rates are currently cheaper. As the HRA CFR is unaffected by this project the charge to the HRA would be reduced resulting in a cost pressure to the General Fund. The full year impact is estimated to be in the region of £20k, however, during the year of spend it is reasonable to expect a lower impact of, say £12k, depending on the timing of any borrowing.
 - The potential impact on the Council's cashflow also needs to be considered. This could be positive or negative depending on the timing of borrowing, the schedule of payments to contractors, and the draw down of funding from partners.

- 5.9 Taking all of the above into account, the full year revenue impact of borrowing in 2009/10 will be in the region of £64k. The cost in 2010/11 will be circa £148k. This could be expressed as £2.54 per Band D property or an increase of 1.5%. The Council would need to identify *recurring* savings to cover the additional borrowing costs within existing budget levels. This decision will also need to be agreed by Full Council as part of the annual budget report.

6. Strategic Plan references

- 6.1 The project is identified as a key project contributing to the objectives of the current strategic plan. The Plan is currently being reviewed and public consultation is to be carried out on the Councils new priorities going forward.

7. Risk Management implications

- 7.1 At present CBC and the other funders of the project are considering the mitigation measures necessary to reduce the risks associated with the project. Some of these measures associated with the costs of the project are outlined within this report. Attention has also been paid to the governance of the project and the client team capacity going forward. CBC has agreed to appoint a client Clerk of Works to be based on site and the funders have agreed to fund a client Project Director (Completion Co-ordinator) for the remainder of the project.

8. Other Standard References

- 8.1 Having considered equality, diversity and human rights, health and safety and community safety implications, there are none which are significant to the matters in this report.

Cabinet

Item
10(i)



3 December 2008

Executive Director

Author **Ann Wain**
☎ 282212

Office accommodation strategy – Purchase of Rowan House

**Wards
affected**

Castle

This report concerns our office accommodation strategy and the opportunity to purchase Rowan House

1. Decision(s) Required

- 1.1 To agree that the Council should buy Rowan House.
- 1.2 To recommend to full Council that the capital spend required is included in the capital programme.
- 1.3 To recommend that full Council authorise additional prudential borrowing to fund the purchase.

2. Reasons for Decision(s)

- 2.1 The purchase of Rowan House makes good financial sense as outlined in the financial implications section of this paper. It is cheaper to buy the building and fund the borrowing than to continue to rent. We would also own the asset.
- 2.2 It will offer increased flexibility as we will hold the freehold.

3. Alternative Options

- 3.1 The alternative option is to continue to lease, however as shown in the financial implications, it is cheaper to fund the borrowing needed to buy the building than to continue to pay rent.
- 3.2 Our overarching accommodation strategy is based on consolidating into a single office building. All options were considered, however as we are tied to the lease at Rowan House until at least 2014 and potentially until 2022, the only financially viable options is to remain in Rowan House, whether it is rented or owned.

4. Supporting Information

- 4.1 The Portfolio Holder for Business and Resources made the decision in September 2008 that we should negotiate the purchase of Rowan House having looked at initial figures.
- 4.2 It is worth noting that the other key decision in that report, to market Angel Court is not linked the decision to purchase Rowan House. The background to that decision is linked to the move to flexible working that will result from the implementation of the ICT strategy. The ICT strategy agreed in July 2007 aims to improve our IT so that we can work more flexibly as an organisation. This will deliver benefits to both our customers and staff by making services more accessible and enabling staff to work in ways that meet the needs of the customer. It will also allow many of our staff to work in ways that facilitate a better work life balance. By implementing flexible working the amount of office space needed reduces. We looked at all the options for reducing office space and the conclusion was that the most practical and financially sensible move would be to consolidate in Rowan House. This frees up Angel Court for sale and the decision to market Angel Court is being taken forward. It also meets our ambition to have the majority of our office staff based in one location. A commitment has been made to retain a Town Centre location for face to face customer contact.
- 4.3 The opportunity to buy Rowan House has been pursued so that we still own office accommodation, but does not impact on the other decisions around the accommodation strategy. It will not change any of the other decision made, nor will it materially impact on how our staff work.
- 4.4 The situation with Rowan House is not straightforward. The building is owned by Scottish Widows and leased to Anglian Water. We sub-let from Anglian Water.
- 4.5 Negotiations were initially undertaken with both Scottish Widows and Anglian Water. The intention was to negotiate the purchase of the freehold with Scottish Widows but also to see if Anglian Water wanted to buy themselves out of their lease. Scottish Widows indicated that they were interested in selling. Anglian Water indicated they did not wish to negotiate at a level that we considered to be realistic.
- 4.6 The outcome is that if this decision is agreed, we will buy the freehold from Scottish Widows and Anglian Water will continue to hold their lease. The implications of this are explained later in the paper and reflected in the financial implications.
- 4.7 In April 2008 Atisreal were commissioned to look at Rowan House to help us consider if it was a sensible approach to try and buy the building.
- 4.8 They have outlined the advantages and disadvantages of buying the building:
- 4.8.1 Advantages
- Secure income for a further 14 years with the lease guaranteed by Anglian water.
 - Provides complete flexibility to determine our occupational requirements.
 - Flexibility to determine whether to remain in occupation beyond 2022 or to vacate earlier – we have a break clause in November 2014 and should we terminate our liability will pass to Anglian Water who will have a further 8 years remaining on their lease.
 - The property provides a significant development opportunity at the edge of the town centre, appropriate for a range of uses complementary to this location and dependent on market conditions at the time.

