

Cabinet Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 29 January 2020 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, 29 January 2020 at 18:00

The Cabinet Members are:

Leader and Chairman	Councillor Mark Cory (Liberal Democrats) Councillor Adam Fox (Labour and Co-operative) Councillor Martin Goss (Liberal Democrats) Councillor Theresa Higgins (Liberal Democrats) Councillor David King (Liberal Democrats) Councillor Mike Lilley (Labour and Co-operative) Councillor Andrea Luxford Vaughan (Liberal Democrats) Councillor Julie Young (Labour)
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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

Cabinet will be invited to confirm that the minutes of the meeting of 20 November 2019 are a correct record.

20-11-19

9 - 22

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 or any other matter relating to the terms of reference of the meeting. Please indicate your wish to speak at this point if your name has not been noted by Council staff.

6 Decisions Reviewed by the Scrutiny Panel

The Councillors 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 Waste, Environment and Transportation

7(i) Climate Emergency Action Plan

23 - 104

Cabinet will consider a report providing an update on progress and current activity in addition to seeking approval for proposed action to be taken to address the Climate Emergency declared by Full Council in July 2019.

8 Strategy/Business and Resources

8(i) 2020/21 Revenue Budget, New Strategic Priorities and the Medium Term Financial Forecast

105 -
154

Cabinet will consider a report on the proposed 2020/21 Revenue Budget, New Strategic Priorities and Medium Term Financial Forecast and proposing that Cabinet make recommendations to Full Council on the budget.

9 Housing

9(i) Increasing the Supply of Affordable Housing - 100 Homes Project

155 -
170

Cabinet will consider a report on the 100 Homes Project, which is an innovative project which would make a significant contribution to meeting the housing needs of Colchester's residents who need affordable rented, secure and decent homes.

9(ii)	Housing Revenue Account Estimates 2020-21	171 - 192
	Cabinet will consider a report setting out the Housing Revenue Account estimates for 2020/21, the Medium Term Financial Forecast (MTFF) for 2020/21 to 2024/25 and the 30 Year HRA Financial Model.	
9(iii)	Housing Investment Programme 2020/21	193 - 200
	Cabinet will consider a report setting out the Housing Investment Programme for 2020/21.	
9(iv)	Award of Housing Adaptations Contract	201 - 204
	Cabinet will consider a report making a recommendation for the award of a contract for disability-related property adaptations to the Council's housing stock. The current contract is due to expire, and the new contract is anticipated to start in February 2020. The recommendation is to award to the incumbent contractor following an open procurement process.	
10	Housing/Commercial Services	
10(i)	Use of the Council's HRA Estate to Facilitate Significant Inward Investment in Broadband Infrastructure	205 - 212
	Cabinet will consider a report about the arrangements for the use of the Council's HRA land on commercial terms in order to facilitate investment in the borough's broadband infrastructure.	
11	Commercial Services	
11(i)	Digitalisation of the CCTV Network	213 - 220
	Cabinet will consider a report setting out proposals to replace the existing analogue Closed-Circuit Television (CCTV) system with a modern digital monitoring system	
11(ii)	Updates to the Events Policy	221 - 238
	Cabinet will consider a report inviting it to approve an updated Events Policy.	
12	Communities, Wellbeing and Public Safety	
12(i)	Safeguarding Policy and Suicide Protocol	239 - 286

Cabinet will consider a report inviting it to approve a revised Safeguarding Policy and Suicide Protocol and to refer them to Council for inclusion in the policy framework.

- 12(ii) **Youth Zone Sports and Social Centres - recommendation from Policy and Public Initiatives Panel** 287 - 292

Cabinet will consider a recommendation from the Policy and Public Initiatives Panel that it consider the potential funding of a Colchester Youth Zone, together with options for partnership work and the potential impacts of a Colchester Youth Zone.

13 **Culture and Performance**

- 13(i) **2019-20 Half Year Performance Report including progress on the 2018-2021 Strategic Plan Action Plan** 293 - 340

Cabinet will consider the performance for the half year for 2019-20 including progress of performance measures and an update on the Strategic Plan Action Plan.

- 13(ii) **Holy Trinity Church** 341 - 342

Cabinet will consider a recommendation from the Heritage and Tourism Task and Finish Group that funding be made available for a feasibility study to determine the extent of works required to renovate Holy Trinity Church

- 13(iii) **Claudius Gateway** 343 - 344

Cabinet will consider a recommendation from the Heritage and Tourism Task and Finish Group in respect of Claudius Gateway.

14 **Business and Resources**

- 14(i) **Business Rates Relief Policy 2020** 345 - 358

Cabinet will consider a report setting out a new Business Rates Relief Policy. The new policy sets out the criteria for the various reliefs available. The proposed changes are minimal with more focus on improving the accessibility for businesses to understand their eligibility and ease of application.

- 14(ii) **Tender of Internal Audit Contract** 359 - 360

Cabinet will consider a report seeking to delegate authority to award the new contract for internal audit services to the Portfolio Holder for Business and Resources.

15 **Business and Resources/Customers**

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|---|---|--------------|
| 15(i) | Request for Delegated Authority to Agree the Award of Contract | 361 -
364 |
| | Cabinet will consider a report seeking approval to delegate authority to the Portfolio Holder for Customers, in conjunction with the Assistant Director, Corporate and Improvement Services, for the approval of the award of a contract to supply and manage leased ICT devices. | |
| 16 Strategy | | |
| 16(i) | Amendments to the Scheme of Delegation to Officers | 365 -
400 |
| | Cabinet will consider a report inviting it to note the amendments to the Scheme of Delegation from the Leader of the Council to Officers of the Council following a change of responsibilities within the Senior Management Team. | |
| 17 General | | |
| 17(i) | Progress of Responses to the Public | 401 -
404 |
| | Cabinet will consider a report setting out the progress of responses to members of the public who address meetings of Cabinet or Full Council under the Council's Have Your Say arrangements. | |
| 18 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)

19 **Housing - Part B**

19(i) **Award of Housing Adaptations Contract - Part B**

Cabinet will consider an Appendix to report by the Head of Place and Client Services in respect of the bids received for the Housing Adaptations Contract.

<p style="text-align: center;">CABINET 20 November 2019</p>

Present: - Councillor Cory (Chairman)
Councillors Fox, Higgins, King, Lilley and J. Young

Also in attendance: - Councillors Barber, Bourne, Crow,
Goacher, Warnes and Willetts

393. Minutes

RESOLVED that the minutes of the meeting held on 9 October 2019 be confirmed as a correct record.

394. Have Your Say!

Victoria Weaver addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to express her support for the motion on Building Council Houses. There was a national housing crisis, to which Right to Buy contributed by allowing Council houses to be sold without provision for their replacement. The housing crisis had a significant impact on mental health and the motion provided hope that council housing would be provided in Colchester which would lead to a healthier and better society.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy thanked her for her comments and indicated that he would support the motion.

Alan Short addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) about the site of the Cultural Quarter. Concern was expressed that the cost benefit analysis of the alternative options for the site had not been released, contrary to assurances, and that the lease had not been published despite it being agreed. The lease to Alumno gave a poor return for the value of the site. Concern was also expressed that planning officers involved in the presentation to the Planning Committee attended parts of the appeal hearing.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, Councillor King, Portfolio Holder for Business and Resources, and Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, responded. The administration had done due diligence on the options for the site. The administration would look again at the information that had been provided to see if there was further information that could be released. Officers had followed their instructions to defend the Planning Committee decision, and the decision had been robustly defended.

Councillor Barber attended and, with the consent of the Chairman, addressed the Cabinet to urge them to ensure ward councillors were kept informed of decisions or events relevant

to their wards. This would help ensure that they could advise on local issues and ensure events were appropriately publicised locally.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, Councillor King, Portfolio Holder for Business and Resources, and Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, responded. The administration was committed to involving ward councillors but would look at how this could be improved. It was committed to working in a mature and collegiate way and this was demonstrated in its approach on Garden Communities and the Climate Emergency. However, it was important that ward councillors engaged when consulted.

Councillor Goacher attended and with the consent of the Chairman, addressed the Cabinet to express his concern about the reduction in funding to the Citizens Advice Bureau (CAB). The CAB supported the most vulnerable people in society. Information was requested about the other charities that would be receiving funding and whether an impact assessment had been completed.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, Councillor King, Portfolio Holder for Business and Resources, and Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, responded and explained that the CAB would receive approximately £70,000 from the Council and Colchester Borough Homes. It was also providing support in other ways, such as shared premises. The CAB was now delivering its services in different ways, such as online or by appointment. Information would be provided about the other groups that were being supported, but that they were organisations that supported the most distressed and vulnerable groups in society.

395. 2020/21 Revenue Budget, New Strategic Priorities and the Medium-Term Financial Forecast

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

Dan Gascoyne, Chief Operating Officer, presented information about the new Strategic Priorities. These were grouped into the themes of Environment, Place, Commercial and Opportunity, although there were significant crossovers and common themes. The Council would work closely with its partners to deliver the priorities. Brief details of the priorities and the proposed timeline were highlighted.

Councillor King, Portfolio Holder for Business and Resources, explained that the Council's response to the financial pressures had put it in a position where it was now able to support significant regeneration and growth. Cabinet had identified a number of new Strategic Priorities which would enable it to deal with the major challenges facing residents. This would be partly funded through the prudent use of reserves. In terms of the budget, whilst there was currently an over spend forecast for the current year, he was confident that the budget would be balanced and whilst significant pressures had been identified for 2020-21, a budget surplus was forecast, based on reasonable assumptions.

Councillor J. Young, Portfolio Holder for Culture and Performance, highlighted the development of a new cultural strategy, which would be a visionary document and would enrich the lives of local residents.

