

# Cabinet Meeting

**Grand Jury Room, Town Hall, High Street,  
Colchester, CO1 1PJ  
Wednesday, 11 October 2017 at 18:00**

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

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**COLCHESTER BOROUGH COUNCIL**  
**Cabinet**  
**Wednesday, 11 October 2017 at 18:00**

**The Cabinet Members are:**

Leader and Chairman      Councillor Paul Smith (Liberal Democrats)  
                                    Councillor Tina Bourne (Labour)  
                                    Councillor Mark Cory (Liberal Democrats)  
                                    Councillor Annie Feltham (Liberal Democrats)  
                                    Councillor Mike Lilley (Labour)  
                                    Councillor Beverley Oxford (The Highwoods Group)  
                                    Councillor Jessica Scott-Boutell (Liberal Democrats)  
                                    Councillor Tim Young (Labour)

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

**Please note that Agenda items 1 to 5 are normally dealt with briefly.**

**1      Welcome and Announcements**

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

**2      Urgent Items**

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

**3      Declarations of Interest**

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

**4      Minutes of Previous Meeting**

The Councillors will be invited to confirm that the minutes are a correct record of the meeting held on 9 August 2017.

**Minutes 06-09-17**

7 - 14

**5 Have Your Say!**

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

**6 Decisions reviewed by the Scrutiny Panel**

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

**7 Business and Culture**

**7(i) Planning for the Right Homes in the Right Places:  
Consultation Responses**

15 - 28

See report by the Assistant Director, Policy and Corporate

**8 Strategy/Resources**

**8(i) 2018/19 Revenue Budget**

29 - 40

See report by the Assistant Director, Policy and Corporate

**9 Housing and Communities**

**9(i) Disposal of Maytree Court**

41 - 44

See report by the Assistant Director, Policy and Corporate

**9(ii) Disposal of Gothic House**

45 - 54

See report by the Assistant Director, Policy and Corporate

**10 General**

**10(i) Calendar of Meetings 2018-19**

55 - 62

See report by the Assistant Director, Policy and Corporate

10(ii) **Progress of Responses to the Public**

63 - 64

To note the contents of the progress sheet

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

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

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

12 **Housing and Communities (Part B)**

12(i) **Disposal of Maytree Court (Part B)**

See report by the Assistant Director, Policy and Corporate

12(ii) **Disposal of Gothic House (Part B)**

See report by the Assistant Director, Policy and Corporate



<p style="text-align: center;"><b>CABINET</b> <b>6 September 2017</b></p>
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*Present:* - Councillor Smith (Chairman)  
Councillors Cory, Feltham, Lilley, B. Oxford, J. Scott-Boutell and T. Young

*Also in attendance:* - Councillors Fox, Graham, Lissimore, G. Oxford, Scordis and Willetts.

#### **195. Minutes**

*RESOLVED* that the minutes of the meeting held on 9 August 2017 be confirmed as a correct record.

#### **196. Chris Payne**

Cabinet paid tribute to Council employee, Chris Payne, for his actions in helping rescue a member of the public from a house fire. Cabinet offered their thanks on behalf of the whole Council for his brave and selfless action.

**Councillor Smith (in respect of being a Director of North Essex Garden Communities Ltd) and Councillor T. Young (in respect of being a Reserve Director for North Essex Garden Communities Ltd) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

#### **197. North Essex Garden Communities – Progress to Date and Key Developments**

The Strategic Director, Policy and Place, submitted a report a copy of which had been circulated to each Member.

Rosie Pearson of CAUSE addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). Cabinet was being asked to approve a further contribution of £250,000 to fund the project, however this was not the best use of New Homes Bonus. Although £3 million had been spent on the project to date there was little to show for it. There was no consensus and considerable public concern as was reflected in local media. There was no accountability and no attempt to listen to the concerns of local people. The project had nothing to do with providing affordable houses for local people, but would cater for London overspill. The Independent Directors had not yet been appointed to the Board as promised. A Development Corporation would be an expensive diversion. Whilst stronger CPO powers were requested, she queried whether the Councils had the funds to exercise those powers. Whilst the appointment of a Director to North Essex Garden

Communities was to be welcomed, this appeared to be a political role managing relationships with stakeholders, rather than about managing the detailed work of the project. Cabinet should take stock and heed the warning of Lord Taylor about the complexities of the West Tey site. Both Lord Taylor and Lord Kerslake stressed the need for ensuring the location of the site was right: a community in the wrong location would not work. No further work should be undertaken until the Planning Inspector had considered the Local Plan.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, responded and stressed that garden communities were the only way of delivering affordable rental properties for local people. A new approach to development was required that would provide the necessary infrastructure to support housing development. There was general support for the concept of garden communities, although it was accepted that individual site were unpopular with some of those who lived near them.

John Akker addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to ask whether the directors of North Essex Garden Communities Ltd had been indemnified by the Council against any claims that may arise. In addition he asked whether the Cabinet had assessed the reputational damage that may arise from the Local Plan, especially in respect of the concerns expressed about the ability of Colchester Hospital to cope with the population growth that would result.

Councillor Smith, responded and explained that it would be for North Essex Garden Communities Ltd to provide insurance for the directors, rather than the individual councils. Whilst the comments of the hospital about garden communities were noted, the Local Plan required 920 new homes per year. Even if garden communities were not proceeded with, this requirement would remain. Whilst it was the responsibility of central government to ensure that health services matched population growth, garden communities would help with the provision of health services through the provision of affordable housing for employees and through the planned delivery of health facilities within the communities.

Councillor T. Young, Portfolio Holder for Business and Culture, also responded and stressed that decisions on the Local Plan were delegated to the Local Plan Committee. The Local Plan would referred to Full Council in due course for adoption. The Council had recently met with partners responsible for delivering health services in the borough and many of their concerns had been alleviated.

Councillor Willetts attended and with the consent of the Chairman addressed the Cabinet. It was essential that regular reports be submitted on processes and progress of the project. It was important that all future reports on the project dealt specifically with the impact on Colchester town centre and on local health services. The ease of access to the West Tey garden community would draw shoppers and business away from Colchester town centre, which was already in slow decline, and reports needed to look at how this impact could be addressed. The approach to the provision of health services to cope with the increased population needed to be made clear.

Councillor Graham attended and with the consent of the Chairman, addressed the Cabinet. He believed that the hospital trust was right to be concerned by the rise in housing provision, as it was currently in special measures and was struggling to cope. He was pleased to note that the Council had met with stakeholders to reassure them. He



invited the Leader of the Council to set out what, if anything, the Council could do to address these issues. Would Cabinet consider writing the Secretaries of State for health and Local Government to explain the situation and ask them to ensure provision of health services kept pace with housing targets?

Councillor Smith, explained that regular member briefings would be provided to keep members informed of progress on the project. Tendring, Braintree and Essex Councils were all fully committed to the project and working well together with Colchester. Responsibility for health services lay with the Secretary of State for Health. Councillor T. Young explained that central government decisions on the provision of health and social care also had a major impact on the provision of health services and the ability of Colchester hospital to provide acute care for residents of the borough.

Councillor Smith introduced the report and stressed that the previous method of developer led development had led to considerable problems such as developers not delivering on their responsibilities and on section 106 obligations, planning decisions being overturned and infrastructure being delivered late. Garden communities would provide a new approach which would allow communities to benefit. Compulsory purchase powers would allow a planned approach with infrastructure being delivered alongside housing development. Councillor T. Young, Councillor Feltham, Portfolio Holder for Commercial Services, Councillor Cory, Portfolio Holder for Resources, and Councillor B. Oxford, Portfolio Holder for Customers, all expressed their support for garden communities and the proposals in the report. It was stressed that garden communities were being built to benefit local communities and not to cater for London overspill. The social housing would be managed by local social housing providers whose nomination rights would prioritise local residents. The concerns of local residents were understood. However, garden communities provided local accountability through Councillor involvement on their boards. They were much more sensitive to the views of local residents than a private developer.

**RESOLVED** that Cabinet:-

- (a) Notes the progress made in respect of the North Essex Garden Communities project and to endorse the work of North Essex Garden Communities Ltd.
- (b) Notes the updated position on the control of land and supports the continued work by the Local Delivery Vehicle (LDV) Directors to achieve control of the land for each Community by way of voluntary agreements with the current land owners in accordance with the LDV structure.
- (c) Supports the approach proposed by NEGC Limited that Directors actively engage with Government to promote the positioning of the NEGC Limited as a “Responsible Body” for the establishment of a single new locally-controlled Development Corporation across all three of the proposed North Essex Garden Communities, subject to final consideration of this approach by Members after the publication of the Regulations.
- (d) Supports the signing of a letter (attached as Appendix A to the Strategic Director’s report) to be sent by the Leaders of all four of the Councils together with NEGC Limited to the relevant Secretary of State to support the promotion of regulations which enable the formation of a New Town Development Corporation with a locally accountable body in a timely and effective way.

(e) Notes that detailed work is being undertaken by NEGC Limited to assess the financial and legal implications and requirements relating to the use of Compulsory Purchase Orders (CPO) to enable future decisions to be taken by the respective Councils / Development Corporation.

(f) Supports the principle of using compulsory purchase powers (either as individual Councils or potentially through a new Development Corporation) to secure control of the land if voluntary land agreements cannot be achieved in a reasonable time.

(g) Agrees to provide a further contribution of £250,000 to fund the work of North Essex Garden Communities Limited in the development of the project funded from the New Homes Bonus as set out in paragraph 5.15 of the Strategic Director's report.

### *REASONS*

The reasons for the decisions were set out in detail in the Strategic Director's report.

### *ALTERNATIVE OPTIONS*

No alternative options were proposed.

## **198. Hythe Development Proposals**

The Strategic Director, Policy and Place, submitted a report a copy of which had been circulated to each Member.

Councillor Scordis attended and with the consent of the Chairman, addressed the Cabinet. The proposed scheme by the Legacy Foundation would be of real benefit to the area and help unlock the regeneration of the Hythe. However, flooding issues in the area needed to be resolved before the project could be supported. Essex County Council's recent statement that there were no drainage problems in the area was not accepted and a solution needed to be found as local businesses were suffering as a consequence. Pressure also needed to be put on Abellio Greater Anglia to provide more services through Hythe Station.

Councillor Fox attended and with the consent of the Chairman, addressed the Cabinet to echo and endorse Councillor Scordis' comments. The Hythe had suffered from poor planning in the past and lacked a centre to the community. Flooding and congestion issues needed to be addressed. The development would bring considerable benefits to the Hythe, in particular the sporting facilities, and local communities, businesses and the University needed to be engaged in bringing the scheme forward.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, responded and agreed that the flooding issues needed to be addressed as a priority.

Councillor Feltham, Portfolio Holder for Commercial Services, introduced the report. Whilst the redevelopment of the Hythe was to be welcomed, it needed to be borne in mind that this was a very challenging project. The site that the Legacy Foundation was interested in was a heavily contaminated brownfield site. The proposals were welcomed

and Cabinet had been impressed by the Legacy Foundation, but further work and funding from the Housing Infrastructure Fund was necessary in order to see whether the scheme would be viable.

Councillor T. Young, Portfolio Holder for Business and Culture, and Councillor Lilley, Portfolio Holder for Public Safety and Licensing, expressed their support for the proposals by the Legacy Foundation, and the ethical and benevolent intentions of the Foundation were welcomed. However, there were real risks to the project which needed to be investigated further. Flooding in the Hythe was an issue that needed to be addressed irrespective of this project and it would be unfair to saddle this project with the costs of remedial action.

*RESOLVED* that:-

- (a) The proposed scheme at the Hythe be supported in principle and further work be carried out to develop a full business case which will be brought back to Cabinet by the end of the year.
- (b) A bid be submitted to the Housing Infrastructure Fund (HIF) to support the regeneration of this significant brownfield area at the Hythe.
- (c) The Council continue, and expand into detailed negotiations with the Legacy Foundation on the proposed scheme for the area.

## *REASONS*

To enable a bid to be submitted to the HIF that could provide infrastructure funding to unlock the significant regeneration of a substantial brown field area at the Hythe.

To provide in principle support for an exciting opportunity that offers innovative benefits to the community, including sporting facilities, new homes and community services

To promote investment activity in the Hythe area especially on the river front, this project could act as a catalyst for further regeneration in the area.

## *ALTERNATIVE OPTIONS*

The Council could choose not to support this opportunity however the current proposed regeneration benefits would be lost as well as the potential to bid for significant funding to support the scheme which will address market failure and infrastructure improvements.

The Council could develop the site itself however this carries a high degree of risk as the site is particularly constrained, the Council would be taking all of the development and infrastructure risk on a large scale project.

## **199. Year End Performance Report Including Progress on Strategic Plan Action Plan**

The Assistant Director Policy and Corporate submitted a report a copy of which had been

circulated to each Member together with minute 123 of the Scrutiny Panel meeting on 18 July 2017.

*RESOLVED* that:-

- (a) The progress update of the Strategic Plan Action Plan for the year ending 31 March 2017 be noted.
- (b) The performance update on the Council's key performance measures for the year ending 31 March 2017 be noted.
- (c) The recent awards and accreditations received by the Council be noted.

#### *REASONS*

The Council had agreed a number of key performance areas which are used as part of its Performance Management Framework to help monitor progress and improvement. The Assistant Chief Executive's report provides an update of our indicators along with a half-yearly review of progress against our Strategic Plan Action Plan.

#### *ALTERNATIVE OPTIONS*

No alternative options were proposed.

### **200. 2016/17 Year End Review of Risk Management**

The Assistant Director Policy and Corporate, submitted a report a copy of which had been circulated to each Member together with minute 65 of the Governance and Audit Committee meeting of 25 July 2017.