- Our ability to secure finance against this property, fixed at an advantageous rate, amortised over the remaining period of the lease held by Anglian Water allows us to acquire the property in a way which allows for its financing to be very substantially amortised by the Anglian Water rent.

Disadvantages

- The building is now over 25 years old and likely to be at or close to the end of its economic life when the head lease expires in 2022 prompting either major refurbishment or redevelopment.
- The building represents a significant amount of space in a town where existing office stock adequately meets demand with recent trends for new buildings to be located at the edge of town.
- Historically poor rental performance with income unlikely to change before the lease expires.
- Profile of value will decline in real terms as the years pass and value will become more influenced by the prospect of vacant possession on lease expiry in 2022.

4.9 Atisreal have also advised on value in light of these factors. They have said:
 “Having regard to all of the above and particularly taking account of your position as a special purchaser and the tactical position over Anglian Water now introduced by securing the freehold, we had no hesitation in recommending Colchester Borough Council to proceed with the purchase at £7,800,000.”

4.10 A full survey has been carried out by Norfolk Property Services, to match the survey work undertaken on our other buildings. This survey has highlighted a number of issues which while Anglian Water hold the Head Lease that the responsibility for maintenance issues highlighted in the survey will remain with them. This is explained in more detail in the legal implications at section 9 below.

5. Proposals

5.1.1 The proposal is that the Council buys Rowan House for a purchase price of £7,800,000. This represents good value for money as demonstrated in the financial implications.

5.1.2 That the purchase be funded through borrowing

6. Strategic Plan References

6.1 One of the key priorities of the Council is to shift resources to deliver front line services. Buying Rowan House is cheaper than leasing and will free up resources and secure an asset for the longer term.

7. Consultation

7.1 Not applicable as the purchase will not affect the way in which we operate for our customers or staff.

8. Publicity Considerations

8.1 A press release has been sent as it is likely that there will be public interest in this decision.

9. Legal Implications

9.1 The Council's purchase of the freehold of Rowan House from Scottish Widows Unit Funds Limited will be subject to 3 occupational leases:

(a) Lease of whole of Rowan House from Scottish Widows Unit Funds Limited to Anglian Water Services Limited.

(b) Lease of car parking spaces at Rowan House from Scottish Widows Unit Funds Limited to Anglian Water Services Limited.

(c) Lease of substation site at Rowan House from Anglian Water Authority to Eastern Electricity Board.

9.2 Once the Council has acquired the freehold it will step into the shoes of Scottish Widows and become the head landlord for the lease mentioned at (a) and the landlord for the lease mentioned at (b) above. There will be no change in relation to lease (c).

9.3 The Council currently occupies part of Rowan House under the terms of an underlease from Anglian Water Services Limited. This arrangement will continue following completion of the acquisition of the freehold. Accordingly Anglian Water Services Limited will continue to be the Council's landlord for its lease of part of Rowan House whilst the Council will become Anglian Water Services Limited's landlord under the headlease. Anglian Water is currently negotiating with Family Mosaic Housing for an underlease of that part of the first floor of Rowan House which is currently vacant. Scottish Widows have given their approval to this however the underlease has not yet been completed.

9.4 From the date of completion of the acquisition of the freehold by the Council the legal relationship and responsibilities for Rowan House can be summarised as follows:

9.4.1 Headlease dated 19 December 1997 to Anglian Water Services Limited.

- The Council will become Anglian Water Services Limited's landlord.
- Property: whole of Rowan House.
- Term: lease will expire 18 December 2022 – Anglian Water Services Limited has security of tenure and will be entitled to require new tenancy (broadly under the same terms and conditions) under the Landlord and Tenant Act 1954.
- Rent: currently £623,000 per annum plus VAT (the Council will receive this). Rent reviews due in 2012, 2017 & 18 December 2022.
- Anglian Water Services Limited as the tenant are responsible for all the usual outgoings etc as the lease is a full repairing and insuring lease.
- Insurance: the Council as landlord will become responsible for insurance and will pass the premium cost onto Anglian Water by way of further rent.

9.4.2 Lease dated 19 December 1997 to Anglian Water Services Limited.

- The Council will become Anglian Water Services Limited's landlord.
- Property: Car park spaces (situated near the entrance to Rowan House Car Park).
- Term: lease expires 18 December 2037
- Rent: One peppercorn

9.4.3 Lease dated 27 January 1987 from Anglian Water Authority to Eastern Electricity Board.

- There will be no change in landlord
- Property: Sub Station next to the Pump House owned by Anglian Water
- Term: Lease expires 1 December 2085
- Rent: One peppercorn

9.4.4 Underlease dated 15 November 2004 from Anglian Water Services Limited to the Council.

- Anglian Water Services Limited will remain the Council's landlord
- Property: part of Rowan House.
- Term: Lease expires 15 December 2022. The Council has security of tenure and will be entitled to require new tenancy (broadly under the same terms and conditions) under the Landlord and Tenant Act 1954.
- Rent: currently £308,852 plus VAT together with Service Charge of £115,000 plus VAT per annum (the Council will still be required to pay this to Anglian Water).
- The Council will still be required to observe the conditions contained in the underlease and will still be required to seek Anglian Water's consent to any proposed changes to the premises etc.

9.4.5 Leasehold easement dated 19 December 1997 to Anglian Water Services Limited

- The Council will become Anglian Water Services Limited's landlord.
- Property: vehicular right of way for access to Anglian Water's property known as the Pump House over Rowan House car park.
- Term: lease expires 18 December 2077.
- Rent: one peppercorn.