RESOLVED that:-

- (a) The New New Strategic Priorities be approved.
- (b) The Period 6 2019/20 revenue forecast be noted, and the one-off use of balances be approved.
- (c) The savings proposals set out in the Assistant Director's report be agreed for inclusion in the MTFP and the forecast budget position for 2020/21 be noted.
- (d) The amendments to the capital programme as set out in Appendix E of the Assistant Director's report be approved.
- (e) Membership of the Essex Business Rates Pool continue.
- (g) The 2020/21 council tax base be agreed by the Section 151 Officer in consultation with the Portfolio Holder for Business and Resources
- (h) Changes to Council Fees and Charges as set out in Appendices F and H of the Assistant Director's report be agreed.
- (i) £58k feasibility costs for North Colchester BID be advanced from the strategic New Homes Bonus Allocation.

REASONS

To move forward the Council's strategic priorities, including responding to the Climate Emergency, and further develop the 2020/21 budget.

ALTERNATIVE OPTIONS

A range of different options could be considered to meet the budget strategy requirements and the proposals in the report will be consulted on through the budget setting process.

396. Colchester Local Full Fibre Network Fund – Implementation 2019-21

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

Holly Brett, Head of Development, Colchester Amphora Trading Ltd, made a presentation to the Cabinet explaining that the Council had secured £3.5 million of Government funding which would be used to deliver the Council's Digital Strategy, and which aimed to make Colchester the best-connected town in the East of England. Information was provided about the scale of the project and what would be delivered and the timescales involved.

Councillor Willetts attended and with the consent of the Chairman, addressed the Cabinet. Whilst the improvements to Colchester's digital infrastructure were to be welcomed, it was

noted that the improvements were concentrated in the town centre and parts of urban Colchester. The rural areas of the borough had to rely on the services of other providers which were not supported by large government funding and therefore would receive a poorer service. In addition Tollgate, where several technology and IT firms were located would not be covered by the full fibre network.

Holly Brett explained that there would be a further round of funding from government for a rollout of full fibre to rural areas. The Council would bid for funding, and its success in this round of funding would help in any future bid.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, and Councillor J. Young, Portfolio Holder for Culture and Performance, welcomed the proposals. There were clear and compelling reasons for starting the roll out of full fibre in the town centre, as it was using existing ducting. Improved digital infrastructure would also help with the care of the vulnerable and elderly and enable them to continue living in their own homes.

RESOLVED that:-

- (a) The deployment proposals as described in the Assistant Director's report be agreed.
- (b) £3.45 million be provided in forward funding for the project implementation, which will be reclaimed from DCMS in full.
- (c) Authority be delegated to the Strategic Director Policy and Place in consultation with the Portfolio Holder for Business and Resources for the award of contract to contractors for the design and deployments works

REASONS

The opportunities presented to the Council and the Borough by the DCMS funding are unique and are unlikely to be repeated. They represent an opportunity to make a very significant improvement to the Borough's infrastructure that will have a positive benefit for residents, business, the Council and its businesses, for many years to come.

The project team has confirmed that the major telecoms operators (BT, Virgin media, as well as the newer builders of fibre networks, including CityFibre) have no plans to deploy fibre at scale in urban Colchester. However, the creation of a market-disruptive infrastructure is likely to accelerate such plans and will have a beneficial effect on competition, customer choice and the Borough's overall economic position. Suffolk, Chelmsford and Norwich have impending large-scale fibre deployment plans and it is essential that Colchester does not fall behind them in the creation of this infrastructure.

ALTERNATIVE OPTIONS

Colchester Amphora Trading Ltd (CATL) has engaged over the past two years with the major telecoms operators, including the builders of urban fibre optic networks, such as City Fibre, Hyperoptic and Gigaclear. Colchester does not offer the scale required for their deployments, although Gigaclear will be working to deliver ultrafast connectivity in the rural parts and is already connecting a small number of customers in them. This means the

only viable solution is for the borough to take the lead in deploying the infrastructure

Broadband provision in Colchester remains poor, although it has improved since 2015, when a benchmarking study by the Centre for Cities scored Colchester 57th of the largest 65 towns and cities in the UK for broadband speeds. Nonetheless, with the likely deployment of fibre networks in the neighbouring towns in the coming years, it is essential that Colchester maintains its 3-year lead in the deployment of this type of infrastructure. Fewer than 1% of connections in Colchester are “pure-fibre” capable of delivering gigabit speeds; this compares with 8% across the UK (the level in Chelmsford and Norwich is near-zero). The LFFN project will facilitate up to 20,000 connections within the first five years, some 25% of all addressable buildings (business and residential).

397. North Essex Economic Strategy

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

Councillor Willetts, attended and with the consent of the Chairman, addressed the Cabinet. The Strategy had clear links to the Local Plan. The Strategy was welcomed as it would help generate higher value employment and counter the pull of London. Colchester provided the bulk of the housing growth in the area covered by the Strategy. This concentration on housing had meant that it had fewer industrial sites. Therefore it was only fair for Colchester to receive a higher proportion of the economic benefits resulting from the Strategy.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, Councillor King, Portfolio Holder for Business and Resources and Councillor Higgins, Portfolio Holder for Commercial Services, expressed their support for the Strategy. Colchester’s position at the heart of North Essex was understood and respected by the partner authorities. There was a need for high value jobs in the economy of North Essex and Colchester was well placed to generate such opportunities through the University and the Knowledge Gateway. Members of Cabinet stressed the importance of health and wellbeing issues being considered along economic factors.

RESOLVED that:-

- (a) The North Essex Economic Strategy be approved
- (b) It be noted that that the Strategy’s priorities will contribute to the Essex Prosperity Prospectus and the SELEP Local Industrial Strategy;
- (c) The partnership structures which are in place to facilitate the Strategy be noted;
- (d) It be noted that an Action Plan will be developed to guide delivery of key actions;
- (e) It be noted that a process for reporting progress will be established by the partners.

REASONS

Approval of the Strategy will enable the 4 North Essex Local Authorities with Essex County Council to maximise their capability to influence national government for the support and investment this sub-region needs to deliver its economic development ambitions, whilst providing a framework which will guide the development of specific economic development interventions at a locality level, ensuring these are strategically linked and have the highest possible impact.

ALTERNATIVE OPTIONS

No alternative approaches were proposed.

398. Local Council Tax Support Scheme 2020-2021

The Assistant Director, Customer, submitted a report a copy of which had been circulated to each Member.

Councillor King, Portfolio Holder for Business and Resources, explained that 9000 residents benefited from the Local Council Tax Support Scheme. The scheme provided help and stability to vulnerable residents. This support to vulnerable residents was also reflected by the excellent service provided by the Council's award winning benefit team who had a record of paying benefits quickly.

Councillor King also expressed the Cabinet's thanks to Councillors Gerard and Beverley Oxford for the leadership they had provided on such issues in their role as Portfolio Holder for Customers.

RESOLVED that:-

- (a) The current working age entitlement be maintained for the financial year effective 1 April 2020 to maximise ongoing support for residents. The only changes from the current scheme are the prescribed regulation changes, mandated national legislative uprating, and to disregard Windrush Compensation payments from any relevant calculation.
- (b) Continued consideration be given to progress of Universal Credit, its impact on Local Council Tax Support and banded income schemes, and other alternatives.
- (c) *RECOMMENDED to COUNCIL* that the Local Council Tax Support Scheme 2020-2021 be approved and adopted.

REASONS

Legislation requires that the scheme, effective from 1 April 2020, be agreed by March 2020.

ALTERNATIVE OPTIONS

Changes could be made to the scheme. However, stability to the scheme is being recommended due to the introduction of Universal Credit. This will provide residents with some consistency within the context of a fundamental change to other forms of benefit and support.

399. Officer Pay Policy Statement 2020/21

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

Councillor King, Portfolio Holder for Business and Resources, explained that the Council had a legal duty to publish an officer pay policy statement on an annual basis. This was part of its commitment to transparency. This demonstrated the Council's good practice in respect of pay and benefits. In particular the Council had paid the Living Wage as set by the Living wage Foundation since 2013, and required contracted staff and suppliers working on Council business to be paid the Living Wage.

RECOMMENDED TO COUNCIL that the Officer Pay Policy Statement 2020-21 be approved and adopted.

REASONS

The Localism Act requires "authorities to prepare, approve and publish pay policy statements articulating their policies towards a range of issues relating to the pay of its workforce, which must be approved by full Council annually. An authority's pay policy statement must be approved by a resolution of that authority before it comes into force".

ALTERNATIVE OPTIONS

The only alternative would be to not recommend the approval of the Pay Policy Statement, but that would be contrary to the requirements of the Localism Act.

400. Health and Safety Report 2019/20

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

RESOLVED that 2018/19 annual report and the Health and Safety Policy for 2019/20 be noted.

REASONS

The Leader of the Council has the ultimate responsibility for the management and monitoring of health and safety provision across all the Council's undertakings. Cabinet are jointly and severally the primary duty holders for health and safety across the Council's undertakings.

The Health and Safety Policy is an integral part of the risk management process, which forms part of the policy framework. As such it is appropriate to provide an annual report on Health and Safety to the Governance and Audit Committee, to assist with the Committee's responsibility for reviewing the effectiveness of risk management.

Therefore, this report was presented to the Governance and Audit Committee on 29 October 2019 and the Committee recommended that the report was also submitted to

Cabinet, to fulfil the Leader of the Council's and Portfolio Holders responsibilities for Health and Safety.