*RESOLVED* that:-

- (a) The risk management work undertaken during 2016/17 be noted.
- (b) The current strategic risk register be noted.
- (c) The proposed Risk Management Strategy for 2017/18 be approved.

*RECOMMENDED TO COUNCIL* that it the Risk Management Strategy 2017/18 be included in the Council's Policy Framework.

#### *REASONS*

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

During the year progress reports are presented to the Governance and Audit Committee detailing work undertaken and current issues. This report was presented to the

Governance and Audit Committee on 25 July 2017, where they approved its referral to this meeting.

The Risk Management Strategy is one of the key corporate governance documents that supports the Constitution of the Council and forms part of the Policy Framework. Accordingly any amendments have to be approved by Full Council.

#### *ALTERNATIVE OPTIONS*

No alternative options were proposed.

### **201. Local Government and Social Care Ombudsman – Annual Review Letter 2016/17**

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

Councillor B. Oxford, Portfolio Holder for Customers, introduced the report and highlighted that the number of complaints made to the Ombudsman had reduced to 16, from 25 in 2015/16. There had been no findings of maladministration and only three complaints had been subject to a detailed investigation. Only one had been upheld and this needed to be seen in the context of over 250,000 direct customer contacts in 2016/17.

*RESOLVED* that the contents of the Local Government and Social Care Ombudsman's Annual Review Letter for 2016/2017 be noted.

#### *REASONS*

To inform the Cabinet of the number of complaints received by the Local Government and Social Care Ombudsman relating to Colchester Borough Council during 2016/17.

#### *ALTERNATIVE OPTIONS*

No alternative options were proposed.

### **202. Progress of Responses to the Public**

The Assistant Director, Policy and Corporate submitted a progress sheet a copy of which had been circulated to each Member.

*RESOLVED* that the contents of the Progress Sheet be noted.

#### *REASONS*

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

#### *ALTERNATIVE OPTIONS*

No alternative options were presented to the Cabinet.

**The Cabinet resolved under Section 100A(4) of the Local Government Act 1972 and the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 to exclude the public from the meeting for the following item as it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.**

**203. Minutes**

*RESOLVED* that the not for publication extract from the minutes of the meeting held on 9 August 2017 be confirmed as a correct record.

<b>Report of</b>	<b>Assistant Director Policy &amp; Corporate</b>	<b>Author</b>	<b>Karen Syrett</b>
			☎ 506477
<b>Title</b>	<b>Planning for the right homes in the right places: consultation proposals</b>		
<b>Wards affected</b>	Not applicable		

**This report concerns the publication of a consultation document which sets out a number of proposals to reform the planning system to increase the supply of new homes and ‘increase local authority capacity to manage growth.’**

## **1. Decision(s) Required**

- 1.1 Cabinet are asked to consider the content of the Consultation Paper and agree a response to be submitted to the Department of Communities and Local Government.
- 1.2 The agreed response will be subject to change following discussion at Local Plan Committee on the 6<sup>th</sup> November. Any changes will be signed off by the Portfolio Holder for Business and Culture prior to submission.

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

- 2.1 The consultation provides an opportunity for the Council to comment on emerging national policy. There are significant implications for the Council if implemented, not least the uplift in housing need targets.

## **3. Alternative Options**

- 3.1 Not to respond to the consultation.

## **4. Supporting Information**

- 4.1 Earlier this year the Government published ‘Fixing our Broken Housing Market’ (the Housing White Paper). This set out proposals to tackle the housing crisis and reforms to planning to help achieve these objectives. The White Paper also said there would be further consultation on specific issues and in mid-September, the government set out its proposals to address housing need. There are nine key elements to the current consultation which are summarised below. Those with more significance for Colchester are then dealt with in more detail;

1. The consultation document sets out the government’s proposals to simplify the process for assessing local housing need using a standard methodology. The new methodology would use household growth projections as the baseline for local housing need, before adding a multiplier for less affordable areas (defined as those in which house prices are more than four times average earnings). The proposed model also includes a cap designed to limit the level of any increase. The proposed formula would mean that local housing need figures would rise by an average of 35 per cent

in more than 150 local authority areas. In Colchester the annual housing target would rise from 920 units to 1095 – an increase of 19.02%.

2. The consultation proposes that the new standardised method would apply "immediately" from 31 March 2018 where plans are more than five years old, or if new plans have not been submitted to the secretary of state on or before that date. If a local plan is submitted before this date, or is at examination, then authorities can continue with their current approach. Plans adopted in the last five years should use the standardised method when next reviewing or updating the plan. It is intended to submit the Colchester Local Plan later this month so the current figure of 920 units a year would apply if this submission date is achieved.
3. The consultation document sets out the government's ambition to publish a revised National Planning Policy Framework (NPPF) in Spring 2018. "This will ensure that we not only plan for the right homes in the right places, but that we turn existing and future planning permissions quickly into homes through reforms such as the Housing Delivery Test," the document says.
4. There is a move to strengthen cross-boundary planning and Councils will have to produce a "statement of common ground" with neighbouring authorities within 12 months of the publication of the government's changes to the NPPF in order to "improve how local authorities work together to meet housing and other needs across boundaries". According to the document, the government intends to set out in the revised NPPF "that all local planning authorities should produce a statement of common ground" which should set out the cross-boundary matters, including the housing need for the area, distribution and proposals for meeting any shortfalls".
5. The consultation contains proposals intended to make viability assessments "simpler, quicker and more transparent", using a standardised methodology. National policy will change to make clear that applications that meet viability requirements set out in local planning policies "should be assumed to be viable". The document says that the government proposes to make clear in the NPPF that where policy requirements "have been tested for their viability, the issue should not usually need to be tested again at the planning application stage".
6. Councils with up-to-date local plans could be expected to provide neighbourhood planning groups with a housing need figure for their plan areas, while councils without an up-to-date local plan could use a "simple formula-based approach" to supply such a figure, the consultation document proposes. It proposes to make clear in planning guidance that authorities may provide specific housing need data for neighbourhood plan areas "by making a reasoned judgement based on the settlement strategy and housing allocations in their plan, so long as the local plan provides a sufficiently up-to-date basis to do so". It adds that, where a local plan is out-of-date, the government is to set out in guidance "a simple formula-based approach which apportions the overall housing need figure for the relevant local authority area/s, based on the latest figures calculated under the new standard approach ... to the neighbourhood planning area". In Colchester a similar approach has already been used to agree housing numbers for neighbourhood plans in a number of areas.
7. The consultation says that the government intends to bring forward regulations to enable authorities to increase planning application fees by 20% "at the earliest opportunity". The consultation also seeks views on the "most appropriate criteria" to be applied to enable a proposed additional 20% planning fee increase for authorities who are delivering the homes their communities need. This proposal restates the commitment made in the White Paper which was due to be introduced in July 2017 but subsequently postponed.
8. The government proposes to amend national planning policy so that local planning authorities "should set out in their plans how they will monitor, report on and publicise funding secured through section 106 agreements, ..." According to the consultation, while there is a requirement to record each section 106 agreement on the planning register, there is no legal requirement for local planning authorities to publish



summary data from those agreements, or to monitor and report on whether these benefits have been received and spent.

9. The government published alongside the consultation a document listing areas of greatest housing need. The publication of the document follows a commitment in the February housing white paper to register the ownership of all publicly held land in the areas of greatest housing need by 2020, with the rest to follow by 2025. The consultation document says: "This information can be taken into account alongside other considerations, including land constraints, to assist plan makers in finding sites suitable for housing development." Colchester is not listed but Tendring and Maldon are.

#### 4.2 Assessing Housing Need

The Government are seeking to simplify the process for assessing housing need. The proposals envisage a three-stage calculation, which uses the official projections of household growth for a local authority as a baseline (provided by the Office for National Statistics). The most recent official projections should be used, with the household growth calculated for the period over which the plan is being made. The Government proposes that the demographic baseline should be the annual average household growth over a 10 year period. Given the Government's expectation that plans are reviewed every five years, using average household growth over this period will ensure effective planning over the preparation and duration of the plan. Household projections should therefore be regarded as the minimum local housing need figure.

- 4.3 That figure is then adjusted according to local housing affordability. It is considered that median affordability ratios, published by the Office for National Statistics (ONS) at a local authority level, provide the best basis for adjusting household projections. The affordability ratios compare median house prices (based on all houses sold on the open market in a given year in a local authority) to median earnings (based on full-time earnings for those working in the LA area). It is proposed that as the next step in the standard method, plan makers should use the workplace-based median house price to median earnings ratio from the most recent year for which data is available.

- 4.4 As the Housing White Paper noted, England needs net additions in the region of 225,000 to 275,000 units per year. To get a total housing need close to this figure, the modelling proposes that each 1 per cent increase in the ratio of house prices to earnings above four results in a quarter of a per cent increase in need above projected household growth. The Government considers that this will achieve the overall level of delivery that most external commentators believe is needed, while ensuring it is delivered in the places where affordability is worst. The overall housing need figure is therefore as follows:

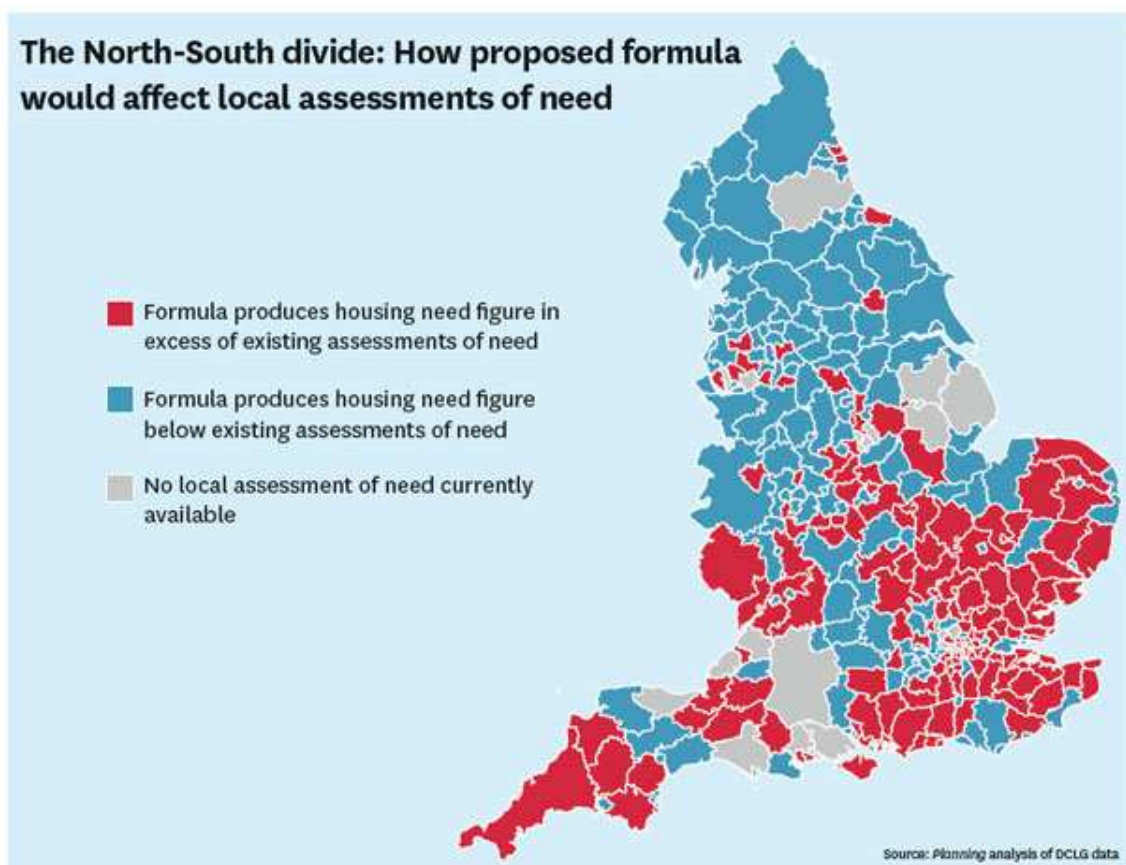
$$\text{Local Housing Need} = (1 + \text{adjustment factor}) \times \text{projected household growth}$$

- 4.5 The following examples are provided for an area with a projected household growth of 100 a year. It would have an annual need of:
  - 100 if average house prices were four times local average earnings
  - 125 if average houses prices were eight times local average earnings
  - 150 if average house prices were twelve times local average earnings.

- 4.6 The third stage is a cap, limiting increases in objectively assessed need (OAN) according to the current status of the local plan in each authority as follows:
  - a) for those authorities that have adopted their local plan in the last five years, the new annual local housing need figure should be capped at 40 per cent above the annual requirement figure currently set out in their local plan; or

b) for those authorities that do not have an up-to-date local plan (i.e. one that was adopted over five years ago), it is proposed that the new annual local housing need figure should be capped at 40 per cent above whichever is higher of the projected household growth for their area over the plan period (using ONS household projections), or the annual housing requirement figure currently set out in their local plan.

- 4.7 Using the proposed methodology results in an increase in the annual housing target for Colchester Borough from 920 per year to 1095 – an increase of 19.02%. The table and map attached as Appendix 1 set out some local comparators. In total, 156 authorities will see an increase in their OAN.
- 4.8 Unveiling the proposals, Sajid Javid, Secretary of State for Communities and Local Government, said that the proposed formula would deliver an "honest, open, consistent approach to assessing local housing need". But the proposed formula has an enormous impact on the numbers for many authorities, particularly in expensive areas of London and the South East. Several London and Home Counties authorities will see their OAN figures rise by 40 per cent, and the increase would be a lot greater if it was not for the cap. The average increase for authorities experiencing an uplift will be 35 per cent. Meanwhile, authorities in some deprived areas face big falls in OAN - with Barrow-in-Furness having, for example, a predicted need that would fall from 133 homes per year to zero.
- 4.9 The changes are showing a clear north-south divide as the diagram below illustrates. The formula's impact on assessed need will be most drastic in London. It raises the capital's assessed need from the 49,000 in the current London Plan to 72,000. But the London Plan's capacity numbers are constrained by availability of sites to 42,000 anyway, suggesting a significant uplift here is unrealistic without a relaxation of green belt policy that both the government and London's mayor oppose. The implications of such an uplift could therefore spread out from the capital.