9.5 Accordingly once the freehold is acquired from a practical point of view there will be no change in the responsibilities under the Council's underlease of part of Rowan House. Acquisition of the freehold will not give the Council a free hand to do what it likes with Rowan House. Anglian Water will remain entitled to quiet enjoyment of the premises without interference from the landlord. However, where there is a requirement for Anglian Water to seek its landlords consent to a proposed letting or alteration to the premises it will, in future have to consult the Council.

9.6 The other major implication will be the increased revenue from the rental payments from Anglian Water under the headlease. However, any increases in rental that the Council may seek to impose under the rent review provisions would no doubt be reflected in rent reviews in the underlease to the Council.

10. Financial Implications

10.1 There are four financial issues arising from the proposed purchase of Rowan House:-

- Inclusion in the capital programme of the cost of purchase
- Impact on the Council's borrowing limits
- Impact on the revenue budget
- Overall assessment of proposal

Capital Programme implications

10.2 The Council capital programme does not include any provision for the cost of purchasing Rowan House. The estimated costs of purchase, including associated costs is £8.18m as set out below:-

	£'000
Agreed purchase price	7,800
Stamp duty @ 4%	312
Professional fees	70
Total Cost	8,182

10.3 Based on current forecasts for capital receipts there is likely to be little scope to include new projects in the capital programme unless existing schemes can be removed. No such proposals have been made, therefore the cost of purchase would need to be funded through borrowing.

Impact on Council's borrowing limits

10.4 The Prudential Code regulations allow an individual authority to determine its own borrowing limit. This means local improvements can be funded from borrowing without Government consent - provided the debt can be afforded. The detailed assessment and impact on the Council's prudential borrowing limits is set out within the separate report on this agenda. In summary, the proposal is to increase the Council's borrowing limits by £8.2m. It should be added that the level and terms of any new borrowing will be considered as part of the overall treasury management strategy.

Impact on revenue budget

10.5 There are two revenue budget impacts to consider:-

- Net rental income position
- Financing costs of borrowing

Net rental income

10.6 As set out in this report under the proposed purchase the Council will receive a rental from Anglian Water who leases the whole building. This will be offset by the Council's contribution for those parts of the building leased. The net income from this is currently estimated to be £301k pa.

Capital Financing Costs

10.7 The proposed capital cost is £8.182m. There are 3 elements to the financing costs for this scheme: interest, provision to repay debt and a technical impact on capital financing costs charged to the Housing Revenue Account (HRA).

Interest

10.8 Based on current long term rates available from the Public Works Loan Board (PWLB) the estimated cost of any borrowing is 4.5%. This equates to an initial annual cost of £360k. In later years this figure will reduce as the Council's provides for the repayment of debt as explained below.

Minimum Revenue Provision (MRP)

10.9 The Council is required to provide for the repayment of debt. This is known as the MRP. This used to be a statutory charge fixed charge of 4%. However, new guidance allows authorities to determine their own MRP policy which allows greater flexibility over how much is set aside for debt repayment and suggests different methods to make this assessment.

10.10 The intention is that the MRP policy will be based on providing for the repayment of debt over an estimated life of the asset. In this case it is reasonable to assume that a reasonable "life" for Rowan House or a similar building is 50 years. The estimated MRP payment which would start in 09/10 is therefore £164k pa.

Impact on HRA recharges

- 10.11 There is a statutory charge made between the General Fund and the Housing Revenue Account (“HRA”) in respect of borrowing. This is to reflect the fact that a proportion of borrowing costs are in respect of the housing stock. The charge to the HRA is based on the average rate of the council’s debt and the notional housing borrowing requirement (HRA Capital Financing Requirement – “HRA CFR”). Carrying out borrowing in respect of the Rowan House will reduce the average rate of our debt, because current rates are cheaper than our current average rate of debt. As the HRA CFR is unaffected by the Rowan House scheme it means that the charge to the HRA is reduced resulting in a cost pressure to the General Fund. This impact is estimated to up to £72k. The actual impact depends on the actual level and timing of borrowing for this scheme and also other decisions relating to the Council’s overall treasury management activities.

Summary Revenue Position

- 10.12 The following table sets out the summarised revenue position for the remainder of 08/09 and 09/10 to 11/12 based on the incremental impact of borrowing

	2008/09	2009/10	2010/11	2011/12
	£'000	£'000	£'000	£'000
Interest	108	353	345	338
MRP	0	164	164	164
Item 8 impact	10	72	72	72
Total Financing cost	118	589	581	574
Net income	-91	-301	-301	-301
Net cost	27	288	280	273
Budget	97*	322	322	322
Net saving	70	34	42	49

*Part year budget only

Summary Assessment

- 10.13 As illustrated the revenue impact of the proposal should deliver a one off saving in 08/09 and ongoing annual saving of at least £34k which will grow annually as provision for debt repayment is made. In addition to the proposal to purchase Rowan House protects the Council from future increases in rental costs as any increases should be matched by a similar increase in rental increases from Anglian Water. The Council’s borrowing costs are likely to be fixed and this provides greater certainty over costs.
- 10.14 An exercise has been undertaken to calculate the Net Present Value (NPV) over the next 15 years of renting the building or the cost involved in purchasing. The NPV is a way of expressing the cost over a period taking into account the value of money over a time period through using discounting. This shows, based on the full financial implications set out in this section that purchasing is the cheaper than renting option is to buy by circa £0.3m at today’s prices. If it was assumed that the current rental prices would have increased then the savings would be higher.
- 10.15 As outlined earlier the Council’s liability for repair costs remains the same as Anglian Waters liability stays the same.