ALTERNATIVE OPTIONS

The Health and Safety policy sets out the Council's commitment to managing health and safety risks, organisation structure and the individual responsibilities, at all levels of the organisation. The only changes to the policy in 2019 are minor (moving responsibilities from Strategic Director to Chief Operating Officer now responsible for health and safety and removing Commercial department (now CCHL/Amphora) from the Organisation Structure).

The policy is supported by a set of arrangements that detail what the Council will do in practice to achieve the aims set out in the health and safety policy and successfully manage health and safety.

401. Colchester's Homelessness and Rough Sleeping Strategy (2020 - 2025)

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

Councillor Fox, Portfolio Holder for Housing, introduced the Homelessness and Rough Sleeping Strategy 2020-2025. This was built on the existing strategy, but also took account of the additional duties placed on the Council by the Homelessness Reduction Act 2017. The Strategy had been developed in conjunction with partners and key stakeholders. The four key aims of the Strategy were:-

- Increasing access to accommodation and providing settled homes.
- Helping people to sustain their accommodation.
- Improving the health and wellbeing of people that experience homelessness.
- Improving communication and challenging the perception and culture of homelessness.

To address homelessness and rough sleeping the Council was committed to building Council housing, but despite the council's best efforts homelessness was rising. The Council had worked with Colchester Borough Homes to secure over £600,000 of funding to reduce rough sleeping and it had appointed a Rough Sleeping Co-ordinator and Outreach workers. As a result the Council was making progress in tackling rough sleeping.

Councillor Fox thanked officers and partners for their work in bringing forward this significant piece of work.

Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety paid tribute to the work of Colchester Borough Homes Outreach workers for their valuable work in tackling rough sleeping.

RESOLVED that the new Homelessness and Rough Sleeping Strategy for Colchester for 2020 to 2025 be approved.

RECOMMENDED to COUNCIL that the Homelessness and Rough Sleeping Strategy be adopted as part of the Council's Policy Framework.

REASONS

The Council has a statutory responsibility to produce and publish a Homelessness Strategy based on a homelessness review every five years.

The new Homelessness and Rough Sleeping Strategy for Colchester takes account of national guidance and local priorities arising from the homelessness review and consultation responses. A corporate commitment to preventing homelessness is fundamental to achieving the main objectives of the Strategy.

ALTERNATIVE OPTIONS

To not adopt the Homelessness and Rough Sleeping Strategy. However, it is a legal requirement to have a Homelessness Strategy and no alternatives exist to a review of homelessness and the development of a new strategy and delivery plan. The Council would not be fulfilling its legal duty if it did not produce a strategy.

402. Building Council Houses

The motion on Building Council Houses, which stood referred direct to Cabinet was considered by Cabinet. A copy of the motion had been circulated to each Member.

Councillor Warnes attended and with the consent of the Chairman, addressed the Cabinet. Colchester was in the midst of a housing crisis and there was an acute need for affordable social housing. This was exacerbated by the Right to Buy Scheme. In the last year, Colchester had sold 38 properties under the scheme, with only eight being replaced, and over 3000 properties in Colchester had been sold under the scheme since right to buy was introduced. This was a significant loss to the available stock of Council housing. It was important the borough's MPs lobbied government to encourage Council house building on a large scale. Whilst housing associations were the current main providers of affordable housing, the future security and viability of housing associations was threatened by proposed changes in tenure. As well as addressing housing need, large scale Council housing would provide a significant income stream to local authorities.

Councillor Willetts attended and with the consent of the Chairman addressed the Cabinet to express his support for the general tenor of the motion. However, it was a paradox that Colchester faced issues of homelessness and housing need in view of the scale housing growth in the borough. The main tool to secure affordable housing was through the Council's policy requiring developers to provide 30% affordable housing on new developments. This had not been properly enforced and therefore the failure to secure enough affordable housing was the responsibility of the Council.

Councillor Bourne attended and with the consent of the Chairman addressed the Cabinet to stress the important difference between affordable housing and Council housing. Council housing had a secure tenure and was considerably cheaper than affordable housing. The Council had a three year rolling target for the provision of affordable housing and this had been met. Those in the private rented sector were often supported with

housing benefit, which directed tax payer's money towards private landlords, when it could be used more effectively and efficiently to provide Council housing.

Councillor Fox, Portfolio Holder for Housing, expressed his support for the motion. The private sector had not delivered sufficient affordable housing, and the 30% policy did not apply to all sites. Council housing sold under right to buy could not be replaced as the Council did not receive the full value of the house. It was important that the Council continued to invest in new and existing housing stock. He noted that in view of the forthcoming General Election, the wording of the motion should be amended so that it was sent to those MPs elected to represent the borough of Colchester on 12 December.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, indicated his support for the motion. He suggested that it should also include a further bullet point calling on government to review the Right to Buy Scheme.

RESOLVED that the motion on Building Council Houses be approved and adopted subject the following amendments:

- The replacement of the named MPs with a reference to those MPs elected to represent the Borough of Colchester in the General Election on 12 December;
- An additional bullet point calling on the government to review the Right to Buy scheme.

403. Climate Emergency Update

The Assistant Director, Environment, submitted a report a copy of which had been circulated to each Member.

Councillor Willetts attended and with the consent of the Chairman addressed the Cabinet. He welcomed the work of the Conservation and Environmental Task and Finish Group in addressing the Climate Emergency. However, it did not address the issue of emissions from the Council's vehicle fleet. The fleet contract was due to be retendered shortly and that would provide the opportunity to replace the existing fleet with electric vehicles.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, indicated that the Council was looking at all forms of energy use, and this would include the vehicle fleet. The Carbon Trust had been commissioned to review the Council's activities and prepare recommendations on how carbon emissions could be tackled, and their work would include the vehicle fleet. A more detailed Action Plan on how the Council would move towards being carbon neutral by 2030 would be brought to the next Cabinet meeting. However, it was clear that difficult decisions would need to be taken.

Councillor King, Portfolio Holder Business and Resources, explained that officers had been directed to ensure that the environmental and sustainability implications of all decisions must be considered and included in future reports. This would ensure that the carbon impact of all decisions and how this could be offset, would be considered. This approach had been taken in the budget paper considered earlier in the agenda.

Councillor Higgins, Portfolio Holder for Commercial Services stressed the need for the

Council to take the lead and set an example for other authorities and organisations in the borough.

RESOLVED that:-

- (a) The actions taken and the progress made by the Conservation and Environmental Sustainability Task and Finish Group be noted.
- (b) Environmental and Carbon Management issues should be considered in all future decisions taken by the Council.

REASONS

To ensure Cabinet has oversight of the steps being taken to respond to the Climate Emergency and the future proposed timetable for bringing more detailed proposals back to Cabinet and full Council.

ALTERNATIVE OPTIONS

No alternative options were proposed.

404. Use of Glyphosate Herbicides

An extract of the minutes of the meeting of the Conservation and Environmental Sustainability Task and Finish Group on 8 October 2019 relating to the use of glyphosate herbicides, a copy of which had been circulated to each Member, was considered by Cabinet.

Councillor Cory introduced the recommendations from the Conservation and Environmental Task and Finish Group, of which he was the Chairman. It proposed a clear commitment to end the use of glyphosate herbicides, and using an appropriate alternative solution, depending on the location. This could be an alternative form of weed killer, or in some locations an alternative approach such as not removing weeds. It also proposed working with other authorities and users to stop their use across the borough.

Councillor Higgins, Portfolio Holder for Commercial Services, highlighted how the Friends of the Recreation Ground had worked with Idverde to reduce the use of glyphosates. The proposals would ensure the Council took the lead on the issue and would influence other users.

RESOLVED that:-

- (a) Colchester Council commits to cease the use of glyphosate herbicides, by a phased approach based on the nature of the sites where herbicides are used, the need to encourage biodiversity where possible, and the availability of alternative sustainable practices.
- (b) Colchester Borough Council will work with other authorities, organisations and companies who use glyphosate herbicides within the borough to encourage them to cease their use of them.

REASONS

Cabinet considered that the recommendations from the Conservation and Environmental Task and Finish Group were a practical approach to ceasing the use of glyphosate herbicides.

ALTERNATIVE OPTIONS

It was open to the Cabinet not to approve the recommendation from the Conservation and Environmental Task and Finish Group.

405. Highway Ranger Service

The Assistant Director, Environment, submitted a report a copy of which had been circulated to each Member.

RESOLVED that Colchester Borough Council operates the Highway Ranger Service on behalf of Essex County Council for as long as they continue to provide current levels of funding for the Service as detailed in the Assistant Director's report.

REASONS

This would demonstrate progress against the Alliance Action Plan Priority of taking on services and budgets from Essex County Council.

By having greater control of the service it could be better integrated with other activities undertaken by the Council's Neighbourhood Services team.

ALTERNATIVE OPTIONS

To not take on the service. This would make it more difficult to demonstrate progress against the Alliance Action Plan Priority of taking on services and budgets from Essex County Council. It would also be difficult to integrate the Highway Ranger Service with other activities in Neighbourhood Services.

406. Appointment of the Deputy Mayor 2020-21

Consideration was given to the nomination for the appointment of the Deputy Mayor for the Borough of Colchester for the 2020-21 Municipal Year.

Councillor Barber proposed Councillor Robert Davidson for appointment as Deputy Mayor for the Borough of Colchester for the 2020-21 Municipal Year. He had served on Council since his election in 1998 and his collaborative approach to leadership would make him an ideal Mayor.

Councillor Cory, Leader of the Council and Portfolio for Strategy, and Councillor J. Young, Deputy Leader of the Council and Portfolio Holder for Culture and Performance, expressed their support for the nomination.

RECOMMENDED TO COUNCIL that Councillor Robert Davidson be nominated for appointment as Deputy Mayor for the Borough of Colchester for the 2020-21 Municipal Year.