#### 4.10 Implementation

Local planning authorities, when calculating their local housing need, should always use the most up-to-date data available. The household projections are updated every two years in the summer (the latest set were published in July 2016 and based on 2014 data), and the house price to earnings ratios are published annually in March. This means that the local housing need figure will not remain static throughout the plan preparation process.

4.11 It is being proposed that local planning authorities should be able to rely on the evidence used to justify their local housing need for a period of two years from the date on which they submit their plan. During this period it will mean that the local housing need assessment is not rendered out of date if changes to the household projections or affordability ratios are published while the plan is being examined. However, what is not clear is what happens after the two year period if the national projections change. Will the local plan be considered up to date regardless of changes for a period of 5 years from adoption or will local authorities still be subject to speculative proposals made on the basis of a lack of supply when considered against a revised household projection or affordability ratio?

4.12 What is clear, is that Colchester should proceed to submit its new Local Plan with a housing need figure of 920 units a year. Any delay to submission could result in a higher target being required and additional sites needing to be identified. The consultation proposes that the new formula applies to all plans submitted after 31 March 2018.

4.13 The expectation is that local planning authorities will adopt the proposed method when assessing housing need. It is recognised however, there may be compelling circumstances not to adopt the proposed approach. These will need to be properly justified, and will be subject to examination. Support will be given in principle to authorities proposing higher targets based on economic justification. However, there will be very limited grounds for adopting an alternative method which results in a lower need. The reasons for doing so will be tested rigorously by the Planning Inspector through examination of the plan. The Council needs to make clear in its response that any new methodology should take account of previous housebuilding rates and that it should not be penalised for maintaining housing delivery over recent years when others have failed to do so.

#### 4.14 Statement of Common Ground

The Government do not believe that the Duty to co-operate is working and the Housing White Paper set out a plan for more effective joint working where planning issues go beyond individual authorities through a statement of common ground, setting out how they intend to work together to meet housing needs that cut across authority boundaries.

4.15 The duty to co-operate, introduced through the Localism Act 2011, requires local planning authorities and certain public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of plan preparation in the context of strategic cross-boundary matters. Such matters include planning for housing need across a housing market area or developing integrated infrastructure. Compliance with the duty is tested at the examination of the development plan.

4.16 To support more effective joint working where planning issues need to be addressed by more than one local planning authority, it is intended to set out in the National Planning Policy Framework that all local planning authorities should produce a statement of common ground. The objectives of the policy are to encourage all local planning

authorities, regardless of their stage in plan-making, to co-operate effectively and seek agreement on strategic cross-boundary issues, and help local planning authorities demonstrate evidence of co-operation.

- 4.17 To meet these objectives, it is proposed that every local planning authority produce a statement of common ground over the housing market area or other agreed geographical area where justified and appropriate. It is proposed that the statement will set out the cross-boundary matters, including the housing need for the area, distribution and proposals for meeting any shortfalls. In setting out the strategic cross-boundary issues, the statement will record where agreement has, and has not been reached.
- 4.18 It is proposed that all local planning authorities should have a statement of common ground in place within twelve months following the publication of the revised National Planning Policy Framework. However, in order to ensure greater certainty at an early stage of the process, it will be expected that local planning authorities have an outline statement in place within six months following publication of the revised Framework. The statement of common ground should be regularly updated throughout the plan-making process. The expectation is that as a minimum the statement should be reviewed, and if necessary updated, when authorities reach certain key regulatory milestones in the plan-making process.
- 4.19 The statement of common ground provides a vehicle to set out where strategic cross-boundary infrastructure is required to unlock more land for housing. Where there are strategic cross-boundary infrastructures matters, local planning authorities will be expected to set out how they intend to resolve them and show that they have agreement with the relevant bodies. It is proposed therefore that the statement of common ground, once in place, should be submitted as supplementary evidence of effective co-operation between authorities when applying for strategic infrastructure investment.
- 4.20 Planning for a Mix of Housing Needs

It is important that local planning authorities do not just plan for the right number of homes, but also the different size, type, tenure and range of housing that is required in their area. The identification of such need is currently often carried out as part of the strategic housing market assessment. However, the proposed new approach for assessing local housing need, will require updates to existing planning guidance on how to plan for different types of homes and this will be published alongside a revised National Planning Policy Framework. No details are provided.

4.21 Neighbourhood Planning

The Housing White Paper proposed to amend national policy so that local planning authorities are expected to provide neighbourhood planning groups with a housing need figure, where this is needed to allow progress to be made with neighbourhood planning. The Government propose to make clear in planning guidance that authorities may do this by making a reasoned judgement based on the settlement strategy and housing allocations in their plan, so long as the local plan provides a sufficiently up-to-date basis to do so (including situations where an emerging local plan is close to adoption). Where this happens, it is not expected that the resulting housing figure will have to be tested during the neighbourhood plan's production, as it will be derived from the strategy in the local plan and must be in general conformity with its strategic priorities.

- 4.22 Where the local plan is out-of-date and cannot be relied on as a basis for allocating housing figures, the Government are proposing to set out in guidance a simple formula-based approach which apportions the overall housing need figure for the relevant local

authority area, based on the latest figures calculated under the new standard approach (once, and assuming, it is introduced), to the neighbourhood planning area. The proposed formula is simply to take the population of the neighbourhood planning area and calculate what percentage it is of the overall population in the local planning authority area. The housing need figure in the neighbourhood planning area would then be that percentage of the local planning authority's housing need.

#### 4.23 Viability Assessment

The Government highlight in the paper that viability considerations can be lengthy, complex and often viewed with suspicion. To ensure there is a robust basis for assessing viability at the plan-making stage – and to lessen the need for this to be revisited when planning applications come forward – it is proposed to amend national planning policy to set out additional expectations for plans.

4.24 Local planning authorities should set out the types and thresholds for affordable housing contributions required; the infrastructure needed to deliver the plan; and expectations for how these will be funded and the contributions developers will be expected to make. This would make clear how the key strategic priorities that need to be planned for are to be delivered. Until the detail is known it is difficult to see what actual changes are proposed. The Council already sets out affordable housing policy and infrastructure requirements and is expected to have a robust evidence base to substantiate this. Policies in the Local plan also include information on contributions expected from developers.

4.25 In cases where viability assessment is still needed in the course of determining planning applications, the consultation paper proposes that the process must become more open, transparent and easily understood. A standard methodology is proposed but no details are provided; instead DCLG are seeking evidence and views.

#### 4.26 Prematurity

As a further way of encouraging local authorities to get plans in place, the Government intend to set out the circumstances when a planning application may be refused on the grounds of prematurity in the National Planning Policy Framework, rather than in guidance (where they are currently). The prematurity guidance is designed to prevent emerging plans, where they are at an advanced stage of production, from being undermined by proposals that are allowed before the plan can be finalised. This would help provide stability and certainty in situations where confidence in the plan-making process might otherwise be weakened.

#### 4.27 Benefits

There are clearly some benefits associated with the proposals and in principle a simple approach to calculating housing need should be welcomed. This is likely to result in financial savings on evidence base as the simple methodology uses data sets that are in the public domain. The concern is whether the methodology is too simplistic.

4.28 Providing the methodology is adhered to by Planning Inspectors at both planning appeals and local plan examinations, there should also be time and cost savings from a reduction in lengthy and complex arguments about the Objectively Assessed Need.

4.29 Another benefit is the proposal to make viability assessments simpler and more transparent.

4.30 The council should also welcome the revisions to guidance/policy on prematurity. However, success will rely on implementation by planning inspectors.

#### 4.31 Commentary

A range of industry experts have commented on the consultation and some of their thoughts are set out below;

1. Roger Hephher, director of consultancy Hephher Grincell, said this might drive authorities to consider garden villages or towns. "Many authorities are otherwise going to struggle to find the additional land, and will become vulnerable on appeal," he said.
2. Catriona Riddell, strategic planning specialist at the Planning Officers Society, which represents senior local authority planning officers, said: "There are definitely planners at authorities out there with a 40 per cent increase that have their head in their hands. They can't even meet the current estimated need...The more the numbers go up, the more there's going to be a backlash. The idea that if you simply increase housing numbers in an area it becomes more affordable is rubbish."
3. Matthew Spry, senior director at consultancy Lichfields, said: "Previously the system allowed government to be one step removed from the process of creating the housing number. Now the government's fingerprints will be all over the number."
4. Mark Sitch, senior partner at consultancy Barton Willmore, said the formula is too crude and needs to take into account employment growth. "It's got so simplified it perhaps undermines the original intention. There is a question whether politically it can be delivered."
5. The District Council Network comments that "To deliver additional housing growth, district councils must be given greater fiscal freedom and incentives to truly unlock their potential. We continue to call on government to ensure that the New Homes Bonus incentivises all housing growth by removing the baseline threshold, unlocking planning permissions that are not being delivered, increasing the time available to spend Right to Buy receipts, allowing Districts to retain 100 per cent of Right to Buy receipts to build new homes and to lift the borrowing cap for the Housing Revenue Account.  
"The DCN has long called for an increase in planning permission fees and we therefore welcome the Government's recommitment to increasing planning fees by 20 per cent, which must now be agreed by Parliament at the earliest opportunity. We also welcome the potential for a further 20 per cent increase going forward."

## **5. Proposals**

- 5.1 Cabinet are asked to provide comments on the consultation paper which will be incorporated into a report to Local Plan Committee on 6<sup>th</sup> November. The final Council response will form the basis of a Portfolio Holder Report in line with the Council's Scheme of Delegation.
- 5.2 A series of questions are set out in the Consultation which are reproduced in Appendix 2.

## **6. Consultation**

- 6.1 The Government is undertaking the consultation which runs until the 9<sup>th</sup> November 2017.

## **7. Publicity Considerations**

- 7.1 The consultation is already generating publicity at a national level and it is expected it will also be of interest locally.

## 8. Standard References

- 8.1 There are no particular references to the strategic plan or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