10.16 The Prudential Code was introduced to enable local authorities to make decisions such as whether to rent or buy based on criteria such as affordability, prudence and sustainability as opposed to be restricted on whether there are revenue or capital resources. The budgetary implications of purchasing Rowan House show that there is a financial case for this proposal.

11. Equality, Diversity and Human Rights Implications

11.1 Rowan House is fully accessible.

12. Community Safety Implications

12.1 Not applicable.

13. Health and Safety Implications

13.1 Health and safety considerations need to be taken into account to ensure our staff have a safe working environment. These were considered when we moved into the building. There are no changes planned connected to the purchase of the building that impact on this.

14. Risk Management Implications

14.1 The financial situation depends on Anglian Water continuing to pay their rent until the end of their lease. If Anglian Water were to go into administration then this would be at risk. Given the nature of Anglian Water this is considered to be a very low risk. A rental guarantee is in place and transfers to the Landlord's successors, which mitigates this risk to an extent.

14.2 As Anglian Water has decided, at this point, not to buy themselves out of the lease, there are some risks to us, particularly around the flexibility of the building. Again, these are considered to be low level risks.

Background Papers

Portfolio Holder report September 2008 – Office Accommodation Strategy

Atisreal report – 21 November 2008 (Confidential)



Cabinet

3 December 2008

Item
10(ii)

Report of	Head of Resource Management	Author	Sean Plummer ☎ 282389
Title	Borrowing Limits and Prudential Indicators		
Wards affected	Not applicable		

This report proposes changes to the Council borrowing limits and other prudential indicators in respect of proposed changes to the capital programme

1. Decisions Required

- 1.1. Cabinet is requested to recommend to Council changes to the Council's prudential indicators in respect of:-
- (i) borrowing of £8.182m in respect of the proposed purchase of Rowan House
 - (ii) borrowing of £2m in respect of the firstsite:newsite project

2. Background

- 2.1. Two separate reports on this agenda set out proposals to make the following changes to the capital programme:-
- Inclusion of £8.182m in respect of the purchase of Rowan House
 - An addition of £2m funded by CBC in respect of the firstsite:newsite project subject to certain conditions.
- 2.2. Both proposals are made on the assumption that the capital cost will be funded through borrowing.

3. Prudential Framework

- 3.1. The Prudential Code regulations allow an individual authority to determine its own borrowing limit. This means local improvements can be funded from borrowing without Government consent - provided the debt can be afforded.
- 3.2. In considering its programme for capital investment, the Council is required within the Code to have regard to three overarching principles of:
- affordability, e.g. implications for Council Tax
 - prudence and sustainability, e.g. implications for external borrowing
- 3.3. In addition the Prudential Code places a greater emphasis on sound and robust treasury management arrangements and:-
- value for money
 - stewardship of assets,
 - service objectives,

- practicality,

3.4 The Code requires the Council to agree a number of prudential indicators which set out the limits to which the Council may borrow and the implications of borrowing. Prudential indicators may be revised during the year.

3.5 Appendix A sets out the revised prudential indicators based on the financial proposals set in respect of the two schemes. Changes have only been made for these proposals and no attempt has been made to make any further updates. The Council will next consider the prudential indicators as part of the budget report in February 2009.

3.6 The following explains the key issues relevant to the revised prudential indicators

Affordability

The key factors affecting affordability are:-

Area	Comment re Rowan House	Comment re FS:NS	Combined impact
Increase in level of capital expenditure	The capital programme will be increased by £8.182m.	The capital programme will be increased by £7.6m, although it is assumed of this £2m will be financed through borrowing.	The capital programme will be increased by £15.782m.
Financing Costs	The prudential indicator reflects the increase in financing costs (interest and MRP). The level of financing costs as a % of the budget increases, however the net rental income shown in the report has been identified to offset the increase in financing charges.	The level of financing costs as a % of the budget increases due to the additional borrowing costs.	In total financing costs will increase. However, in respect of Rowan House there is an increase in income.
Net Borrowing Requirement	The Council's borrowing requirement will increase by up to £8.182m	The Council's borrowing requirement will increase by up to £2m	The combined borrowing requirement would increase by £10.182m
Capital Financing Requirement	This reflects the level of the capital programme that has not already been financed through capital receipts, capital grants or other contributions. Similar comments are applicable as those in respect of the increasing level of capital programme.		

Incremental impact of decisions	The prudential indicator sets out the impact on Council Tax based on the revenue implications in the report on Rowan House. As such where it shows an impact on Council Tax of a saving of £1.19 in 2008/09 08 and an ongoing saving £0.58 in 2009/10. This does not mean that Council Tax will change by these amounts but is a way of expressing the revenue impact in terms of Band D Council Tax	This shows an impact on Council Tax of a cost of £1.09 in 2009/10. The impact will be higher in 2010/11 due to the on-going interest cost and costs of MRP. Again this does not mean that Council Tax will change by these amounts.	Combined impact in 08/09 of a saving of £1.19 and a net cost of £0.51 in 09/10.
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Prudence and Sustainability

The key factors affecting prudence are:-

Area	Comment re Rowan House	Comment re FS:NS	Combined impact
Authorised limit of debt and operational boundary *	Increase in limits of £9m (<i>this includes the standard 10% contingency. This is not a budgetary contingency</i>)	Increase in limits of £2.2m (<i>this includes the standard 10% contingency. This is not a budgetary contingency</i>)	Total increase in limits of £11.2m (<i>this includes the standard 10% contingency. This is not a budgetary contingency</i>)

** The limits are based on agreed levels of borrowing and the borrowing exposure set out in the report. The authorised limit does not mean that this will be the level of debt but reflects a level which could be afforded although may not be sustainable. All borrowing is carried out as part of the agreed treasury management policy, strategy and procedures.*

4. Financial implications

4.1 The separate reports on both projects fully set out the financial implications. This report sets out the impact on prudential borrowing indicators for each and summarises the combined impact should both be agreed.