407. Calendar of Meetings 2020-21

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

RESOLVED that:-

The draft Calendar of Meetings for the next municipal year from May 2020 to April 2021 be approved.

Authority to cancel meetings be delegated to the Chairman of the relevant Committee/Panel in conjunction with the Assistant Director, Policy and Corporate.

REASONS

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.

Advance notice of the Calendar of Meetings needs to be made available to Councillors and 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.

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.

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

ALTERNATIVE OPTIONS

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.

408. 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.

29 January 2020

Report of	Assistant Director of Environment	Author	Rory Doyle
Title	Climate Emergency Action Plan		☎ 507855
Wards affected	All wards		

1. Executive Summary

- 1.1 This report provides an update on progress and current activity in addition to seeking approval for proposed action to be taken to address the Climate Emergency declared by full Council in July 2019.

2. Recommended Decision

- 2.1 To note the findings set out in the Climate Action Planning Report prepared by the Carbon Trust (Appendix A)
- 2.2 To approve the recommendations from the Conservation, Environment and Sustainability Task and Finish Group as set out below:

(a) The Climate Emergency Action Plan be approved, subject to the inclusion and clarification of Scope 3 elements to the section entitled “Scope of the Carbon Emission Target”.

(b) The Climate Emergency Action Plan be kept under review and that the Council commit to a target in respect of additional Scope 3 emissions once measurement of this wider carbon footprint has been undertaken.

3. Reason for Recommended Decision

- 3.1 The Council has declared a climate emergency in recognition of the urgent need to take action to address global warming and the crisis being created by unavoidable climate change.

In declaring a climate emergency, the Council has made tackling climate change a New Strategic Priority and our initial Climate Emergency Action Plan (Appendix B) reflects this.

4. Alternative Options

- 4.1 Not applicable

5. Background Information

- 5.1 In July 2019 the Council unanimously approved a motion to declare a climate emergency. The Council also resolved to:

Support the newly formed Conservation and Environmental Sustainability Task and Finish Group to consider the following actions:

Commission an environmental audit which identifies pollution hotspots, wildlife biodiversity and environmental health issues, and an urban impact assessment with an aim to identify areas of improvement across the borough.

Consult expert opinions in the field, as appropriate.

Collaborate with regional and neighbouring local authorities, as well as communities, to encourage practical measures to reduce emissions, reduce carbon footprints and develop community-based renewable energy projects.

Encourage all sectors of the economy across the borough to take steps to reduce waste and become carbon neutral.

Develop a roadmap for Colchester Borough Council to go carbon neutral by 2030. Report to Cabinet and Full Council within six months with an action plan setting out conservation and environmental sustainability goals to address targets by 2030; incorporating proposals on the investment implications of this proposed activity.

Pledge to ensure future housing and community development projects meet a carbon-neutral standard by 2030

Call upon the Leader of the Council to write to the Minister of State for Energy and Clean Growth requesting that national policy is urgently developed to reflect the seriousness of the current emergency, and to release funds to local authorities, encouraging them to take the necessary measures at local level.

- 5.2 The Carbon Trust commended the action the Council has taken through previous carbon reduction strategies which have seen over £1.5m invested in projects. From a baseline in 2008 of 10,150 tCO₂e the Council has achieved a 40% reduction in carbon emissions one year ahead of the 2020 target.
- 5.3 Action taken extends to more than carbon reduction. The Council has committed to phasing out the use of glyphosate herbicides as soon as practically possible and are exploring alternative methods to controlling weeds and encouraging bio-diversity. We are also working with other organisations and businesses in the borough to encourage them to stop using these herbicides.
- 5.4 The Council continues to take action to address poor air quality in the Borough and encourage people to connect with nature, green space and be more physically active through walking and cycling, particularly for short journeys through our Air Quality Management Areas.
- 5.5 Thousands of trees have been planted at sites in the Borough as part of the first year of the Colchester Woodland Project that will eventually see more than 200,000 trees planted across Colchester in the next five years.
- 5.6 The Climate Emergency Action plan aims to build on the progress made already and address the urgent challenge faced by the Council; one which is made harder because, compared to most places, Colchester has already completed many of the 'easier', 'quick win' projects. This means that moving forward at pace to achieve our targets will require significant investment of time, resource and energy from the Council, Central Government and our partners and citizens.

5.7 It is important to note this is the initial version of the Action Plan, it is only a starting point in a ten year journey. The Council will adapt as we go and update this plan regularly alongside the development of a new Environment & Sustainability Strategy and a Carbon Management Plan that will reflect many of the aspirations and actions from this plan. Meanwhile we will continue to act boldly on climate change.

5.8 The Climate Emergency Action Plan, in summary:

- Provides an assessment of Colchester Borough Councils' emissions and their sources and begins to explore likely future scenarios for the next decade.
- Demonstrates that the Council has achieved its 2020 emissions reduction target one year early and sets a goal for the Council to be Net Carbon zero by 2030.
- Demonstrates what action has already been taken and how this crisis is being addressed through partnership via the Conservation Environment & Sustainability Task & Finish Group.
- Highlights our commitment to work with the whole community in responding to the climate emergency and to work with other local authorities and partners to share learning and knowledge.
- Sets out existing and new actions that will be delivered and where necessary developed further to:
 - Embed the Climate Emergency in Organisational Culture & Decision Making
 - Create a Roadmap to reduce our Carbon footprint to net zero by 2030
 - Provide for environmental sustainability through Planning, Development & Sustainable Travel
 - Embed Sustainability through the Management of Waste and Recycling
 - Undertake Mitigation, Climate Adaptation and Environmental Stewardship
 - Build Community Resilience through Enabling, Behaviour Change & Partnership Working

6. Equality, Diversity and Human Rights implications

6.1 There will be no equality, diversity and human rights implications in undertaking this work.

7. Strategic Plan

7.1 Activity to meet the requirements of the Climate Change Motion will potentially deliver against all streams of the Strategic Plan.

8. Consultation

8.1 Several experts and interest groups have been consulted through the work of the Conservation, Environment & Sustainability Task & Finish Group to date. Work will continue as part of the ongoing development and review of the Climate Emergency Action Plan to identify approaches to ongoing resident and wider stakeholder engagement on climate emergency issues.

9. Publicity Considerations

9.1 Working with businesses, schools, communities and citizens across the Borough will be critical. This is not something the Council can do on its own. Communication and

engagement with all stakeholders is and will continue to be a key strand of this work. An engagement and communications plan will be developed as part of our Climate Emergency Action.

10. Environmental and Climate Change Implications

- 10.1 Environmental and Climate Change Implications are fully considered through this work. Indeed it is as a result of this work that key decisions are now assessed for their likely environmental impact, including on the Council's commitment to reach a net carbon zero target by 2030.

11. Financial implications

- 11.1 As part of sound budgeting practice the Council identified an initial budget investment of £50K to be allocated for this work. This has been used to commission the report referred to above, undertake initial scoping work, gather more evidence and recruit a dedicated Climate Emergency Project Officer.
- 11.2 As one of the Council's New Strategic Priorities further funds will be made available to progress action against our ambitions as set out in the 2020/21 Revenue Budget, New Strategic Priorities and Medium-Term Financial Forecast Cabinet Report agreed by Cabinet in November 2019.
- 11.3 There are likely to be considerable additional financial implications associated with responding to the Climate Emergency albeit there may also be opportunities to partially mitigate these through other policies and associated financial savings e.g. energy costs. Even then it will be difficult to set out clear and actual costs for the next ten years at this stage. As work develops and further funding is required, actions and schemes will be subject to individual business cases and financial evaluation to assess associated costs as required.

12. Community Safety and Health and Wellbeing Implications

- 12.1 Responding to the Climate Emergency will have positive impacts on health and wellbeing through tackling areas such as air quality. There are also many physical and mental health and wellbeing benefits associated with solutions such as increased physical activity and connection to nature and open space associated with active travel, cycling and walking etc.

13 Health and Safety

- 13.1 There are no health and safety implications at this stage.

14 Risk Management Implications

- 14.1 The motion approved by Council sets ambitious targets and without robust prioritisation and risk management they will be difficult to achieve. Effective programme management will need to be utilised to ensure targets are achieved.
- 14.2 Rising to the challenge and tackling our climate emergency will not be achieved through Council action alone as it is a highly complex issue. Reducing greenhouse gas emissions in particular will require systems leadership across multiple sectors, communications and behavioural change that will result in adapted lifestyles, and potentially fundamentally different patterns of development and travel in the long term. Ultimately perceptions of success will need to evolve over time. Our emergent programmes will be related to the

degree of control and influence the Council directly has and our acknowledgement that partnership working across the region will be essential for us to address the challenge.

- 14.3 There are mixed perceptions of climate change within communities across Colchester that manifest into a spectrum of views which the Council are expected to navigate in the development of its action plan, the prioritisation of resource and communication to residents.
- 14.4 The resourcing requirements to undertake systems leadership and the change programme required will be significant. The scale of change required is unprecedented.