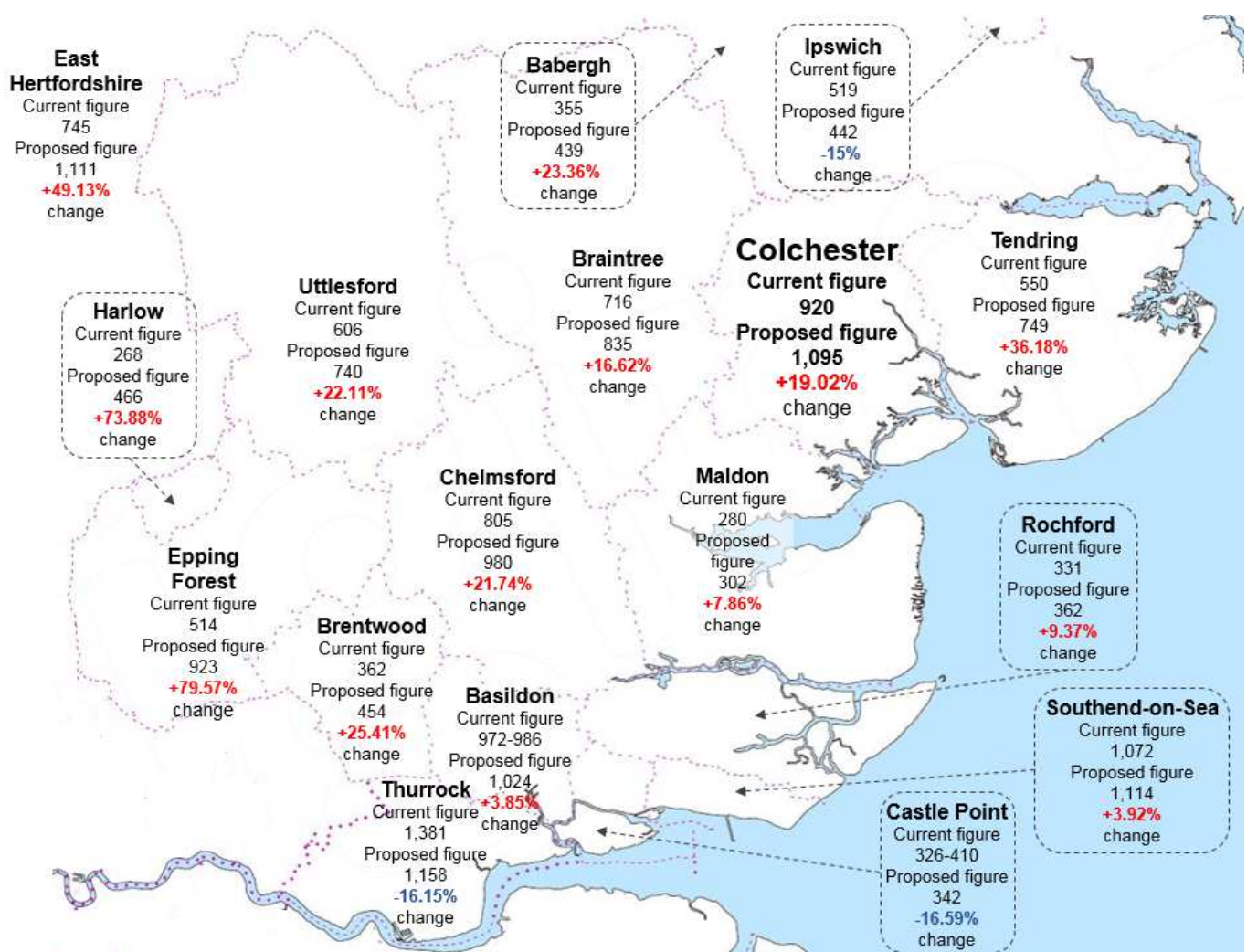
## Appendices

1. Comparison Map and Table
2. Consultation Questions

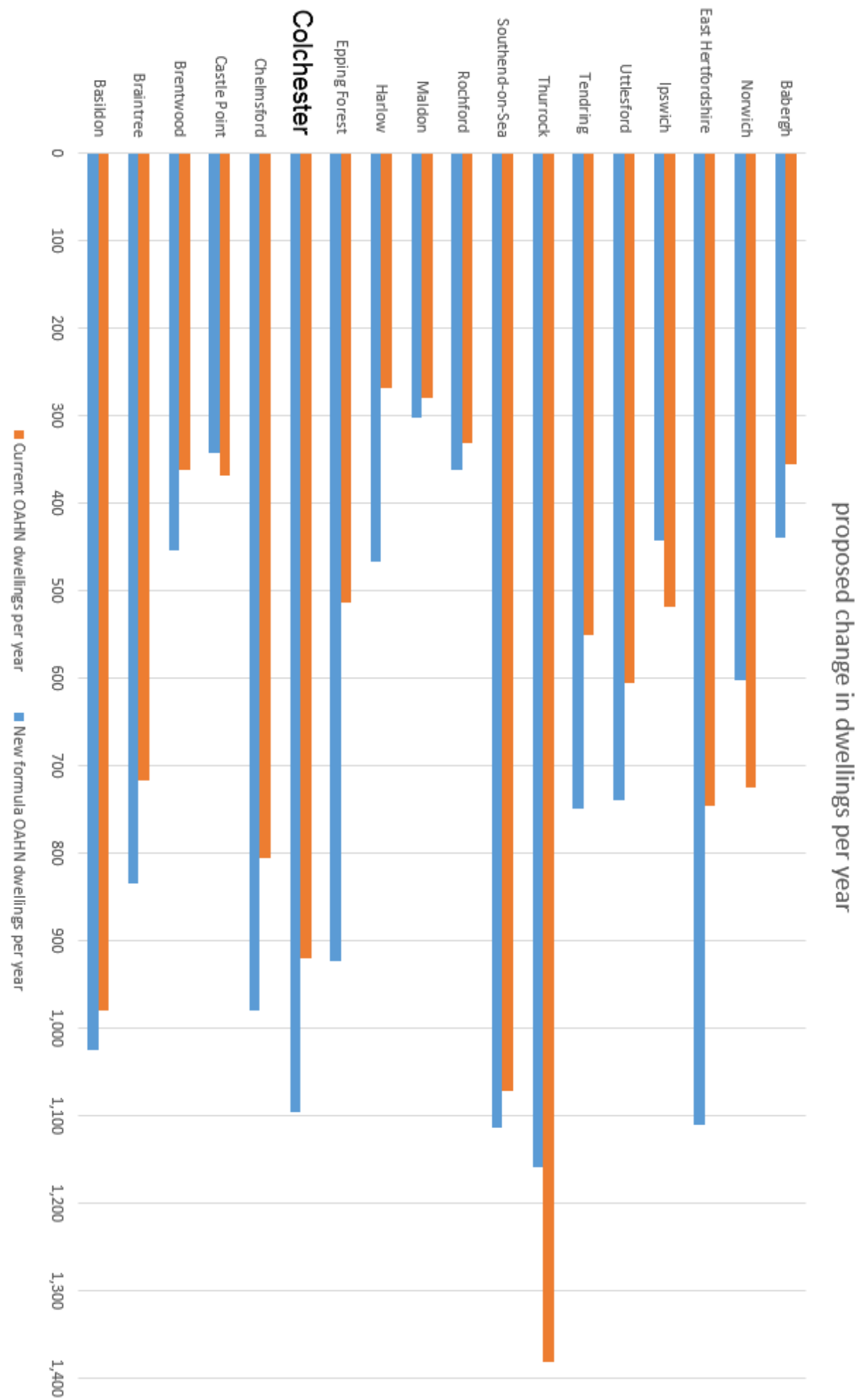
## Background Papers

1. Planning for the right homes in the right places: consultation proposals  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/644955/Planning\\_for\\_Homes\\_consultation\\_document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644955/Planning_for_Homes_consultation_document.pdf)
2. Housing Need Consultation Data

## Appendix 1









## **Appendix 2**

### **Consultation Questions**

#### **Question 1 (a)**

Do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?

#### **Question 1(b)**

How can information on local housing need be made more transparent?

#### **Question 2**

Do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?

#### **Question 3**

Do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?

#### **Question 4**

Do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?

#### **Question 5(a)**

Do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?

#### **Question 5(b)**

Do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five year land supply and/or be measured for the purposes of the Housing Delivery Test, across the area as a whole?

#### **Question 5 (c)**

Do you consider that authorities that are not able to use the new method for calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five year land supply and to be measured for the purposes of the Housing Delivery Test?

#### **Question 6**

Do you agree with the proposed transitional arrangements for introducing the standard approach for calculating local housing need?

#### **Question 7(a)**

Do you agree with the proposed administrative arrangements for preparing the statement of common ground?

#### **Question 7(b)**

How do you consider a statement of common ground should be implemented in areas where there is a Mayor with strategic plan-making powers?

#### **Question 7(c)**

Do you consider there to be a role for directly elected Mayors without strategic plan-making powers, in the production of a statement of common ground?

#### Question 8

Do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?

#### Question 9(a)

Do you agree with the proposal to amend the tests of soundness to include that:

- i) plans should be prepared based on a strategy informed by agreements over the wider area; and
- ii) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?

#### Question 9(b)

Do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?

#### Question 10(a)

Do you have any suggestions on how to streamline the process for identifying the housing need for individual groups and what evidence could be used to help plan to meet the needs of particular groups?

#### Question 10(b)

Do you agree that the current definition of older people within the National Planning Policy Framework is still fit-for-purpose?

#### Question 11(a)

Should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?

#### Question 11(b)

Do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?

#### Question 12

Do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?

#### Question 13

In reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice?

#### Question 14

Do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?

#### Question 15

How can Government ensure that infrastructure providers, including housing associations, are engaged throughout the process, including in circumstances where a viability assessment may be required?

Question 16

What factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?

Question 17(a)

Do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?

Question 17(b)

What factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?

Question 17(c)

How can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?

Question 18(a)

Do you agree that a further 20 per cent fee increase should be applied to those local planning authorities who are delivering the homes their communities need? What should be the criteria to measure this?

Question 18(b)

Do you think there are more appropriate circumstances when a local planning authority should be able to charge the further 20 per cent? If so, do you have views on how these circumstances could work in practice?

Question 18(c)

Should any additional fee increase be applied nationally once all local planning authorities meet the required criteria, or only to individual authorities who meet them?

Question 18(d)

Are there any other issues we should consider in developing a framework for this additional fee increase?

Question 19

Having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?



<b>Report of</b>	<b>Assistant Director Policy and Corporate</b>	<b>Author</b>	<b>Sean Plummer</b>
<b>Title</b>	<b>2018/19 Revenue Budget</b>		<b>☎ 282347</b>
<b>Wards affected</b>	Not applicable		

**This report provides Cabinet with an update on the 2018/19 Revenue Budget forecast**

## 1. Decisions Required

1.1 Cabinet is requested to consider the following items:

- i) To agree the use of New Homes Bonus shown in section 5.
- ii) To note that officers are working towards delivering a balanced budget and that progress has been made to identify savings to assist with the delivery of the budget strategy and that the budget gap currently stands at £599k.
- iii) To agree that the cost pressures and growth items should be included in the 2018/19 budget forecast.
- iv) To agree that the provisional savings should be included in the 2018/19 budget forecast.
- v) To note the main 2018/19 budget forecast variables and risks set out in Section 12
- vi) To agree the use of the business rate pooling gain as set out at paragraph 11.3.
- vii) To agree to continue participation in an Essex business rates pool.
- viii) To agree to delegate to the Section 151 Officer in consultation with the Leader of the Council and Portfolio Holder for Resources the decision to apply to be a pilot for 100% local retention of business rates as set out in section 11.

## 2. Reasons for Decisions

2.1 The Council is required to approve a budget strategy and timetable in respect of the year. This report relates to the budget update and business rate pooling.

## 3. Alternative Options

3.1 There are different options that could be considered and as the budget progresses changes and further proposals will be made and considered by Cabinet and in turn Full Council.

#### **4. Background**

- 4.1 The timetable for the 2018/19 budget process (see Appendix A) was agreed at Cabinet on 12 July 2017.
- 4.2 At this stage in the budget process it is important to consider progress on the budget and any in year issues. Detailed budgets are currently being produced with the aim to complete this task by December. Work is currently progressing well and is in line with the budget timetable.

#### **5. Current Year Budget / Use of New Homes Bonus**

- 5.1. At this stage in the budget process it is important to review the in-year financial position. The first quarter's report has been considered by Governance and Audit Committee and showed a potential overspend of almost £0.5m. This is mainly due to forecast income shortfalls. The half year position will be considered by Scrutiny Panel in November and will provide a better view of the in-year budget position and also the extent to which any issues are likely to affect the 2018/19 budget.
- 5.2. At this stage the working assumption is that the outturn will be delivered on budget and this will be reviewed as part of the final budget report.

##### *New Homes Bonus*

- 5.3. In the 17/18 budget it was agreed to allocate £2.036m of the NHB to help deliver projects which support strategic plan priorities and also those which can deliver income to assist with managing future budget pressures. To date decisions have been made to allocate £1.575m towards a number of projects.
- 5.4. Consideration has been given to further allocations from the New Homes Bonus and the following allocations are proposed:-

##### *Castle Park - £200k allocation*

- 5.5. £200k investment into Castle Park will be focussed on improving the public conveniences, specifically around the well-used play area. Updating the facilities to meet the growing number of users and providing baby change facilities is amongst the priorities and phase 1 works for 2018/19. In addition to the public conveniences other improvement areas identified for the park include work on the lower park gate; the boating lake and paths throughout the park so further work may follow if there is remaining funding available.

##### *Highwoods Country Park - £25k allocation.*

- 5.6. Highwoods Country Park has a very limited catering offer at the moment. Cabinet have set aside £25,000 to consider improving this offer with the provision of a sustainable catering facilities on site. Work has commenced on looking at viable options given that the new provision needs to provide an income; net of any operating costs. It is expected that the new catering offer will be implemented for summer 2018.

##### *Community Hubs – Digital Spokes development - £50k allocation*

- 5.7. Considerable work has taken place in the Library and Community Hub and in local communities as a result of previous NHB funding and the Transformation project (DCLG TCA), since the funding ceased the pace of the development has slowed. Emergent issues that highlight the need for additional resources include:

Closer work with partners: Having recently invested in a 'Hubs and Spokes' project manager, the CCG are keen to work with us to extend our digital access points through primary care services in their newly emerging 'Hubs and Spokes' strategy.

End of Digital Access Support Officer role April 2018: The current Digital Access Support Officer (formerly Go Online) provides support in local communities (digital surgeries, 1-2-1 assistance, training and setting up new digital access points); however, this role is due to end in April 2018. The role could be more effective if aligned with a Spokes strategy linked to need, an assessment of existing provision and plans for future joint service provision.

Commercialising digital access points: interest in using our digital access points has been shown by the CCG, individual GPs and supermarkets. A specialist developer of primary care premises - GPI Property Solutions has also expressed an interest in using our access points in new build primary care facilities. In addition, a recent showcase of the access points in our spokes workshop highlighted the potential for joining with other to develop the offer.

Additional NHB funding would plug the gaps highlighted above, enabling: co-ordinated strategic development, alignment of resources with partners and targeted activity according to need, as well as a continuation of 'on the ground' digital community capacity building to enable improved access to online services.

5.8. Based on these proposals this would leave £186k unallocated.

	2017/18	2017/18
	£'000	£'000
<b>Budget for one off projects</b>		<b>2,036</b>
<i>Agreed allocations:-</i>		
• Heat Network (equity / one offs)	300	
• Commercial Company (incl. Housing)	250	
• 1918 commemoration	25	
• Northern Gateway sports project	750	
• Garden Communities	250	
<i>Total agreed allocations</i>		<b>1,575</b>
<i>Proposals:-</i>		
• Castle Park	200	
• Highwoods Country Park	25	
• Community Hubs	50	
<i>Total proposed allocations</i>		<b>275</b>
<b>Total allocations</b>		<b>1,850</b>
<b>Remaining to be allocated</b>		<b>186</b>

## 6. Summary of 2018/19 Budget Forecast

- 6.1. Should Cabinet approve the items detailed in this report the current 2018/19 budget forecast shows a reduced gap from £868k of £599k. This reflects changes in respect of anticipated savings and cost pressures. The following table sets out the overall position:-

	Reported in July	Updated Position
	2018/19	2018/19
	£'000	£'000
<b>Base Budget</b>	25,911	25,911
One-off items	(3,661)	(3,661)
Cost Pressures	1,520	1,270
Growth Items	(100)	(100)
Savings	(1,483)	(1,302)
Change in use of NHB for one off investment	(945)	(945)
<b>Forecast Base Budget</b>	<b>21,242</b>	<b>21,173</b>
<i>Funded By:</i>		
Revenue Support Grant	(275)	(275)
Business Rates Baseline	(4,157)	(4,157)
SFA	(4,432)	(4,432)
Increase in NNDR / taxbase above baseline	(1,000)	(1,000)
Business Rates Pooling		(200)
New Homes Bonus	(3,438)	(3,438)
<b>Total Gov't grants</b>	<b>(8,870)</b>	<b>(9,070)</b>
Council Tax	(11,434)	(11,434)
Use of Reserves	(70)	(70)
<b>Total Funding</b>	<b>(20,374)</b>	<b>(20,574)</b>
<b>Budget gap</b>	<b>868</b>	<b>599</b>

- 6.2. As indicated later in this report, further work is ongoing to fully assess options to balance the budget including completion of remaining budget reviews and developing delivery plans for all savings, completion of detailed budgets and the ongoing assessment of risk areas.