5. Risk Management Implications

5.1 Individual risks of the proposed projects are set out within the reports. The information shown in this report on the impact of borrowing on the Council's

prudential indicators is designed to set out the relationship between the Council's borrowing plans and budgets.

6. Other Standard References

- 6.1 Having considered publicity, equality, diversity and human rights, community safety and health and safety implications, there are none that are significant to the matters in this report.

Prudential Indicators 2008/09 to 2010/11

The aims of the Prudential Code are to assist local authorities to ensure that:

- Capital expenditure plans are affordable
- All external borrowing is at a prudent and sustainable level
- Treasury management decisions are taken in accordance with good practice
- The authority is accountable in taking decisions by providing a clear and transparent framework.
- The framework is consistent with and supports local strategic and asset management planning and proper option appraisal.

The prudential indicators are designed to support and record decision making in relation to capital expenditure plans, external debt and treasury management. Estimating capital expenditure for the forthcoming financial year and the following two financial years is the starting point of the calculation of prudential indicators. The Council has made reasonable estimates of both HRA and non-HRA total capital expenditure.

Prudential indicators of affordability. The Prudential code specifies a range of indicators that inform whether the borrowing and resulting revenue costs of alternative levels of capital expenditure are affordable. These include the ratio of financing costs to net revenue stream and the incremental impact of capital investment decisions on the council tax and housing rents.

	Rowan House		Rowan House		FS:NS	Combined
	2008/09	2008/09	2009/10	2009/10	2009/10	2009/10
	Original Estimate	Revised Estimate	Original Estimate	Revised Estimate	Revised Estimate	Revised Estimate
	£'000	£'000	£'000	£'000	£'000	£'000
Capital expenditure						
Non-HRA	25,792	33,974	626	626	8,226	8,852
HRA	4,380	4,380	4,380	4,380	4,380	4,380
Total	30,172	38,354	5,006	5,006	12,606	13,232
Ratio of financing costs to net revenue stream						
Non-HRA	-2.84%	-2.33%	-2.13%	-0.5%	-1.85%	-0.23%
HRA	13.00%	12.96%	12.32%	12.03%	12.27%	11.98%
Net borrowing requirement						
B/fwd 1 April	32,500	32,500	32,500	40,682	32,500	40,682
C/fwd 31 March	32,500	40,682	32,500	40,682	34,500	42,682
In year borrowing requirement	0	8,182	0	0	2,000	2,000
Capital Financing Requirement as at 31 March						
Non-HRA	16,103	24,285	15,619	23,637	18,103	25,637
HRA	50,883	50,883	50,883	50,883	50,883	50,883
Total	66,986	75,168	66,502	74,520	68,986	76,520
Incremental impact of capital investment decisions (see note 1)						
Council Tax (Band D)		(£1.19)		(£0.58)	£1.09	£0.51
Housing Rents						

Note 1: The impact is an indicative figure and does not reflect actual Council Tax increases / decreases.

The Capital Financing Requirement (CFR) reflects the council's underlying need to borrow for a capital purpose, although this borrowing may not necessarily take place externally. It shows the amount of capital spending that has not yet been financed by capital receipts, capital grants or contributions from revenue income.

Prudential indicators of prudence have an emphasis on Treasury Management, and have the objective of ensuring that external debt is kept within sustainable limits. For a financial strategy to be prudent, medium term net borrowing should only be used for capital purposes. To ensure this is the case, the Net Borrowing Requirement should not, except in the short term, exceed the total CFR in the previous year plus the estimates of any additional capital financing requirement for the current and next two financial years.

	2008/09 Estimate £'000	Rowan House 2008/09 Revised Estimate £'000	2009/10 Estimate £'000	Rowan House 2009/10 Revised Estimate £'000	FS:NS 2009/10 Revised Estimate £'000	Combined 2009/10 Revised Estimate £'000
Authorised limit for external debt						
Borrowing	72,750	81,750	72,750	81,750	74,950	83,950
Other long term liabilities	5,000	5,000	5,000	5,000	5,000	5,000
Total	77,750	86,750	77,750	86,750	79,950	88,950
Operational boundary for external debt						
Borrowing	66,500	75,500	66,500	75,500	68,700	77,700
Other long term liabilities	3,000	3,000	3,000	3,000	3,000	3,000
Total	69,500	78,500	69,500	78,500	71,700	80,700

The level of external debt is a consequence of a treasury management decision about how much external borrowing to undertake. External borrowing arises as a consequence of all the Council's financial transactions. There are two indicators for external debt that encompass all borrowing whether for capital or revenue:

- The Authorised Limit
- The Operational Boundary

The Authorised Limit is the outer boundary of the Council's borrowing. It should reflect a level of borrowing which, while not desired, could be afforded but may not be sustainable. The capital plans to be considered for inclusion incorporate financing by both external borrowing and other forms of liability, such as credit arrangements. The Council must have regard to the Prudential Code when setting the limit, which essentially requires it to ensure that total capital investment remains within sustainable limits and, in particular, that the impact upon its future council tax and council rent levels is 'acceptable'.