Colchester Borough Council Climate Action Planning

David Reilly, Lindsey Hibberd, Oliver Patrick

December 2019



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**Colchester Borough Council Conservation &
Environmental Sustainability Task and Finish
Group**

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- 8. Recommendations & next steps**
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1

Introduction



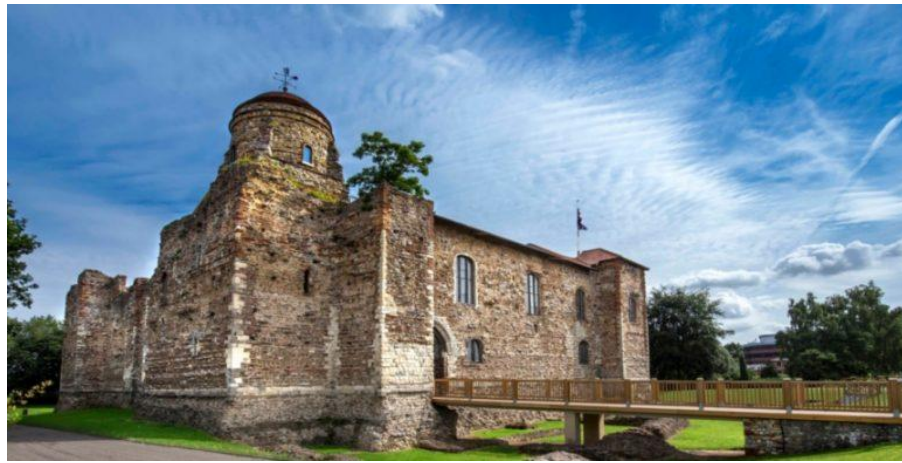
About the Carbon Trust

Our mission is to accelerate the move to a sustainable, low carbon economy.

The Carbon Trust is an independent, expert partner of leading organisations around the world, helping them contribute to and benefit from a more sustainable future through carbon reduction, resource efficiency strategies and commercialising low carbon technologies.



About Colchester Borough Council



Colchester Borough Council provides public support services across the Borough including housing, waste management, transportation, communities, well-being, public safety and environmental services.

The council recognises the environmental impact of its activities and has made significant progress in the reduction of carbon emissions over the last 10 years supported by investment and strategic action to tackle its direct carbon emission sources.

- Colchester Borough Council (CBC) declared a climate emergency in July 2019. One key aspect of the climate emergency declaration was the intention to become a **carbon neutral organisation by 2030**.
- The declaration builds on a **strong heritage of climate action in the borough** - CBC has set two previous carbon reduction targets through their Local Authority Carbon Management Plans.
- The Carbon Trust was commissioned by the Council to perform a **footprinting and scoping exercise** to inform an action plan setting out goals to address the target(s) out to 2030. In particular:
 - Undertake a qualitative review of the interaction between the Carbon Neutral target and other Council strategies
 - Provide analysis / insight on carbon reduction progress to date
 - Develop a revised carbon footprint (2018/19)
 - Undertake a workshop with Officers and Councillors to present results and identify & shape priorities going forward
- This report consolidates the results of the above activities and provides recommendations on future scope, targets and roadmap



2

Executive Summary

1. Key Findings

- Colchester Borough Council (CBC) has achieved impressive carbon reductions over the past decade & continues to view **climate action as a key strategic priority**.
- The Council has set a 2030 Carbon Neutral target which, whilst very ambitious, is in alignment with other Local Authorities who have declared a Climate Emergency.
- CBC's measured footprint for the FY 2018/19 was **6,180 tCO₂e**.
 - The Council's **gas consumption** for space and water heating in buildings is the largest emission source [47%]
 - **Leisure World** is the largest single emitter across the Council's portfolio and accounts for 35.3% of all emissions
- An error was found in how CBC have historically accounted for emissions from their fleet, resulting in an annual underreporting of ~1,300 tCO₂e over the past five years.
 - Historical fleet emissions were recalculated to reflect the use of diesel fuel rather than biofuel
- Relative to a 2008/09 baseline, CBC has achieved a **40.8% decrease in CO₂e emissions** and has reached the 40% emission reduction target set out in the 2016-2020 LACM Plan a year early.

2. Recommendations

Five recommendations are made to the Council:

1. Collect available data and measure relevant Scope 3 emissions

- Before deciding on whether or not to expand the scope of the emissions target, the Council should quantify and understand the emission sources which the Council has some influence over.

2. Perform pathway modelling to identify priority focus areas for the Council

- The Council should understand the impact of business as usual, national policies and local initiatives on the future carbon footprint to understand how their emissions will look in 2030. We would consider this to be a vital step in shaping a carbon neutral road map and action plan.

3. Write and agree an internal data management plan

- Sets out roles and responsibilities for data capture and verification as well as a timetable for reporting to agree a formal process for monitoring against the target.

4. Create an engagement plan

- Establish a plan to continue engaging internally and throughout the Borough on the Climate Emergency with a range of stakeholders.

5. Ensure ethos of the Climate Emergency is embedded in broader strategies

- Engage broader strategy makers to ensure the Climate Emergency is a key feature of strategy revisions.

3

Qualitative review

Understanding CBC's portfolio of strategies and their relationship to the carbon neutral target

CBC's Carbon management planning to date

- Colchester Borough Council has actively engaged in monitoring and reporting carbon emissions from buildings and transport for more than 10 years.
- A number of carbon reduction strategies and action plans have been developed and implemented since 2008, as set out below.
- Progress against each plan has been analysed as part of this project and is presented later in the report.

Year	Document	Target
2008	LACM Plan 2008 - 2012	25% carbon reduction by 2012 (2008 baseline)
2015	LACM Plan 2016 - 2020	40% carbon reduction by 2020 (2008 baseline)
2019	Climate Emergency Declaration	Carbon Neutral by 2030

Comparison to other Councils

- ~ **65%** of District, County, Unitary, Metropolitan & Combined Authorities have declared a climate emergency (265/408, Oct 2019)
- Majority of Council's have set a 2030 target, with a mix of targeting the Council's own estate or the wider district

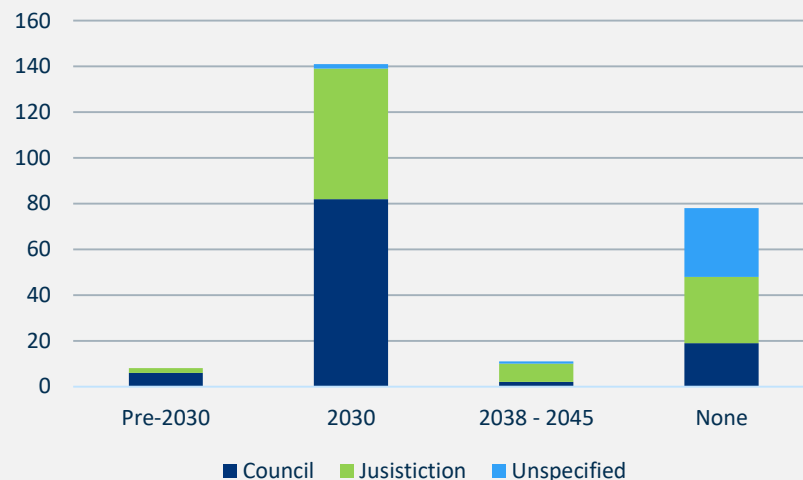
Examples of Concerns

- Not on track for limiting global warming to 1.5°C
- Loss of habitat
- Significant risk from flooding, drought and rising sea levels
- Impact on air quality, e.g. through heating, traffic

Examples of Commitments

- Increase energy efficiency in buildings
- Deploy renewable energy
- Achieve high recycling rates
- Inspire and promote activities throughout the local community

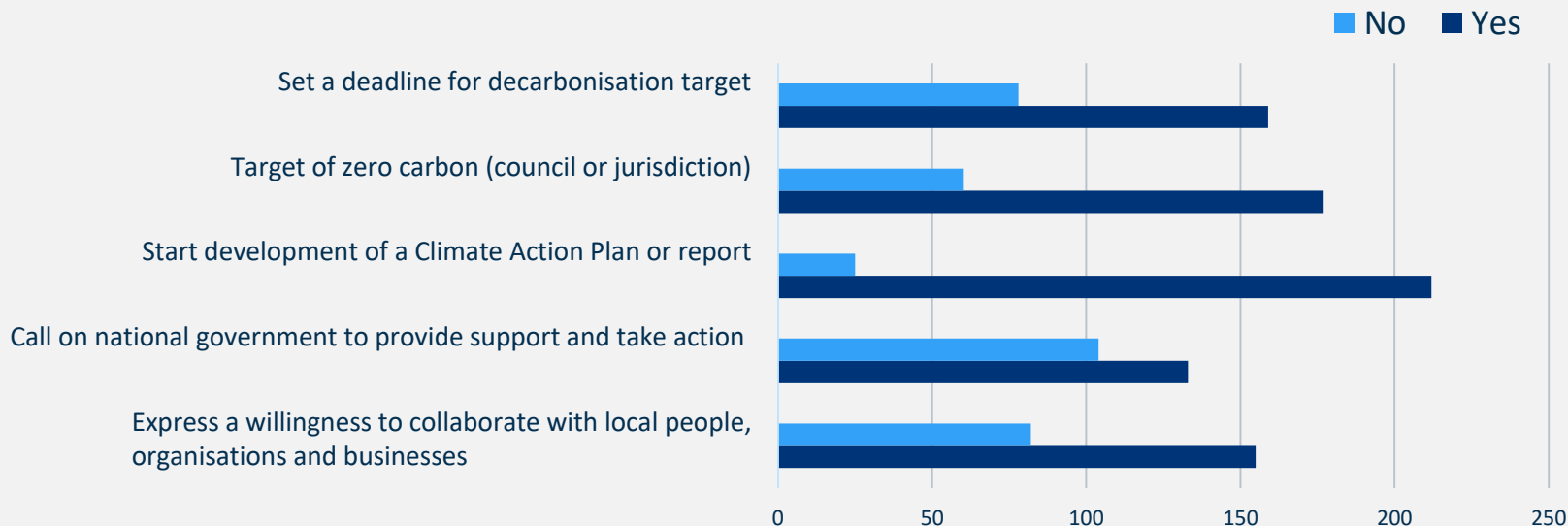
No. of declarations



Above. Summary of Climate Emergency deadlines & scope of 237 declarations of climate emergency (analysed by Igov, Sept 2019)

Climate Emergency Declarations

The following graph compares **common features of 237 Local Authority Climate Emergency Declarations**, based on analysis of the written declarations



Local authority climate emergency declarations

Qualitative review of broader strategies

- In order to understand the broader Council context for the climate emergency declaration, the Carbon Trust has undertaken a review of all key active strategies and plans.
- The following slides show the relevance for each Strategy in relation to the Council's Scope 1, 2 and 3 footprint (further defined on slide 21) and in relation to carbon emissions in the broader Borough.
- The relevance rating has been colour coded as:
 - Green = very relevant
 - Orange = somewhat relevant
 - Blank = not relevant
- The analysis is intended to highlight the interaction between the Council's 2030 carbon neutral target and other active strategies and plans and recommend areas for future consideration.