## 7. Cost Pressures

- 7.1. The following cost pressures expected in 2018/19 have been previously identified through the Medium Term Financial Forecast (MTFF) process either as specific pressures or as risks areas. The table sets out estimated pressures for next year some of which are indicative provisions which will be revised as more detail becomes known.

	2018/19	Note
	£'000	
<b>Cost Pressures</b>		
General Inflation	540	This includes assumptions in respect of pay, energy and other prices. This provision will be reviewed as part of the detailed budget setting.



	<b>2018/19</b>	<b>Note</b>
	<b>£'000</b>	
Food Waste (net impact of loss of grant)	304	The Council has used the Government grant over a number of years and will be all used during next year leaving a cost pressure.
Elections	105	There were no Borough elections in 2017/18 and therefore it is necessary to reinstate the budget for these for 2018/19.
Pensions - auto enrolment	150	This allowance is for the potential recurring costs of increased pension costs as a result of auto enrolment.
Stadium rent	128	The Community Stadium fixed rent period ends during 2018/19 and an allowance is made in the budget for a potential reduction.
Various Service pressures	43	There were a number of service budget pressures included in the 17/18 budget, such as additional accommodation service charges, and this allowance is for the full year impact of these items.
<b>Total cost pressures</b>	<b>1,270</b>	

7.2. The cost pressures have reduced by £250k following the indication from Essex County Council that the Council Tax sharing agreement will be extending in its current form for a further year pending a review. It will still be necessary to review the budgeted figure as part of consideration of updated budget figures, however, this pressure has been moved to a later year in the MTFF.

7.3 Cabinet need to determine whether the cost pressures detailed above should be included within the current 2018/19 budget forecast.

## **8. Growth Items and Investment from New Homes Bonus**

8.1. The budget forecast includes two adjustments in respect of growth items and use of the New Homs Bonus.

8.2. The budget included £110k in respect of investment in Strategic Plan Priorities. The Cabinet has agreed the use of £100k in 2017/18 for one-off items. This is therefore being removed from the base budget.

8.2. The planning assumptions in the budget forecast reflect the forecast New Homes Bonus grant for 2018/19 and the agreed approach that £400k less of the grant should be used to support the base budget. Based on these assumptions the allocation made of one off investment will reduce by £945k as set out in the following table.

	2017/18	2018/19	Reduction
	£'000	£'000	£'000
Affordable housing allocation	277	175	(102)
Balance for one-off schemes	2,623	1,780	(843)
	2,900	1,955	(945)

- 8.3. The table shows that the latest forecast is that there will be c£1.78m available to support one-off projects. It should be noted that Cabinet agreed to allocate £0.75m of this towards the North Colchester leisure project. The level of New Homes Bonus grant is expected to be announced alongside the annual finance settlement and consideration will be given to use of this grant as part of the final budget proposals.

## 9. Savings/Increased Income

- 9.1. The budget strategy for 18/19 was agreed by Cabinet on 12 July. This included the continued operation of Budget Group to review budget options.
- 9.2. Progress has been made in identifying and assessing budget savings and income and the following table summarises the current position.

	2018/19	Note
	£'000	
<b>Savings (incl. one off adjustments)</b>		
LCTS grant to parishes	(7)	Assumed reduction in parish grants in line with Government funding change.
Waste Review	(59)	Assumed second year impact of waste review
Sport & leisure	(198)	Savings and additional income from sport and leisure business case.
Assets	(264)	Estimated increased income from commercial asset strategy including full year impact of Amphora Place.
Senior Management Restructuring & Commercial Company assumptions	(419)	Estimated savings through Senior Management Team restructuring and commercial company forecasts.
<i>Digital Challenge</i>		
Service Savings	(255)	Various savings across service in line with digital challenge programme.
New service savings	(30)	Full year impact of service savings identified in 17/18 budget.
Digital Challenge / ICT strategy - implementation	(70)	End of funding for implementation.
<b>Total</b>	<b>(1,302)</b>	

- 9.3. The above list of savings include two changes from those previously reported:-

- Asset income – the forecast additional income for 2018/19 has been reduced to reflect the latest assumptions in respect of North Colchester.

- The digital challenge target has been reduced by £50k to reflect the latest estimate of savings in respect of postage and printing.

9.4. Further potential savings are under active consideration by Budget Group. It is intended that a number of budget proposals will be made to Cabinet in November.

## **10. Government Funding**

10.1. The Government has issued a consultation paper on the 2018/19 Finance Settlement. This is partly a 'technical' consultation and some of the key issues relevant to the budget assumptions are as follows:-

### *4 year settlement.*

The paper confirms that "barring exceptional circumstances" the Government intends to present the notified grant funding figures to Parliament.

### *New Homes Bonus.*

Changes to the New Homes Bonus were introduced in 2017/18 including the use of a baseline (set at 0.4%) above which New Homes Bonus payments are calculated. Confirmation of the baseline to be used in 2018/19 will be set out in the Settlement.

The Government is also consulting on proposals to withhold NHB payments for authorities "not planning effectively for new homes in 2018/19".

### *Council Tax Referendum Principles*

The paper sets out the intention to continue with the principle that shore district councils are allowed to increase Council Tax by the higher of 2% or £5. The current budget assumption is a £5 increase.

10.2. In summary the issues raised in the paper in respect of Council Tax and Revenue Support Grant are in line with existing budget assumptions. The issues in respect of New Homes Bonus mean that there remains some uncertainty as to the grant for 2018/19. As set out at paragraph 8.3 the current assumption is that just over £1m available for further one-off investment. This includes £500k in respect of 'new growth'. Based on the current baseline and existing NHB arrangements this remains deliverable. Any reduction to this amount as a result of any changes to the NHB scheme would not impact the 'base budget position', but could still result in a reduction in the grant in 18/19 and also future years.

## **11. Essex Business Rates Pool**

11.1. Since 2015/16 the Council has been part of an Essex business rate "pool". The rationale for this is that the pool provides an opportunity to keep a greater share of business rate income above the baseline which would otherwise be paid to the Government. It was reported to Cabinet that based on figures provided as part of the 2016/17 closure of accounts there was an estimated gain to Colchester of £712k from being in the pool. For the same period Essex County Council gained £2m.

11.2. Whilst it is too early to estimate with any certainty any additional income that we might achieve from the pool in 2017/18 we still expect to benefit from the arrangement.

11.3. The gain of £712k in 2016/17 has been carried forward into the current year and it is proposed that this is used as follows:-

- *Allocation to support one off schemes - £300k*

It is proposed to add £300k to the one off allocation made from the New Homes Bonus. Based on the proposals within this report this will mean that £486k is available in total for new one-off schemes.

- *Allocation to support the 2018/19 budget - £200k*

Consideration has been given to how to use the gains from pooling to try to support the base budget. It is therefore proposed to allocate £200k from the gain received to support the 18/19 budget. Given that a gain of at least £200k is currently expected in this financial year it is proposed that a similar arrangement can be made to support the 19/20 budget. This proposed approach will need to be reviewed based on any future pooling arrangements.

- *Allocation to Business Rates Reserve - £212k*

Business rates remains an area of uncertainty and budget sums can vary between financial years. The reserve is therefore used to manage such fluctuations.

### **Pooling arrangements for 2018/19**

- 11.4. The Government has invited councils to confirm if they wish to continue or create a business rates pool in 2017/18. The Essex pool agreement stays in place for 2018/19 unless there are new members who wish to join the pool or there are any existing pool members who wish to leave the pool. At this stage it is likely that a change in membership may be proposed and as such it will be necessary to reapply to be a pool based on any revised membership.
- 11.5. All pool members have the opportunity to review their membership for 2018/19 when final settlement figures are announced and business rate projections have been updated. However, if someone decides to leave at this stage it will, not be possible to have a pool for that year.
- 11.6. The pool arrangement has been successful and any change in membership will only be made where there is no estimated detrimental impact.

### **100% Business Rate Retention**

- 11.7. On 1<sup>st</sup> September the Government published an invitation to local authorities to pilot 100% business rate retention in 2018/19. A copy of the prospectus is provided as a background paper. The key points to note from this prospectus are:-
- Bids can be made by existing pools or new groups of authorities.
  - One of the criteria proposed to assess bids is that they Proposed pooling arrangements operate across a functional economic area (i.e. the county council(s) and all relevant district councils; groups of unitary authorities; or groups of county councils, all their districts and unitaries);
  - A lead authority is required (Essex County Council act as lead authority for the Essex Business Rate Pool).

- Existing pilots have an agreed 'no detriment' clause guaranteeing that these areas will not be worse off as a result of participating in the pilot. The new prospectus invites authorities to consider this issue and how risks can be managed.
  - All pilots will forego Revenue Support Grant (for CBC this is £275k in 18/19). Adjustments will be made to existing tariff arrangements to account for this and to reflect the 100% retention.
  - Bids are required to set out how the 'pool' will share additional growth. The Government has said they want to see additional growth being used to promote the financial stability and sustainability of the pooled area. In addition, they would expect some retained income from growth to be invested to encourage further growth across the area.
  - Bids are required to be made in the form of a business case setting out details such as governance arrangements.
  - Pilots will run for one year.
- 11.8. Essex authorities have commissioned an exercise to assess the financial case for being a pilot and to consider potential governance arrangements. In addition, a meeting is also being arranged to seek clarification on a number of issues with the DCLG. This work will not be completed until after this Cabinet meeting.
- 11.9. Initial work done to consider the pilot indicates the potential financial gain from being a pilot, however, there remain a number of issues to consider such as the agreement as to how any gains are used and shared and risks managed. In addition, it appears likely that for a bid to be successful it would require all Essex authorities to be included. The deadline for applications, including a business case, is required by 27<sup>th</sup> October. The bid is required to be signed by Section 151 officers of each council and therefore given the timescales it is proposed to delegate the decision and content of any bid to the Section 151 Officer, in consultation with the Leader of the Council and Portfolio Holder for Resources.
- 11.10. Successful pilots will be announced in December 2017 and as part of the bidding process councils can also set out a proposal to continue or create a business rates pool if the pilot bid is not successful. Therefore, if the Council is not part of any pilot next year it will still be possible to continue with an Essex business rates pool.

## **12. Risks and Variables**

- 12.1. On 12 July 2017 Cabinet considered the budget strategy and MTFF. The MTFF set out the key areas that may impact on budget forecast. These have been reviewed and continue to represent the key variables including areas that may have positive or negative affect on the budget forecast.
- 12.2. Some of the key risk and variables at this stage in the budget process are:-
- Consideration of any impact on the interest budget of capital financing arrangements and the outlook for interest rates.
  - Completion of detailed budgets (including any impact of changes in costs between the General Fund and HRA)
  - Announcement of New Homes Bonus.

- Completion of on-going budget reviews and assessment of savings.
- Review of balances and reserves including consideration of any ongoing use of reserves and an impact on reserves of in year budget position.
- Provisional taxbase and business rate forecasts.

12.3 A review of the risk assessment of the recommended level of balances will be made and reported to the next Cabinet meeting. This will consider any changes to the recommended level of balances and also consideration of all reserves held by the Council.

### **13. Proposals**

13.1 It is proposed that:-

- The allocations from New Homes Budget as set out in section 5 be agreed.
- the budget position should be noted including proposals relating to cost pressures, growth items, savings and risk and variables.
- The allocations from the Business Rate pooling gain be allocated as set out in section 10.3.
- Cabinet note that the Council will apply to remain in the Essex Business Rates Pool and that a proposal for the Council to apply to be a pilot for 100% business rates retention of be delegated to the Section 151 officer in consultation with the Leader of the Council and Portfolio Holder for Resources.

### **14 Strategic Plan References**

14.1. The 2018/19 budget and the Medium Term Financial Forecast will be underpinned by the Strategic Plan priorities and will seek to preserve and shift resources where needed to these priorities.

### **15. Consultation**

- 15.1. The Council is required to consult on its budget proposals. A consultation exercise took place as part of the production of the Strategic Plan agreed by Council in February 2015.
- 15.2. The budget strategy and timetable aims to ensure that information is available for scrutiny and input from all Members on proposals in the process. The aim is that detailed information will be available prior to the final budget report being submitted to Cabinet and approval by Council in February.
- 15.3. As has been the case in previous years the opportunity remains open for the leader of the opposition to meet with officers to assist with consideration of any alternative budget proposals.
- 15.4. Furthermore, we will continue with the statutory consultation with business ratepayers and will meet with parish councils in respect of grant funding.

### **16. Financial implications**

16.1 As set out in the report

### **17. Equality and Diversity Implications**

17.1 Consideration will be given to equality and diversity issues in respect of budget changes proposed as part of the budget process. This will be done in line with agreed policies and procedures including production of Equality Impact Assessments where appropriate.