The Operational Boundary differs from the authorised limit in that it is based on expectations of the maximum external debt of the Council according to probable events. Cash-flow variations may lead to the occasional breach of the operational boundary. It

therefore should allow a sufficient margin to allow time to take corrective action before the authorised limit is breached.

There is a need for integration between the Capital Programme and treasury management for the Council to be able to demonstrate the affordability of Capital projects. It should be demonstrated that capital projects have the necessary funding to proceed. Where capital receipts are not available, the Council should clearly show how much it intends to borrow, and that this is within the authorised limits for the year.



Cabinet

Item
11(i)

3 December 2008

Report of	Head of Corporate Management	Author	Richard Clifford  507832
Title	Calendar of Meetings 2009-2010		
Wards affected	Not applicable		

This report proposes a Calendar of Meetings for the 2009-2010 Municipal Year

1. Decision(s) Required

- 1.1 Cabinet is requested to approve the draft Calendar of Meetings for the next municipal year from May 2009 to April 2010.

2. Reasons for Decision

- 2.1 The Calendar of Meetings needs to be determined so that decisions for the year can be timetabled into the respective work programmes and the Forward Plan.
- 2.2 Advance notice of the Calendar of Meetings needs to be made available to external organisations, parish councils and other bodies with which the Council works in partnership and to those members of the public who may wish to attend meetings of the council and make representations.
- 2.3 The meeting rooms also need to be reserved as soon as possible so that room bookings can be made for private functions by private individuals, external organisations and internal Council groups.

3. Alternative Options

- 3.1 This proposal has been devised based on the current meeting structure and frequency. It would be possible to devise alternative proposals using different criteria.

4. Proposals

- 4.1 The attached draft Calendar of Meetings for 2009-10 is largely based on the current meeting structure and frequency of meetings. The following matters have also been taken into consideration:-

- The Municipal Year to begin with the Annual Meeting on 20 May 2009.
- Where possible there should no more than two evening meetings in any one week and no Cabinet meetings in the six weeks before the local elections in May 2010;
- To facilitate the hearing of call ins, a Strategic Overview and Scrutiny Panel meeting to follow after a Cabinet meeting and to alternate with meetings of the Finance and Audit Scrutiny Panel;
- Eight member training days between July 2009 and March 2010;

- Political group meetings on Mondays prior to Council and Cabinet.

4.2 The Calendar of Meetings 2009-10 comprises:-

- Council – the Annual Meeting plus five Council meetings. An additional Council meeting has been scheduled for March 2010. This will give an opportunity for a discussion of issues of importance, the exact nature of which will be determined nearer the time. Council meetings are scheduled for Wednesdays, with the exception of the December meeting, which is scheduled for a Thursday to avoid the difficulties caused by the clash with late night shopping that would ensue if the meeting were held on Wednesday. The dates are timed to facilitate approval of the budget, setting the parish precept and the council tax in February 2010.
- Cabinet – seven meetings on Wednesdays. The dates are timed to facilitate budget planning leading to a recommendation to Council to approve the budget and the level of council tax to be set.
- Strategic Overview and Scrutiny Panel – nine meetings on Tuesdays.
- Finance and Audit Scrutiny Panel – nine meetings on Tuesdays.
- Accounts and Regulatory Committee – four meetings on Tuesdays held immediately after Finance and Audit Scrutiny Panel meetings. The dates are timed to facilitate the approval of the draft Annual Statement of Accounts, auditors report and annual audit letter.
- Policy Review Panel – six meetings on Mondays.
- Planning Committee – twenty four meetings on Thursdays. The Planning Committee will review in April 2009 whether it is necessary to maintain a two weekly meeting cycle or whether it is possible to move to a slightly less frequent meeting cycle.
- Local Development Framework Committee – six meetings on Mondays except the meeting on 26 August 2009 which has been scheduled for a Wednesday. These meetings have been scheduled to enable the key milestones in the Local Development Framework to be met.
- Licensing Committee – six meetings on Wednesdays to hear public entertainment licences and hackney carriage appeals.
- Local Highway Panel – four meetings on Mondays.
- Standards Committee – four daytime meetings on Fridays.
- Licensing/Standards Sub-Committee Hearings – Meetings for sub-committee hearings of the Licensing Committee have been scheduled for the majority of Fridays, to be held during the day. Meetings have not been scheduled in the weeks of Opening of the Oyster Fishery and the Oyster Feast. Also a number of weeks have been left free to enable commercial bookings to be taken. Standards Sub-Committee hearings have been scheduled on a monthly basis. It is not anticipated that a sub-committee meeting will be held on each of the dates scheduled but it is necessary to have the flexibility for meetings to be called at short notice.

- Occasionally it proves necessary to schedule additional meetings of Committee and Panels at short notice. Six “reserve” dates have been included in the Calendar where meeting rooms will be booked. This will facilitate the scheduling of additional/urgent meetings. These meeting dates will not be used unless needed.
- The following Civic events have also been included for completeness:

May Ball 1 May 2009

Civic Service 31 May 2009

Opening of the Oyster Fishery 4 September 2009

Oyster Feast 30 October 2009

Remembrance Sunday 8 November 2009

5. Financial implications

- 5.1 In general terms the costs are those associated with the meetings process such as the number of panels/committee, hallkeeping charges, agenda printing costs and members travelling allowances. The costs are covered by existing budgets.