Qualitative review (continued)

Strategy	Time period	Relevance to Colchester Borough Council Scope 1 & 2 emissions	Relevance to Colchester Borough Council Scope 3 emissions	Relevance to climate considerations in the broader Borough
Our Colchester - The Strategic Plan	2018 - 2021	<ul style="list-style-type: none"> Direct mention of Council's emission reduction targets. 		<ul style="list-style-type: none"> Initiatives around pollution and improving energy efficiency of the private rented sector
Colchester Economic Development Strategy	2015 - 2021		<ul style="list-style-type: none"> Infrastructure projects including: A120, A12 Upgrading Great Eastern Mainline and improving public transport links. Superfast broadband. 	<ul style="list-style-type: none"> Deliver STEM projects to school and college students & young people not in education, employment of training (NEET) and a STEM Centre in Colchester Strategic employment zones: Colchester Northern Gateway, Stanway and University of Essex Knowledge Gateway.
Environmental Sustainability Strategy (2016 update)	2015 - 2020	<ul style="list-style-type: none"> Close links to 2008 LACM target (to reduce carbon emissions in Council buildings by 25% by the year 2012). Internal Environmental Sustainability awareness programme 	<ul style="list-style-type: none"> Embed green procurement 	<ul style="list-style-type: none"> 2010 Climate Change Risk Assessment Community Leadership on emissions reductions Opportunities to develop low carbon private sector housing.
Emerging Local Plan	Emerging 2017 – 2033			<ul style="list-style-type: none"> Local Plan policies and development decisions will impact on the carbon emissions of the Borough
Colchester Borough Council – Asset Management Strategy	2016 – 2021	<ul style="list-style-type: none"> Direct links to Operational and Community Asset Management strategies of: EPC report, Local Authority Carbon Management Plan and Housing Investment programme. Housing Development Strategy 	<ul style="list-style-type: none"> Revolving Investment Fund Strategic Land Purchases 	<ul style="list-style-type: none"> Garden communities strategy Economic Growth Strategy Employment Land Study, Colchester Ultra Ready for Business
Community Enabling Strategy	2015 onwards			<ul style="list-style-type: none"> Community tree warden scheme BIG Garden, High Woods Country Park

Qualitative review (continued)

Strategy	Time period	Relevance to Colchester Borough Council Scope 1 & 2 emissions	Relevance to Colchester Borough Council Scope 3 emissions	Relevance to climate considerations in the broader Borough
Connecting Colchester - Our Digital Strategy	2017 - 2022		<ul style="list-style-type: none"> Could relate to Council broadband contracts 	<ul style="list-style-type: none"> Will enable Colchester to help plan better for its growing population, and the challenges of traffic congestion, protecting air quality and helping ensure technological innovation does not come at the expense of the Borough's high quality of life and environment.
Efficiency Statement	2016 onwards	<ul style="list-style-type: none"> The projects identified by the Local Authority Carbon Management Plan will reduce future energy costs 		
CBC Housing Strategy (and 2018/19 Progress report)	2015 – 2020	<ul style="list-style-type: none"> Improving energy efficiency of the Council's housing stock. Average SAP rating of CBC's housing (73.86) exceeded target set for 2019. Work continues to complete loft and cavity wall fill within the stock with access issues hampering full stock completion. Ground Source Heat Pump installed in Harrison Court to provide heating and hot water, replacing previous ageing gas boilers. 45% of the Council Housing Stock now with Photo Voltaic panels. 		<ul style="list-style-type: none"> Standards and energy efficiency measures that the Council are setting for the wider Borough
Housing Asset Management Strategy	2018 – 2022		<ul style="list-style-type: none"> Objective 7: Can be heated efficiently and cost effectively (whilst reducing environmental impact). Performance measurements include SAP and estimated CO2 emissions. 	

Qualitative review (continued)

- Based on our review of current strategies and action plans, it is apparent that climate action touches many parts of the Council's core activities.
- Key findings of the analysis:
 - Most of the current strategies expire in 2020. When these are revised it is important that the **Climate Emergency ethos and targets are a key feature of the new strategies.**
 - The Climate Emergency targets should **build on the current Environmental Sustainability Strategy**, which has a Strategic Priority to reduce the impact of the Council's Buildings, Services and Operations. The Council should continue to work with the broader community to understand the most impactful strategic priorities for them to 2030.
 - It will be important that the **Climate Emergency is central to the updated Strategic Plan** and that all policies are assessed in light of their contribution to the emissions reductions target.
 - The Economic Development Strategy, Environmental Sustainability Strategy, Asset Management Strategy, Digital Strategy and Housing Asset Management Strategy could all link to the Council's Scope 3 emissions. Therefore, if the Council chooses to include Scope 3, consideration would need to be given to the impact of these strategies on the reduction of these emissions.
 - With a continuing need for Council efficiencies, it is important to continue to monitor (as per the Council's Efficiency Statement), and quantify where possible, any cost savings associated with energy efficiency and carbon reduction measures, to demonstrate broader benefits.



4

Carbon Footprint

Introduction to Greenhouse Gases (GHGs)

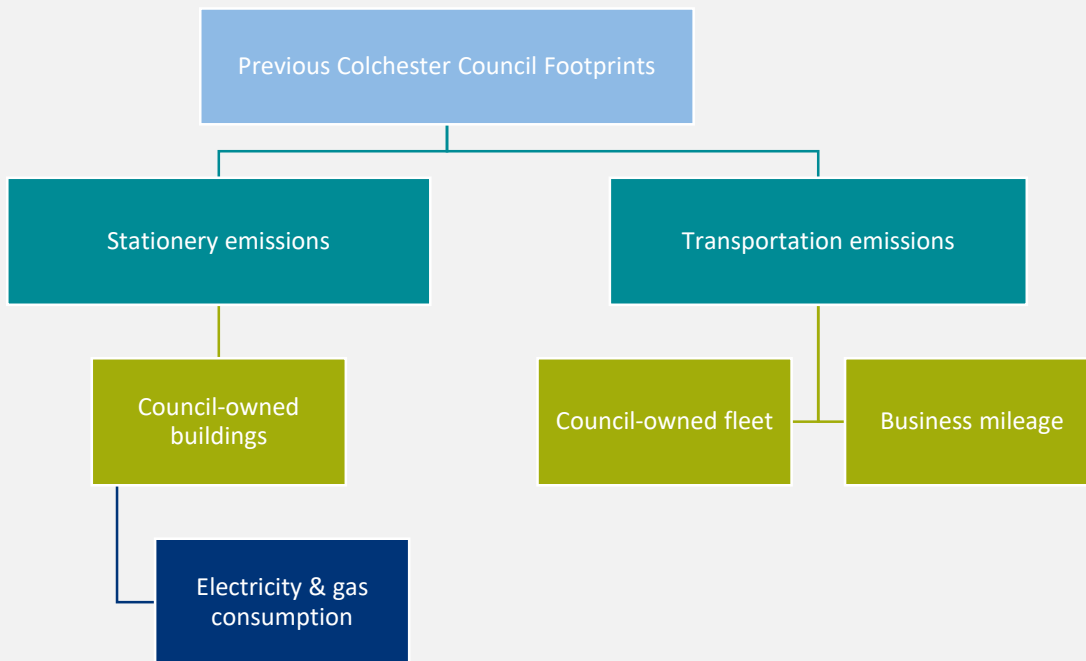
- Greenhouse gases (GHGs) are gases in Earth's atmosphere that trap heat. They let sunlight pass through the atmosphere, but they prevent the heat that the sunlight brings from leaving the atmosphere.
- **Carbon dioxide is not the only greenhouse gas**, there are five other key greenhouse gases that contribute to global warming: Methane, Nitrous Oxide, Hydrofluorocarbons, Perfluorocarbons and Sulphur Hexafluoride.
- Not all of these gases arise from combustion of fossil fuels, with some originating from refrigeration/cooling, agriculture, chemical production and electrical applications.
- **Under the GHG Protocol (see next slide), each gas has its own global warming potential (GWP).** By comparing each gas's GWP to that of Carbon Dioxide (CO₂) we are able to derive a **Carbon Dioxide equivalent value (CO₂e).**
 - Example: CO₂ has a GWP of 1, Methane has a GWP of 24; therefore we can say that 1 ton of methane emissions is equal to 24tCO₂e.
- **Values presented in this report will be given in CO₂e** and therefore reflect the emissions resulting from all greenhouse gases.
- Although CO₂ has the lowest GWP, with some other GHGs having a GWP thousands of times higher, it is by far the most abundant GHG and is therefore the focus when discussing emissions reduction and climate change.