## **18. Risk Management Implications**

- 18.1. The strategic risks of the authority will be considered in developing the 2018/19 budget and all forecast savings/new income options will be risk assessed as part of the budget process. This report sets out some of the key risks / variables at this stage in the budget process and as stated earlier this will be refined during the year.

## **19. Other Standard References**

- 19.1 There are no specific Publicity, Human Rights, Community Safety or Health and Safety implications at this stage.

### **Background Papers**

Report to Cabinet 12 July 2017

[100% business rates retention pilots 2018 to 2019: prospectus - GOV.UK](#)

### 2018/19 Budget Timetable

#### Budget Strategy

<b>March – June (SMT and Budget Group)</b>	Budget Group Meetings Agreed Update MTFF /Budget Strategy Review potential cost pressures, growth and risks Consider approach to budget Initial budget reviews started
<b>Cabinet – 12 July 17</b>	<ul style="list-style-type: none"> <li>Review 16/17 outturn</li> <li>Report on updated budget strategy / MTFF</li> <li>Timetable approved</li> </ul>
<b>Scrutiny Panel – 18 July 17</b>	Review Cabinet report

#### Detailed Budget preparation and Budget Setting Consultation

<b>Budget Group / Leadership Team regular sessions on progress / budget options now - December</b>	Review budget tasks Consider delivery of existing budget savings Complete outturn review
<b>Cabinet – 6 September 17 and /or 11 October 17</b>	<ul style="list-style-type: none"> <li>Budget Update</li> <li>Review of capital resources / programme</li> </ul>
<b>Cabinet – 22 November 17</b>	<ul style="list-style-type: none"> <li>Budget update</li> <li>Reserves and balances</li> <li>Agree fees and charges / budget changes</li> <li>Government Finance settlement (if available)</li> <li>Review in year budget position</li> </ul>
<b>Scrutiny Panel – 30 January 18</b>	Budget position (Detailed proposals)
<b>Cabinet – 31 January 18</b>	Revenue and Capital budgets recommended to Council
<b>Council – 21 February 18</b>	Budget agreed / capital programme agreed / Council Tax set



# Cabinet

11 October 2017

Item

9(i)

Report of	Assistant Director of Policy and Corporate	Author	Lynn Thomas ☎ 505863
Title	Disposal of Maytree Court, Tiptree		
Wards affected	Tiptree		

This report concerns the recommendation to dispose of Maytree Court, Tiptree on the open market.

## 1. Decision Required

- 1.1 To approve the disposal of Maytree Court to the next highest bidder that was identified in the report that went to Cabinet on the 15<sup>th</sup> March 2017 for the reasons set out in this report and to delegate to the Assistant Director of Policy and Corporate, in conjunction with the Portfolio Holder for Housing and Communities authority to agree and settle final terms and consequential matters in order to complete any sale.
- 1.2 To authorise the Assistant Director of Policy and Corporate, in conjunction with the Portfolio Holder for Housing and Communities to agree an alternative sale to a party that has already submitted offer if the current sale falls through again.

## 2. Reasons for Decision

- 2.1 The original approved purchasers of Maytree Court have withdrawn their offer. In the normal course of event reliance could be placed on the delegated authority Cabinet agreed in section 1.2 of the original report presented for decision on 15 March 2017 to accept the next offer received. The Cabinet agreed a specific delegation to the Assistant Chief Executive in consultation with the Portfolio Holder to do this.
- 2.2 However, following the senior management review in the summer, the role of Assistant Chief Executive no longer exists. Accordingly, there is no current delegation that can be used.

## 3. Alternative Options

- 3.1 There is no real alternative to the options that were set out in the original report that went to Cabinet on the 15<sup>th</sup> March 2017 as this report is necessary to overcome an issue with an existing delegation given by Cabinet that occurred because of the recent senior management review.

## 4. Supporting Information

- 5.
- 4.1 Please refer to the attached report that went to Cabinet on the 15<sup>th</sup> March 2017

## 5. Proposals

- 5.1 To accept the recommended offer for the property.

## 6. Strategic Plan References

- 6.1 The revenue estimates presented here link to the following areas of the Councils strategic plan:
- **Welcoming** - a place where people can grow and be proud to live.
  - **Vibrant** - Develop a strong sense of community across the Borough by enabling people and groups to take more ownership and responsibility for their quality of life.
  - **Prosperous** - Provide opportunities to increase the number of homes available including those that are affordable for local people and to build and refurbish our own Council houses for people in significant need
- 7. Consultation**
- 7.1 CBC and CBH have been consulting with residents of the scheme and Ward Cllrs since the original Sheltered Housing Review in 2011.
- 7.2 In August 2016 when it was announced that the scheme was closing CBH began working with tenants and supporting them to find alternative accommodation. Some residents had already bid on other properties before the announcement was made. Residents have been moving to another sheltered scheme in Tiptree that is run by Colne Housing, to Maldon or to other CBC owned properties in Tiptree and the surrounding area. Tenants have also been supported by Ward Cllrs and an independent living advocate from Age UK. Tenants have received the statutory home loss payment summer 2017. All tenants have now moved and the property is empty.
- 7.3 The approved asset management process agreed as part of the Asset Management - Strategy has been followed. The process takes advice from numerous feeder groups including housing management staff, tenants and leaseholders, finance staff, other relevant Council staff and the recommendations presented through this report are supported by the various stakeholders involved.
- 8. Publicity Considerations**
- 8.1 To attract the best possible return for the asset, the property will be advertised on the open market using the professional services of the Estates Section to appoint an agent.
- 9. Financial Implications**
- 9.4 The disposal of this property will remove the requirement to undertake substantial capital works on it over the life of the 30 year Asset Management Strategy and HRA Business Plan.
- 9.5 The Housing Investment Programme considered by Cabinet on 1<sup>st</sup> February 2017 included assumptions on receipts from potential disposal of assets, of which this forms a part.
- 10. Equality, Diversity and Human Rights Implications**
- 10.1 <http://www.colchester.gov.uk/CHttpHandler.ashx?id=15007&p=0>
- 11. Community Safety Implications**
- 11.1 This report has no significant community safety implications
- 12. Health and Safety Implications**
- 12.1 This report has no significant Health and Safety implications
- 13. Risk Management Implications**

- 13.1 If the disposal of Maytree Court does not proceed it will impact on the Asset Management Strategy which has been approved to balance the economic value of assets with the social and economic needs of residents given the long term viability of properties.



<b>Report of</b>	<b>Assistant Director of Policy &amp; Corporate</b>	<b>Author</b>	<b>Lynn Thomas Housing Asset Manager ☎ 505863</b>
<b>Title</b>	<b>Disposal of Gothic House, Wivenhoe</b>		
<b>Wards affected</b>	Wivenhoe		

**This report concerns the freehold sale of residential premises at Gothic House Wivenhoe, Colchester through informal tender**

## **1. Decision(s) Required**

- 1.1 To approve the current offer detailed in the confidential report to this report for the freehold sale of Gothic House, Wivenhoe for reasons set out in this report.
- 1.2 To authorise the Assistant Director of Policy & Corporate, in conjunction with the Portfolio Holder for Housing and Communities, to settle final terms and consequential matters to complete any sale.
- 1.3 To agree an exception from the requirement to under Contract Procedure Rule 2 (2) for a further tender process for the reasons set out in this report.

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

- 2.1 A marketing exercise was undertaken in January 2017 which resulted in three proposals being received from prospective purchasers for Gothic House. The Cabinet agreed on the 14 June 2016 to accept the highest bid received and there was a specific delegation to accept lower bids that were received in the event that a sale fell through. Unfortunately, all parties withdrew in July 2017.
- 2.2 Fenn Wrights advised the Council that there was an option to request an offer from the only other party who had expressed an interest but had not submitted an offer because of the level of the guide price.
- 2.3 A formal offer was subsequently received the details of which are contained in the confidential report.
- 2.4 It is believed that the offer submitted represents good value because the offer is comparable to the first offers received and is more than the second highest offer that we had begun to proceed with.
- 2.4 It is considered that this is a viable option because there is also concern that the property is empty and could be subject to damage and or vandalism.

## **3. Alternative Options**

- 3.1 Not to proceed with the above offer and to go back to the market however it is not believed that this would result in any higher offers being received.

#### **4. Supporting Information**

4.1 Please refer to the Cabinet report of 14 June 2016 which is attached for information.

#### **5. Proposals**

5.1 To accept the recommended offer for the property.

#### **6. Strategic Plan References**

6.1 This proposal contributes directly to the following strategic Plan Priority area:-

- Welcoming - a place where people can grow and be proud to live.
- Vibrant - Develop a strong sense of community across the Borough by enabling people and groups to take more ownership and responsibility for their quality of life.
- Prosperous - Provide opportunities to increase the number of homes available including those that are affordable for local people and to build and refurbish our own Council houses for people in significant need

#### **7. Consultation, Publicity Considerations, Financial Implications, Equality, Diversity and Human Rights implications, Community Safety Implications, Health and Safety Implications an Risk Management Implications**

7.1 Please refer to the Cabinet report of 14 June 2017.

<b>Report of</b>	<b>Assistant Chief Executive</b>	<b>Author</b>	<b>Holly Brett</b> <b>Housing Development Officer</b> ☎ 508830 <b>Lynn Thomas</b> <b>Housing Asset Manager</b> ☎ 505863
<b>Title</b>	<b>Disposal of Gothic House, Wivenhoe</b>		
<b>Wards affected</b>	Wivenhoe		

**This report concerns the freehold sale of residential premises at Gothic House Wivenhoe, Colchester through informal tender**

## **1. Decision(s) Required**

- 1.1 To approve the preferred bidder and terms for the freehold sale of Gothic House, Wivenhoe as set out in the report contained in part B of the agenda.
- 1.2 To authorise the Assistant Chief Executive, in conjunction with the Portfolio Holder for Housing and Public Protection, to settle final terms and consequential matters to complete any sale.
- 1.3 To authorise the Assistant Chief Executive in conjunction with the Portfolio Holder for Housing and Public Protection, to agree a sale to the alternative parties that submitted offers, in the event that the purchaser does not proceed to complete the sale.

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

- 2.1 A review of the Council's temporary accommodation was undertaken in 2008 that made a number of recommendations. Following this a Cabinet report was submitted in 2009 recommending the disposal of several properties including Gothic House. The implementation of the proposals set out in the 2009 report, would deliver the following outcomes:-
  - Improvement in the stock of temporary accommodation for those in need of short-term
  - housing through reinvesting funds into refurbishing properties
  - Improvement in the support provided for the tenants of temporary accommodation
  - Better outcomes for these tenants
  - Recurring revenue savings for the Council
  - The potential for surplus capital receipts
- 2.2 Gothic House is not fit for purpose to provide the type of accommodation that is required, due to the type of accommodation, the location and the maintenance costs. We are actively seeking alternative accommodation through private sector leasing schemes to provide temporary accommodation in the borough that meets the needs of residents.

- 2.3 A marketing exercise was undertaken in January 2017 which resulted in three proposals being received from perspective purchasers for Gothic House (detailed within confidential appendix1).

### **3. Alternative Options**

- 3.1 The Council could decide not to dispose of the property and continue to use it as temporary accommodation, however this option has been discounted as the property is not fit for purpose and would require significant investment to bring it to the required level. This would result in a need to continue to invest in the property in the knowledge that it does not represent value for money in the long term
- 3.2 The Council could lease the property and allow the tenants to carry out works to improve the property, maintain nomination rights and at the end of the lease buy back the property. This would result in no capital receipt being generated and therefore the funds not being available to bridge the gap within the HRA Business Plan that the Government's 1% rent reduction has contributed to as detailed in the Housing Investment Cabinet Paper in February 2017

### **4. Supporting Information**

- 4.1 In December 2009 a Cabinet report was submitted that set out a number of recommendations following the review of all temporary accommodation in the Borough. Some of these recommendations have now been fulfilled with Family Mosaic refurbishing a number of schemes. The Council Was due to dispose a number of properties and Gothic House was one of those due to the accommodation not being fit for purpose. In 2016 this disposal was reviewed as part of the Housing Futures Programme
- 4.2 In January 2017 Fenn Wright were instructed to, to provide estate agency services to the Council in the disposal of this property. The marketing particulars in Appendix 2 give more photos and details on the property
- 4.3 The property was marketed for 6 weeks and offered for sale by informal tender. Initially three offers were received. After a period of renegotiation further offers were received which were unconditional and very close in terms of value so best and final offers were requested.

### **5. Proposals**

- 5.1 To accept the recommended offer for the property as set out in the confidential part B of this report, with the option to revert to the alternative offers received in the event that the purchaser does not proceed to complete the sale.

### **6. Strategic Plan References**

- 6.1 This proposal contributes directly to the following Strategic Plan priority area:-

- Provide opportunities to increase the number of homes available including those that are affordable for local people and to build and refurbish our own Council houses for people in significant need

Disposal of this unsuitable property will enable reinvestment to the Councils existing stock through the HRA in line with the Housing Investment Programme



## **7. Consultation**

- 7.1 The approved asset management process agreed as part of the Asset Management Strategy has been followed. The process takes advice from numerous feeder groups including housing management staff, finance staff, other relevant Council staff and the recommendations presented through this report are supported by the various stakeholders involved.

## **8. Publicity Considerations**

- 8.1 To ensure best value was achieved, the property was advertised on the open market.

## **9. Financial Implications**

- 9.1 The appendix in part B of the agenda sets out the offers received for the property
- 9.2 By using the capital receipt generated from this disposal to fund the HRA Capital Programme, it would reduce the amount the Council would need to borrow to support the 30 year HRA Business Plan, thus saving further interest costs and maximising the Council's available borrowing headroom.