6. Consultation

- 6.1 Consultation has been undertaken with the Mayor, the Deputy Mayor, Executive Management Team and Heads of Service.

7. Publicity Implications

- 7.1 The dates of council meetings are published on the Council’s website. They are also distributed to parish council and advertised at Council offices and libraries throughout the borough.

8. Standard References

- 8.1 It is considered that there are no direct Strategic Plan references, equality, diversity and human rights, community safety, health and safety and risk management implications raised by this report.

2009

		May		June		July		August
Mon			1					
Tue			2					
Wed			3	Licensing Committee	1	Cabinet		
Thu			4	Essex County Council and European Elections	2			
Fri	1	May Ball	5		3	¹ Licensing Sub-Ctte Hearing		
Sat	2		6		4		1	
Sun	3		7		5		2	
Mon	4		8		6	Groups	3	
Tue	5		9	Strategic Overview and Scrutiny Panel	7		4	Reserve meeting date
Wed	6		10		8	Council	5	
Thu	7		11	Planning Committee	9	Planning Committee	6	Planning Committee
Fri	8		12	¹ Licensing Sub-Ctte Hearing	10	¹ Licensing Sub-Ctte Hearing	7	¹ Licensing Sub-Ctte Hearing
Sat	9		13		11		8	
Sun	10		14		12		9	
Mon	11		15	Policy Review Panel	13		10	Policy Review Panel
Tue	12		16		14	Strategic Overview and Scrutiny Panel	11	
Wed	13		17		15		12	
Thu	14		18		16		13	
Fri	15		19	¹ Licensing/Standards Sub-Ctte Hearings	17		14	¹ Licensing Sub-Ctte Hearing
Sat	16		20		18		15	
Sun	17		21		19		16	
Mon	18		22	Local Development Framework Committee	20	Local Highway Panel	17	
Tue	19		23	Reserve meeting date	21	Training	18	Finance and Audit Scrutiny Panel
Wed	20	Annual Meeting	24		22		19	
Thu	21	Planning Committee	25	Planning Committee	23	Planning Committee	20	Planning Committee
Fri	22	¹ Licensing/Standards Sub-Ctte Hearings	26		24	¹ Licensing Sub-Ctte Hearing	21	¹ Licensing/Standards Sub-Ctte Hearings
Sat	23		27		25		22	
Sun	24		28		26		23	
Mon	25		29	Groups	27		24	Strategic Overview and Scrutiny Panel
Tue	26	Groups	30	Finance & Audit Scrutiny Panel/Acc and Reg Ctte	28	Finance and Audit Scrutiny Panel	25	Training
Wed	27	Cabinet			29	Licensing Committee	26	Local Development Framework Committee
Thu	28				30		27	
Fri	29	Standards Committee (daytime meeting)			31	¹ Licensing/Standards Sub-Ctte Hearings	28	
Sat	30						29	
Sun	31	Civic Service					30	
Mon							31	
Tue								

¹ Daytime meeting

Light shading = Essex school holidays

2009

		September		October		November		December
Mon								
Tue	1						1	
Wed	2						2	Cabinet
Thu	3	Planning Committee	1	Planning Committee			3	Planning Committee
Fri	4	Opening of the Oyster Fishery	2				4	¹ Licensing Sub-Ctte Hearing
Sat	5		3				5	
Sun	6		4		1		6	
Mon	7	Groups	5		2		7	Groups
Tue	8		6	Training	3	Strategic Overview and Scrutiny Panel	8	Training
Wed	9	Cabinet	7	Licensing Committee	4		9	
Thu	10		8		5	Planning Committee	10	Council
Fri	11	Standards Committee (daytime)	9	¹ Licensing Sub-Ctte Hearing	6	¹ Licensing Sub-Ctte Hearing	11	
Sat	12		10		7		12	
Sun	13		11		8	Remembrance Sunday	13	
Mon	14	Local Highway Panel	12	Groups	9	Policy Review Panel	14	Local Development Framework Panel
Tue	15	Training	13		10	Training	15	Strategic Overview and Scrutiny Panel
Wed	16		14	Council	11		16	
Thu	17	Planning Committee	15	Planning Committee	12		17	Planning Committee
Fri	18	¹ Licensing Sub-Ctte Hearing	16	¹ Licensing Sub-Ctte Hearing	13		18	¹ Licensing/Standards Sub-Ctte Hearings
Sat	19		17		14		19	
Sun	20		18		15		20	
Mon	21	Policy Review Panel	19	Groups	16		21	
Tue	22	Finance & Audit Scrutiny Panel/Acc and Reg Ctte	20	Finance & Audit Scrutiny Panel/Acc and Reg Ctte	17	Finance and Audit Scrutiny Panel	22	
Wed	23	Reserve meeting date	21	Cabinet	18		23	
Thu	24		22		19	Planning Committee	24	
Fri	25	¹ Licensing/Standards Sub-Ctte Hearings	23	¹ Licensing/Standards Sub-Ctte Hearings	20	¹ Licensing/Standards Sub-Ctte Hearing	25	Christmas Day
Sat	26		24		21		26	Boxing Day
Sun	27		25		22		27	
Mon	28	Local Development Framework Committee	26		23	Local Highway Panel	28	
Tue	29	Strategic Overview and Scrutiny Panel	27		24	Reserve meeting date	29	
Wed	30		28		25	Licensing Committee	30	
Thu			29		26		31	
Fri			30	Oyster Feast	27	Standards Ctte (daytime)		
Sat			31		28			
Sun					29			
Mon					30	Groups		
Tue								