GHG Protocol and emission scopes

- The **greenhouse gas (GHG) protocol** is the most widely used and accepted methodology for GHG accounting. It has been followed to calculate CBC's footprint for FY 18/19.
- Under the GHG Protocol, emission sources are divided into **scopes 1, 2, and 3**. Scopes 1 and 2 emissions are a result of an organisations' **direct** operations, whereas scope 3 emissions result from an organisations' **indirect** activities or value chain (for example, from the manufacturing of products used by the Council).
- Scope 3 emissions are emitted by a third-party's operations and are generally **more difficult to monitor, control and reduce**. As a result, public (and private) sector carbon action has traditionally focused on scope 1 and 2 emissions.
- Where scope 3 emissions have been included, organisations have tended to only consider select elements. However, there is now **increasing appetite to include more scope 3 emissions** in footprints and to encourage carbon reduction in an organisations' value chain.



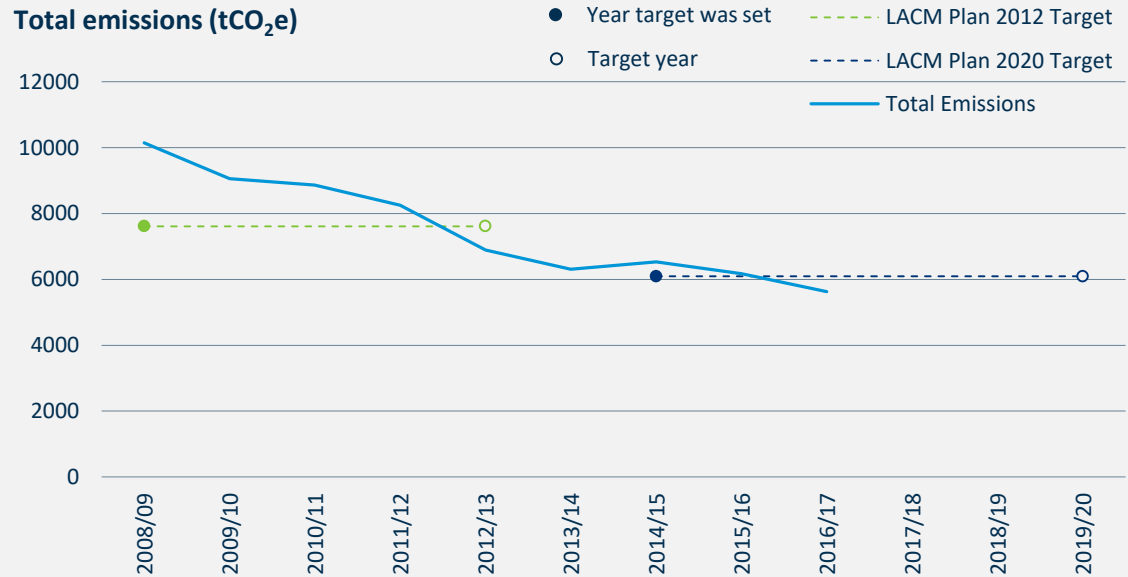
Above. Emissions scopes according to the GHG protocol



- In all previous footprints, CBC have included elements of their stationary emissions and transportation emissions. This has typically included:
- **Scope 1 elements:**
 - Gas consumption, typically used for space and water heating in buildings
 - Fuel consumption used to power the Council's fleet
- **Scope 2 elements:**
 - Electricity consumption
- **Scope 3 elements:**
 - Emissions resulting from business travel in non-Council operated vehicles

- **Analysis of CBC's historic GHG emissions** was carried out using annual GHG emissions reports. Data was available from 2008/09 up to 2016/17.
- Through a number of previous Carbon Management plans, CBC has been working towards **emission reduction targets for the past decade.**
- The emission reductions reported in the GHG reports indicate that **CBC has achieved their reduction targets.**
- The majority of emission reductions were attributed **to purchased electricity and the Council's fleet.**
- During the Carbon Trust analysis, an **accounting error** was found in the method for calculating GHG emissions from the Council's fleet.

Total emissions (tCO₂e)



Above: CBC's evolving footprint as per annual GHG emissions reports

Historical Emissions

Below. CBC's historic emissions as per the annual GHG reports

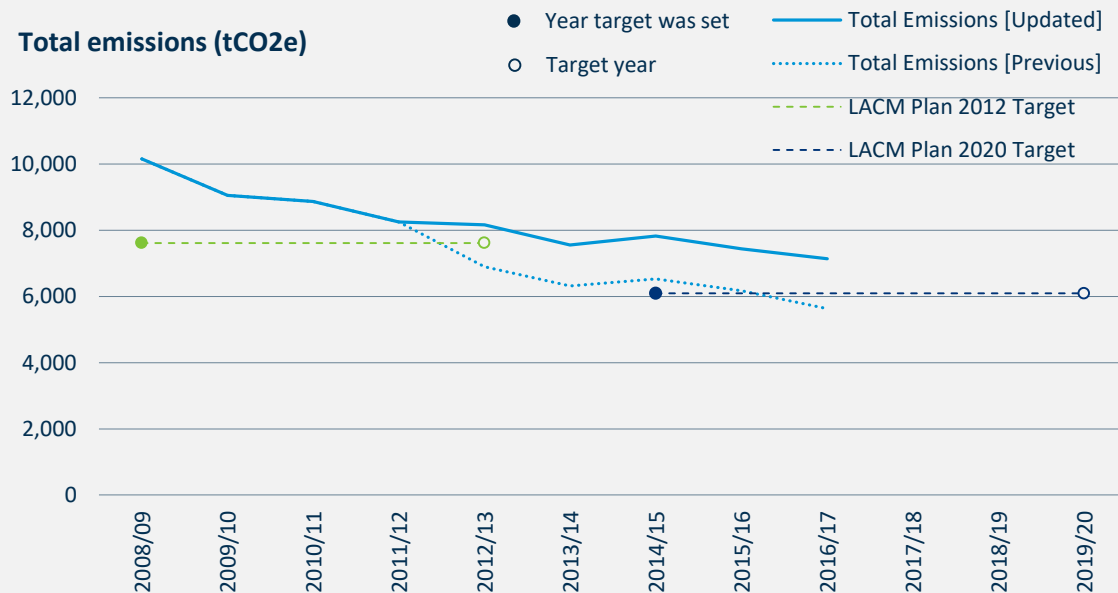
GHG emissions data – Total Tonnes of CO ₂ e										
		FY 16/17	FY 15/16	FY 14/15	FY 13/14	FY 12/13	FY 11/12	FY 10/11	FY 09/10	FY 08/09
Gas Consumption		2,918	3,012	2,993	2,915	3,231	2,642	3,048		
Owned Transport		83	86	169	124	130	1,173	1,157	4,473	5,285
Scope 1 Total		3,001	3,098	3,162	3,039	3,361	3,815	4,205	4,473	5,285
Purchased electricity		2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Scope 2 Total		2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Business Travel		47	41	45	49	50	48	58	65	67
Scope 3 Total		47	41	45	49	50	48	58	65	67
Total emissions		5,631	6,175	6,533	6,312	6,895	8,253	8,866	9,054	10,150
% decrease from baseline		44.5%	39.2%	35.6%	37.8%	32.1%	18.7%	12.7%	10.8%	-

Fleet emissions

- It was found that **emissions from the Council's fleet had been under-reported since 2012** as a result of the Council assigning the majority of their **fuel consumption to biofuel** when calculating emissions.
- It was confirmed that the Council's fleet has always been powered by a combination of diesel and gas oil.
- The calculation resulted in a **~1,300 tCO₂e** annual reduction in emissions (in error) since 2012.
- Since this error has been uncovered, historical fleet emissions have now been adjusted to allow for an accurate comparison in historic emissions, and are shown in the next slide.

Historical Emissions [ADJUSTED]

- The adjusted value does have a material impact on the Council's GHG reporting
- However, the Council are still on track to meet the 40% reduction set out in the LACM Plan 2016-2020
- As of FY 16/17, the Council had achieved a **29.7%** reduction in emissions from the 2008 baseline year
- **The updated emissions pathway will be used from herein**



Above: CBC's adjusted footprint reflecting an increase in emissions from the Council's fleet

Historical Emissions [ADJUSTED]

Below. CBC's historic emissions with adjusted 'owned transport' emissions.