### **Capital Implications**

- 9.3 Under the HRA Self-Financing arrangements, the Government have stated that they want local authorities to be able to undertake effective asset management, in particular to consider what to do with those dwellings where redevelopment might best meet local need, or whether to continue to maintain a particular dwelling given future maintenance costs etc. The regulations governing the pooling of housing capital receipts ensure the greater freedom towards disposals will not inadvertently disadvantage any authority, and that any receipts from the sales of vacant land or empty homes will be retained by local authorities provided they are spent on affordable housing. This includes the repayment of HRA debt, which must be considered given any disposal will reduce the number of dwellings available to service the HRA debt, therefore a proportion of any receipt should be set-aside for this purpose. It is also clear that where consideration is given to fund any HRA investment from disposals that those receipts need to be ring-fenced to the HRA, to safeguard the viability of the HRA business plan and also to avoid the requirement to pay a proportion to the Government under the capital receipts pooling arrangements.
- 9.4 The disposal of this property will remove the requirement to undertake possible substantial capital works on it over the life of the 30 year Asset Management Strategy and HRA Business Plan.
- 9.5 The Housing Investment Programme considered by Cabinet on 1st February 2017 included assumptions on receipts from potential disposal of assets, of which this forms a part.

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

10.1 <http://www.colchester.gov.uk/CHttpHandler.ashx?id=15007&p=0>

**11. Community Safety Implications**

11.1 None

**12. Health and Safety Implications**

12.1 None

**13. Risk Management Implications**

**13.1** If the disposal of Gothic House does not proceed it will impact on the Housing Future's Programme which has been approved to balance the HRA Business Plan along with the social and economic needs of residents given the long term viability of properties.

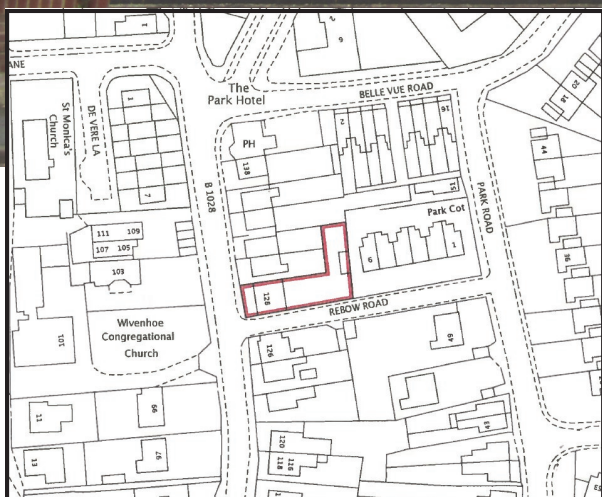
**14. Standard References**

14.1 There are no particular references to the Strategic Plan; publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

**Appendix 1**

Sales Particulars

**Gothic House, 128 High Street, Wivenhoe, Colchester, CO7 9AF**



**For Sale by  
Informal Tender**

**Substantial  
Victorian Property  
with Further  
Development  
Potential**

- Freehold land and buildings
- 500 yard walk to Wivenhoe Train Station
- C4-'HMO' planning use or single dwelling
- 0.11 acre site area.
- Best written offers are invited by **12:00 hours on Friday 3rd March 2017.**



# Details

## Location

The property is prominently situated occupying a central plot off Wivenhoe High Street in a highly sought after residential area due to its short walking distance to Wivenhoe train station providing access to Colchester, Clacton and London Liverpool Street .

Wivenhoe lies approximately 3 miles south east of Colchester via the A133 Clacton Road and the B1028 Colchester Road.

## Description

The property comprises a Victorian detached house over four floors on a plot of approximately 0.11 acres currently laid out to accommodate 7 residential flats. There is parking at the rear of the property which is accessed via Rebow Street and provides 3-4 car parking spaces, with plot for 2-3 further spaces.

The lower ground floor comprises 2 flats, one provides a bedsit accommodation with a living room/bedroom, kitchen, and bathroom. The other is split over 2 floors to provide a bedroom, living room, kitchen and bathroom. The lower ground floor also houses a site office, laundry room and store.

The ground floor accommodation is split into an two flats; the first provides a living room, bedroom, kitchen and bathroom and the other with a bed/ living room, kitchen and bathroom.

The first floor comprises of a further two flats with the same layout as the ground floor; one flat with a living room, bedroom, kitchen and bathroom; the other with a bedroom and bathroom and the other with a bed/ living room, kitchen and bathroom.

The second floor accommodates a further flat; with a living room, bedroom, 2 kitchens and 2bathrooms.

## EPC

EPC reports for the individual flats are available upon request.

## Accommodation

Gothic House, 128 High Street, Wivenhoe:

Lower Ground Floor

Ground Floor

First Floor

Second Floor

Approx. Total GIA : 3,350 sq ft (311 sq m)

Approx. total Site Coverage: 0.11 Acre

## Planning

The house is registered as a House in Multiple Occupation (HMO) and as such falls within Use Class C4. The premises are not currently licenced, and any new owner would be required to apply for a licence under the Housing Act 2004. The change of use of the HMO back to a single family dwelling house is a permitted change under the Use Classes Order 1987 (as amended).

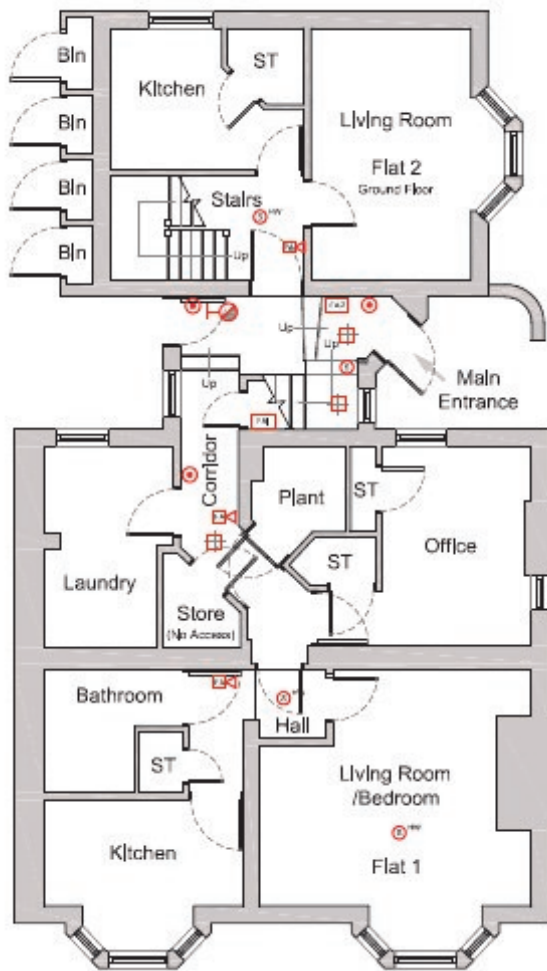
The house is located within the Wivenhoe Conservation Area and as such, the Planning Authority is under a statutory duty to ensure that all development proposals serve to preserve the character and appearance of the conservation area. Given that the building makes a considerable positive contribution to the character of the area, the replacement of the building would not be supported in principle (local plan policy DP14 refers).

The conversion of the building into self-contained flats may be acceptable (refer to Policy DP11 – Flat Conversions) providing that the Council's policy adopted standards are satisfied. Without prejudice, any scheme must satisfy the requirements of the highway authority and provide for adequate parking (DP19) and amenity space (DP16) to serve the proposal in conformity with adopted local plan policies within the Adopted Development Policies DPD (October 2010 Updated July 2014). Any application must be accompanied by an arboriculture impact assessment and constraint plan.

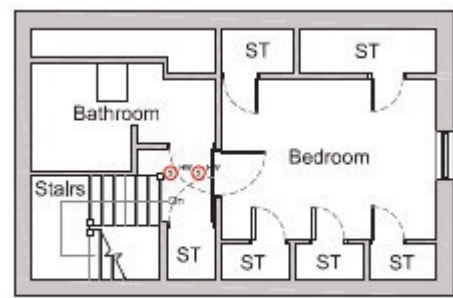
Interested parties are advised to contact the Borough Council's Planning Service to undertake a formal Preliminary Enquiry in order to receive further informal advice regarding the potential for development.



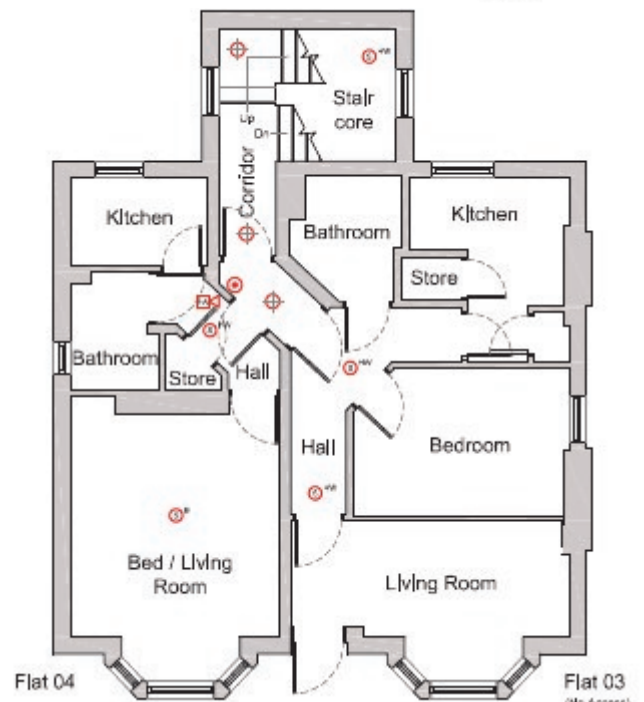




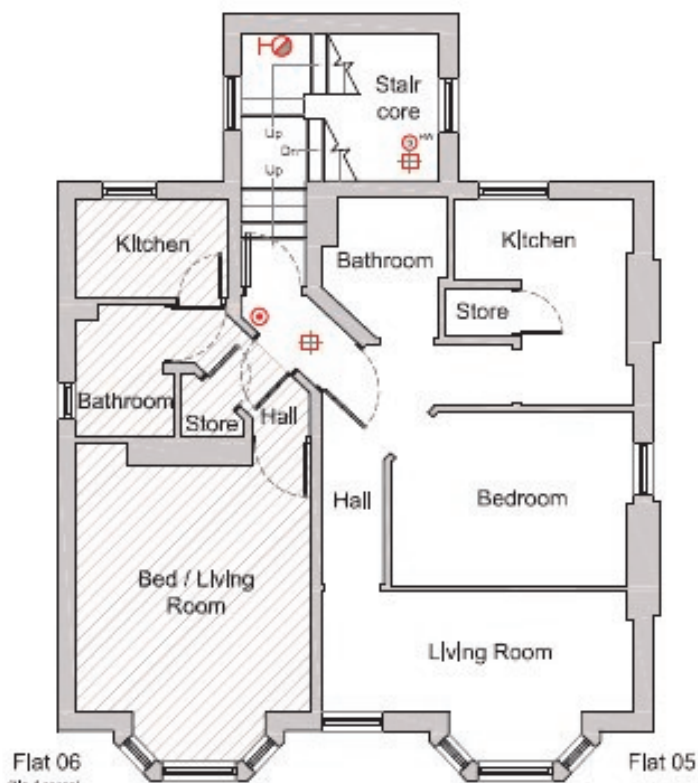
Lower-Ground Floor



Flat 02  
First Floor



Ground Floor

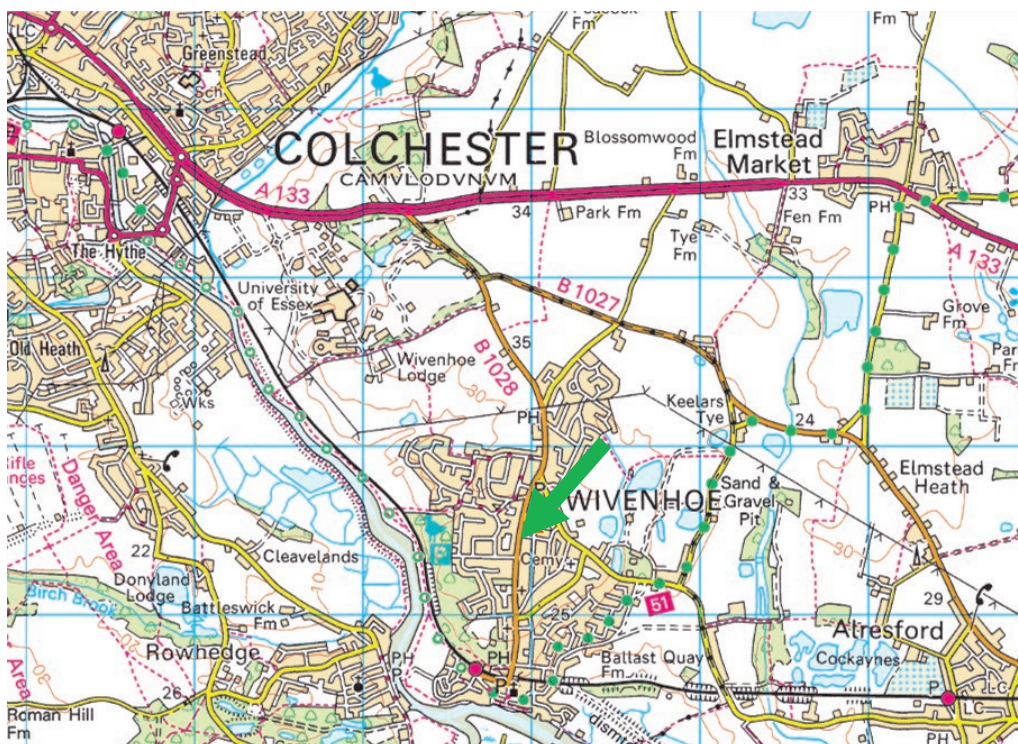


First Floor



Second Floor

NOT TO SCALE FOR IDENTIFICATION PURPOSES ONLY



## Tenure

Freehold for Sale by Informal Tender

**(Guide Price: Offers in Excess of £600,000)**

Offers are invited for the property by informal tender. Best written offers are invited by **12:00 hours on Friday 3rd March 2017**. Offers should be submitted to our Tollgate office, and clearly identify the prospective purchaser, method of funding and be expressed as a fixed sum. Offers should be submitted in a sealed envelope marked; "offer for Gothic House, Wivenhoe", if the purchase is subject to any conditions, provisos or requirements for alternative planning consent or further surveys of the site, the offer should clearly indicate the extent of these conditions.