¹Daytime meeting Light shading = Essex school holiday; Party conferences: Lib Dems 16-23 Sept; Cons 5-8 Oct; Lab 26-30 Sept

2010

		January		February		March		April
Mon			1	Local Development Framework Committee	1	Policy Review Panel		
Tue			2		2	Training		
Wed			3		3			
Thu			4	Planning Committee	4	Planning Committee	1	Planning Committee
Fri	1		5	*Licensing Sub-Ctte Hearing	5	Standards Committee (daytime)	2	Good Friday
Sat	2		6		6		3	
Sun	3		7		7		4	
Mon	4		8		8	Local Highway Panel	5	Easter Monday
Tue	5	Strategic Overview and Scrutiny Panel	9	Strategic Overview and Scrutiny Panel	9	Reserve meeting date	6	
Wed	6		10		10	Licensing Committee	7	
Thu	7	Planning Committee	11		11		8	
Fri	8	*Licensing Sub-Ctte Hearing	12	*Licensing Sub-Ctte Hearing	12		9	*Licensing Sub-Ctte Hearings
Sat	9		13		13		10	
Sun	10		14		14		11	
Mon	11	Policy Review Panel	15	Groups	15	Groups	12	
Tue	12	Reserve meeting date	16		16		13	
Wed	13	Licensing Committee	17	Council	17	Cabinet	14	
Thu	14		18	Planning Committee	18	Planning Committee	15	Planning Committee
Fri	15	*Licensing Sub-Ctte Hearing	19		19	*Licensing Sub-Ctte Hearing	16	
Sat	16		20		20		17	
Sun	17		21		21		18	
Mon	18		22		22	Groups	19	
Tue	19	Finance and Audit Scrutiny Panel	23	Finance & Audit Scrutiny Panel/Acc and Reg Ctte	23	Finance and Audit Scrutiny Panel	20	
Wed	20		24		24	Council	21	
Thu	21	Planning Committee	25		25		22	
Fri	22		26	*Licensing/Standards Sub-Ctte Hearings	26	*Licensing/Standards Sub-Ctte Hearings	23	*Licensing Sub-Ctte Hearing
Sat	23		27		27		24	
Sun	24		28		28		25	
Mon	25	Groups			29	Local Development Framework Committee	26	
Tue	26	Training			30	Strategic Overview and Scrutiny Panel	27	
Wed	27	Cabinet			31		28	
Thu	28						29	Planning Committee
Fri	29	*Licensing/Standards Sub-Ctte Hearings					30	*Licensing/Standards Sub-Ctte Hearings
Sat	30							
Sun	31							
Mon								
Tue								

* Daytime meeting; Light shading = Essex school holidays

2010

		May
Mon		
Tue		
Wed		
Thu		
Fri		
Sat	1	
Sun	2	
Mon	3	
Tue	4	
Wed	5	
Thu	6	Borough Council Elections
Fri	7	
Sat	8	
Sun	9	
Mon	10	
Tue	11	
Wed	12	
Thu	13	
Fri	14	
Sat	15	
Sun	16	
Mon	17	
Tue	18	
Wed	19	Annual Meeting
Thu	20	
Fri	21	
Sat	22	
Sun	23	
Mon	24	
Tue	25	
Wed	26	
Thu	27	
Fri	28	
Sat	29	
Sun	30	
Mon	31	

¹ Daytime meeting

Light shading = Essex school holidays

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Council, 8 October 2008	Jim Watson	Collection of waste and recyclable material	Oral response provided at the meeting by the Portfolio Holder for Street and Waste Services and further response sent by e-mail.	21 October 2008
Council, 8 October 2008	Ronessa Knock	Support for the arts in Colchester	Oral response provided at the meeting by the Portfolio Holder for Culture, Tourism and Leisure and written response sent by Portfolio Holder for Culture, Tourism and Leisure on 24 November 2008.	24 November 2008
Council, 8 October 2008	Nick Chilvers	Communication from the Council	Written response sent by the Portfolio Holder for Communications and Customers on 12 November 2008.	12 November 2008

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Council, 8 October 2008	Paula Whitney	Nuclear power and waste issues	Written response sent by the Leader of the Council and Portfolio Holder for Strategy on 24 October 2008.	24 October 2008
Council, 8 October 2008	Andy Hamilton	Approval of the Council's Accounts	Written response sent by the Leader of the Council and Portfolio Holder for Strategy on 24 October 2008.	24 October 2008
Cabinet, 22 October 2008	Mr McKinney	Opening of an amusement arcade in Colchester town centre, charity shops, car parks and crime	Oral response provided at the meeting by the Leader of the Council and Portfolio Holder for Strategy and the Portfolio Holder for Resources and Business. Written response sent by the Leader of the Council on 3 November 2008.	3 November 2008
Cabinet, 22 October 2008	Andy Hamilton	Council investments overseas and the provision of information to the public	Oral response provided at the meeting by the Leader of the Council and Portfolio Holder for Strategy. Written response sent by the Leader of the Council on 3 November 2008.	3 November 2008

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 22 October 2008	Paula Whitney	The importance of public transport in carbon management	Written response sent by the Leader of the Council on 3 November 2008.	3 November 2008