Acceptance of an offer to purchase will be subject to contract and subject to no better offer being received prior to exchange of contracts.

## Viewing

Access to the property is available on site at the following times:

Thursday 2nd February 2017	14:30—15:30
Tuesday 14th February 2017	15:00—16:00
Friday 24th February 2017	14:00—15:30
Tuesday 28th February 2017	09:30—11:00

When visiting the properties please have consideration for the existing householders in High Street and Rebow Road and please do not obstruct the access to existing properties.

Strictly by prior appointment with the sole agents:

## Fenn Wright

1 Tollgate East, Stanway, Colchester, CO3 8RS

**01206 216 565**

[fennwright.co.uk](http://fennwright.co.uk)

Contact:

James Angel - T. 01206 216558 E. [jda@fennwright.co.uk](mailto:jda@fennwright.co.uk)

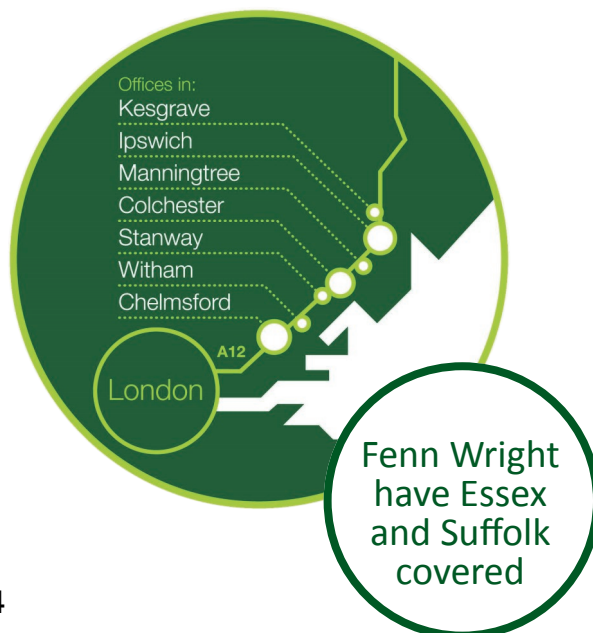
Lewis Chambers - T. 01206 216562 E. [lcc@fennwright.co.uk](mailto:lcc@fennwright.co.uk)

## For further information

**01206 216 565**  
[fennwright.co.uk](http://fennwright.co.uk)

Fenn Wright for themselves and for the vendors or lessors of this property whose agents they are give notice that:

- The particulars are set out as a general outline for the guidance of intending purchasers or lessees; and do not constitute, nor constitute part of, an offer or contract.
- All descriptions, dimensions, references to condition and necessary permissions for use and occupation, and other details are given in good faith and are believed to be correct but any intending purchasers or lessees should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them.
- The vendor or lessor does not make or give, and neither Fenn Wright nor any person in their employment has the authority to make or give, any representation or warranty whatsoever in relation to this property.
- All statements contained in these particulars as to this property are made without responsibility on the part of Fenn Wright or the vendor/lessor.
- All quoting terms may be subject to VAT at the prevailing rate from time to time.
- Fenn Wright have not tested any electrical items, appliances, any plumbing or heating systems and therefore, cannot give any warranty or undertaking as regards their operation or efficiency.



<b>Report of</b>	<b>Assistant Director, Policy and Corporate</b>	<b>Author</b>	<b>Richard Clifford</b> ☎ 507832 <b>Zoe Gentry</b> ☎ 506055
<b>Title</b>	<b>Calendar of Meetings 2018-19</b>		
<b>Wards affected</b>	Not applicable		

**This report proposes a Calendar of Meetings for the 2018-19 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 2018 to April 2019.
- 1.2 To delegate authority to cancel meetings to the Chairman of the relevant Committee/Panel in conjunction with the Assistant Director, Policy and Corporate.

**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.
- 2.4 A formal arrangement needs to be in place for the cancellation of meetings that no longer need to be held.

**3. Alternative Options**

- 3.1 This proposal has been largely 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 2018-19 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 23 May 2018.

- No Cabinet or Revolving Investment Fund Committee meetings in the six weeks before the local elections in May 2019;
- A minimum of a two week gap between Council and Cabinet meetings.
- To facilitate the hearing of call ins, a Scrutiny Panel meeting to follow after a Cabinet meeting;
- Political group meetings in advance of meetings of Council and Cabinet
- No meetings of Council or Cabinet/Revolving Investment Fund Committee or Scrutiny Panel during the party political conference season in late September/early October.

#### 4.2 The Calendar of Meetings 2018-19 comprises:-

- Council – the Annual Meeting plus four Council meetings. 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.
- Cabinet – seven meetings on a Wednesday.
- Governance and Audit Committee – six meetings on a Tuesday. These have been scheduled to ensure the approval of the Statement of Accounts at the appropriate time.
- Local Plan Committee – six meetings on a Monday.
- Licensing Committee – eight meetings on a Wednesday. A number of Sub-Committee hearings are also scheduled on Friday mornings. Not all of these will necessarily be used as hearings are scheduled on ad-hoc basis as required.
- Planning Committee – 19 meetings on a Thursday. The three week cycle has been extended to run from June – October, with a two weekly cycle throughout the rest of the year.
- Scrutiny Panel, including one meeting of the Crime and Disorder Committee in September 2018 – nine meetings on a Tuesday.
- Trading Board – six meetings on a Wednesday.
- Revolving Investment Fund Committee – six meetings on a Wednesday.
- Eight member training sessions between June 2017 and March 2018;
- 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:

Opening of the Oyster Fisheries: 7 September 2018

Oyster Feast 26 October 2018

Remembrance Sunday 11 November 2018



**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 Assistant Directors

**7. Publicity Implications**

- 7.1 The dates of council meetings are published on the Council's website. They are also advertised at the Library and Community Hub and distributed to parish council.

**8. Equality and Diversity Implications**

- 8.1 An Equality Impact Assessment covering the Council's decision making and meetings processes has been completed and can be found by on the Council's website [www.colchester.gov.uk](http://www.colchester.gov.uk) following the route: Home/Council and Democracy/Polices, Strategies and Performance/Equality and Diversity/Equality Impact Assessments/Decision Making and Meetings or by clicking on the link below:-

[Decision Making and Meetings EQIA](#)

**9. Standard References**

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

# 2018

		May		June		July		August
Mon								
Tue	1							
Wed	2						1	Trading Board
Thu	3	Elections					2	Planning Committee
Fri	4		1				3	
Sat	5		2				4	
Sun	6		3		1		5	
Mon	7	Bank holiday	4	Groups	2		6	
Tue	8		5	Governance and Audit Committee	3	Governance and Audit Committee	7	
Wed	9		6	Cabinet	4	Reserve Meeting	8	Revolving Investment Fund Committee
Thu	10		7		5	Planning Committee	9	
Fri	11		8		6		10	
Sat	12		9		7		11	
Sun	13		10		8		12	
Mon	14		11		9	Groups	13	Local Plan Committee
Tue	15		12	Scrutiny Panel	10	Training	14	Scrutiny Panel
Wed	16		13	Reserve meeting date	11	Cabinet	15	
Thu	17		14	Planning Committee	12		16	
Fri	18		15	Licensing Sub-Committee *	13	Licensing Sub-Committee *	17	
Sat	19		16		14		18	
Sun	20		17		15		19	
Mon	21		18	Local Plan Committee	16		20	
Tue	22		19	Training	17	Scrutiny Panel	21	
Wed	23	Annual Meeting	20	Trading Board	18	Licensing Committee	22	
Thu	24	Planning Committee	21		19		23	Planning Committee
Fri	25	Licensing Sub-Committee *	22		20		24	
Sat	26		23		21		25	
Sun	27		24		22		26	
Mon	28	Bank holiday	25		23	Groups	27	Bank holiday
Tue	29		26		24	Reserve Meeting	28	
Wed	30	Licensing Committee	27	Revolving Investment Fund Committee	25	FULL COUNCIL	29	Licensing Committee
Thu	31		28		26		30	
Fri			29		27		31	Licensing Sub-Committee *
Sat			30		28			
Sun					29			
Mon					30			
Tue					31			

\* Daytime meeting

Light shading = Essex school holidays

# 2018

		September		October		November		December
Mon			1					
Tue			2	Training				
Wed			3	Reserve meeting date				
Thu			4		1			
Fri			5		2			
Sat	1		6		3		1	
Sun	2		7		4		2	
Mon	3	Groups	8	Groups	5		3	Groups
Tue	4	Governance and Audit Committee	9		6	Training	4	
Wed	5	Cabinet	10	Cabinet	7	Trading Board	5	
Thu	6	Planning Committee	11		8	Planning Committee	6	FULL COUNCIL
Fri	7	Opening of the Fisheries	12	Licensing Sub-Committee *	9		7	Licensing Sub-Committee *
Sat	8		13		10		8	
Sun	9		14		11	Remembrance Sunday	9	
Mon	10		15	Local Plan Committee	12		10	
Tue	11	Scrutiny Panel/Crime and Disorder	16	Scrutiny Panel	13	Reserve meeting date	11	Scrutiny Panel
Wed	12		17	Revolving Investment Fund Committee	14	Licensing Committee	12	Licensing Committee
Thu	13		18	Planning Committee	15		13	Planning Committee
Fri	14		19		16		14	
Sat	15		20		17		15	
Sun	16		21		18		16	
Mon	17		22		19	Groups	17	Local Plan Committee
Tue	18	Training	23		20		18	
Wed	19	Trading Board	24		21	Cabinet	19	
Thu	20		25		22	Planning Committee	20	
Fri	21	Licensing Sub-Committee *	26	Oyster Feast	23		21	
Sat	22		27		24		22	
Sun	23		28		25		23	
Mon	24		29	Groups	26		24	
Tue	25		30	Governance and Audit Committee	27	Scrutiny Panel	25	Bank holiday
Wed	26	Licensing Committee	31	FULL COUNCIL	28	Revolving Investment Fund Committee	26	Bank holiday
Thu	27	Planning Committee			29		27	
Fri	28				30	Licensing Sub-Committee *	28	
Sat	29						29	
Sun	30						30	
Mon							31	

<sup>1</sup>Daytime meeting Light shading = Essex school holiday;

# 2019

		January		February		March		April
Mon							1	
Tue	1	Bank holiday					2	
Wed	2						3	
Thu	3	Planning Committee					4	
Fri	4		1		1		5	
Sat	5		2		2		6	
Sun	6		3		3		7	
Mon	7		4	Local Plan Committee	4		8	Local Plan Committee
Tue	8	Training	5		5	Governance and Audit Committee	9	
Wed	9	Trading Board	6	Reserve meeting date	6	Trading Board	10	
Thu	10		7		7		11	
Fri	11	Licensing Sub-Committee *	8	Licensing Sub-Committee *	8		12	
Sat	12		9		9		13	
Sun	13		10		10		14	
Mon	14		11		11	Groups	15	
Tue	15	Governance and Audit Committee	12	Training	12	Training	16	
Wed	16	Revolving Investment Fund Committee	13		13	Cabinet	17	
Thu	17	Planning Committee	14	Planning Committee	14	Planning Committee	18	Planning Committee
Fri	18		15		15		19	Bank holiday
Sat	19		16		16		20	
Sun	20		17		17		21	
Mon	21		18	Groups	18		22	Bank holiday
Tue	22	Reserve meeting date	19		19	Scrutiny Panel	23	
Wed	23	Licensing Committee	20	FULL COUNCIL	20	Revolving Investment Fund Committee	24	
Thu	24		21		21		25	
Fri	25		22		22		26	Licensing Sub-Committee *
Sat	26		23		23		27	
Sun	27		24		24		28	St George's Day Service
Mon	28	Groups	25		25		29	
Tue	29	Scrutiny Panel	26		26	Training	30	
Wed	30	Cabinet	27		27	Licensing Committee		
Thu	31	Planning Committee	28	Planning Committee	28	Planning Committee		
Fri					29	Licensing Sub-Committee *		
Sat					30			
Sun					31			

\* Daytime meeting; Light shading = Essex school holidays

## 2019

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



# PETITIONS, PUBLIC STATEMENTS, QUESTIONS

## (i) Have Your Say speakers

Date of Meeting	Details of Members of the Public	Subject Matter	Form of Response	Date Completed
9 August 2017	Nick Chilvers	Get Colchester Moving campaign	Verbal response provided at the meeting by Councillor Smith, Leader of the Council and Portfolio Holder for Strategy	9 August 2017
6 September 2017	Rosie Pearson, CAUSE	Garden Communities	Verbal response provided at the meeting by Councillor Smith, Leader of the Council and Portfolio Holder for Strategy	6 September 2017
6 September 2017	John Akker	Garden Communities	Verbal response provided at the meeting by Councillor Smith, Leader of the Council and Portfolio Holder for Strategy and Councillor T. Young, Portfolio Holder for Business and Culture	6 September 2017

## (ii) Petitions

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