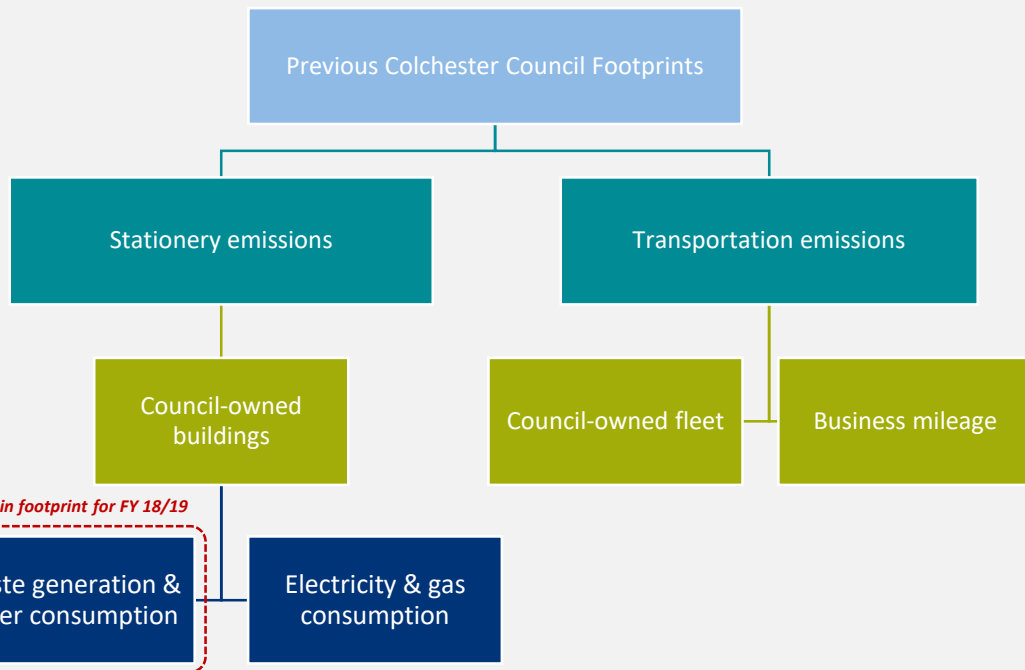
GHG emissions data – Total Tonnes of CO ₂ e										
		FY 16/17	FY 15/16	FY 14/15	FY 13/14	FY 12/13	FY 11/12	FY 10/11	FY 09/10	FY 08/09
Gas Consumption		2,918	3,012	2,993	2,915	3,231	2,642	3,048		
Owned Transport		1,589	1,350	1,461	1,363	1,395	1,173	1,157	4,473	5,285
Scope 1 Total		4,507	4,362	4,454	4,278	4,626	3,815	4,205	4,473	5,285
Purchased electricity		2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Scope 2 Total		2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Business Travel		47	41	45	49	50	48	58	65	67
Scope 3 Total		47	41	45	49	50	48	58	65	67
Total emissions		7,137	7,439	7,825	7,551	8,160	8,253	8,866	9,054	10,150
% decrease from '08		29.7%	26.7%	22.9%	25.6%	19.6%	18.7%	12.7%	10.8%	-



5

Carbon Footprint for FY 18/19

Footprint Scope for FY 18/19

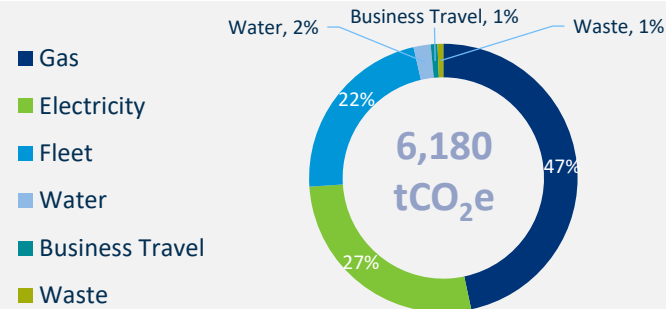


- CBC's carbon footprint was recalculated for the FY 18/19.
- In consultation with the Council, the scope of the footprint was expanded to include:
 - Emissions from the third-party disposal and treatment of waste generated in Council-controlled operations (scope 3).
 - Emissions resulting from the supply and subsequent treatment of water consumed by the Council's operations (scope 3).

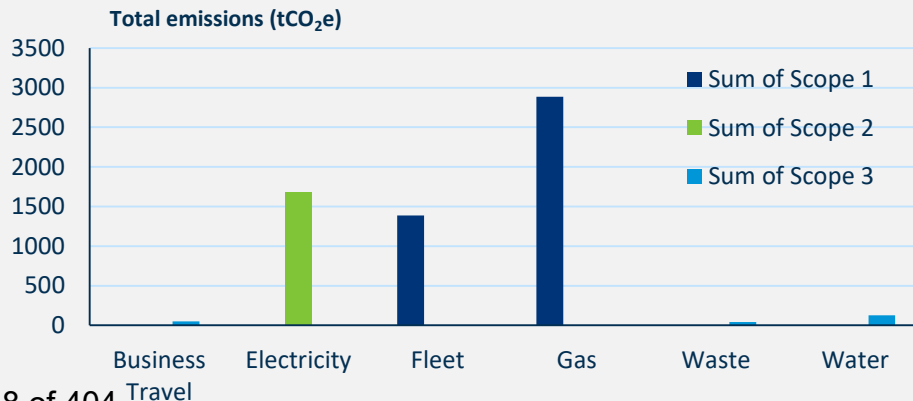
N.B. Renewable generation was initially included in CBC's footprint but was removed during the QA process. Renewable generation is not considered to offset emissions in the location-based method used by the GHG protocol and is accounted for by either a) reducing meter readings if the electricity generated is private wired to a building or b) in the national grid emissions factor if the electricity is exported to the grid.

2018/19 Carbon Footprint

- The total carbon footprint for Colchester Borough Council's own operations in the FY 2018/19 is equal to **6,180 tCO₂e**.
- The majority of this footprint is attributed to the Council's gas consumption for space and water heating in buildings. Emissions from electricity consumption and fuel consumption for vehicles also form a significant portion of emissions.



	Emissions [tCO ₂ e]
Scope 1	4,271 (69.1 %)
Scope 2	1,687 (27.3 %)
Scope 3	220 (3.6 %)



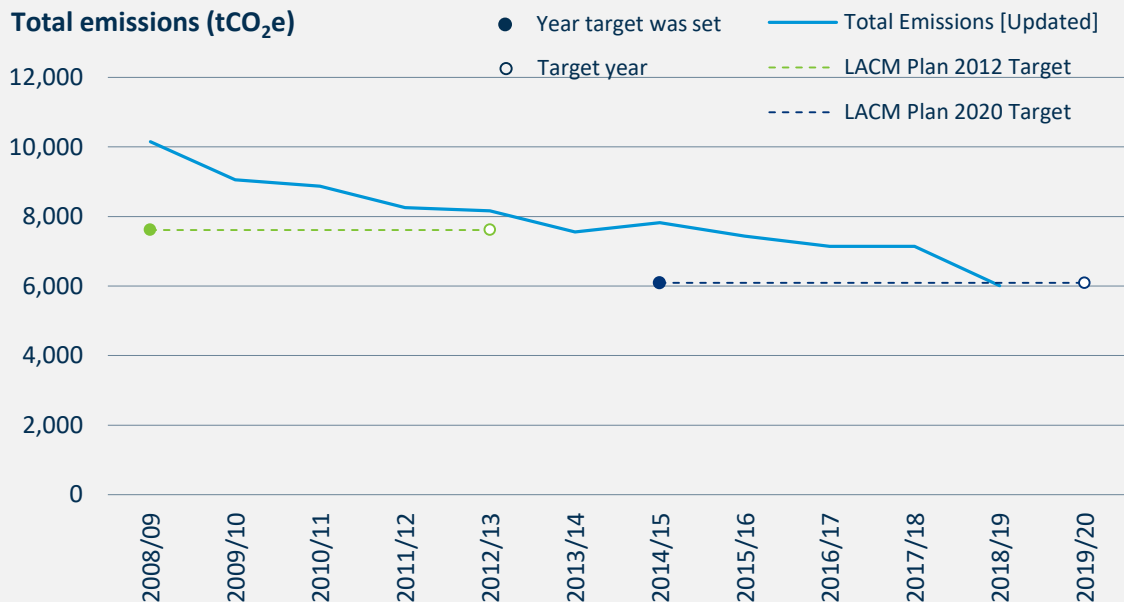
2018/19 Carbon Footprint

Below. CBC's historic emissions, updated with FY 18/19.

GHG emissions data – Total Tonnes of CO ₂ e										
	FY 18/19	FY 16/17	FY 15/16	FY 14/15	FY 13/14	FY 12/13	FY 11/12	FY 10/11	FY 09/10	FY 08/09
Gas Consumption	2,884	2,918	3,012	2,993	2,915	3,231	2,642	3,048	4,473	5,285
Owned Transport	1,383	1,589	1,350	1,461	1,363	1,395	1,173	1,157		
Scope 1 Total	4,272	4,507	4,362	4,454	4,278	4,626	3,815	4,205	4,473	5,285
Purchased electricity	1,687	2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Scope 2 Total	1,687	2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Business Travel	50	47	41	45	49	50	48	58	65	67
Waste ¹	43	-	-	-	-	-	-	-	-	-
Water ¹	127	-	-	-	-	-	-	-	-	-
Scope 3 Total	221	47	41	45	49	50	48	58	65	67
Total emissions	6,180	7,137	7,439	7,825	7,551	8,160	8,253	8,866	9,054	10,150

2018/19 Carbon Footprint

- The baseline year 2008/09 and LACM Plan targets did not include the emissions resulting from waste and water
- Excluding these emission sources, CBC's footprint is equal to **6,009 tCO₂e**
- This represents a **40.8% decrease** in emissions relative to 2008/09, and has resulted in CBC meeting their 40% emission reduction target a year early.



Above: CBC's evolving footprint. Footprint for FY 18/19 does not include water & waste to allow for direct comparison with previous years. No data for 2017/18 was available and it was assumed constant from 2016/17

6

Emission hotspots and priority focus areas

2018/2019 Footprint Breakdown

- The Council's '**stationary**' footprint from buildings, public lighting/amenities etc. accounts for **76.7%** of the overall footprint:
 - The stationary footprint was divided into use-types. **Leisure and recreation is by far the largest contributor to the Council's stationary emissions**, largely driven by Leisure World
- The emissions associated with the Council's fleet are also substantial:
 - As the grid continues to decarbonise and purchased electricity becomes 'greener' **emissions from the Council's fleet will become an increasingly larger portion** of the overall footprint

STATIONARY FOOTPRINT		
Ranking	Site Type	Emissions (tCO ₂ e)
1	Leisure and recreation	2,388
1.a	Leisure World	2,184
2	Residential buildings	1,419
3	Council buildings	376
4	Public conveniences	286
5	Cemetery / Crem	191
6	Street amenities	79
7	Pumping stations	3
TOTAL		4,742

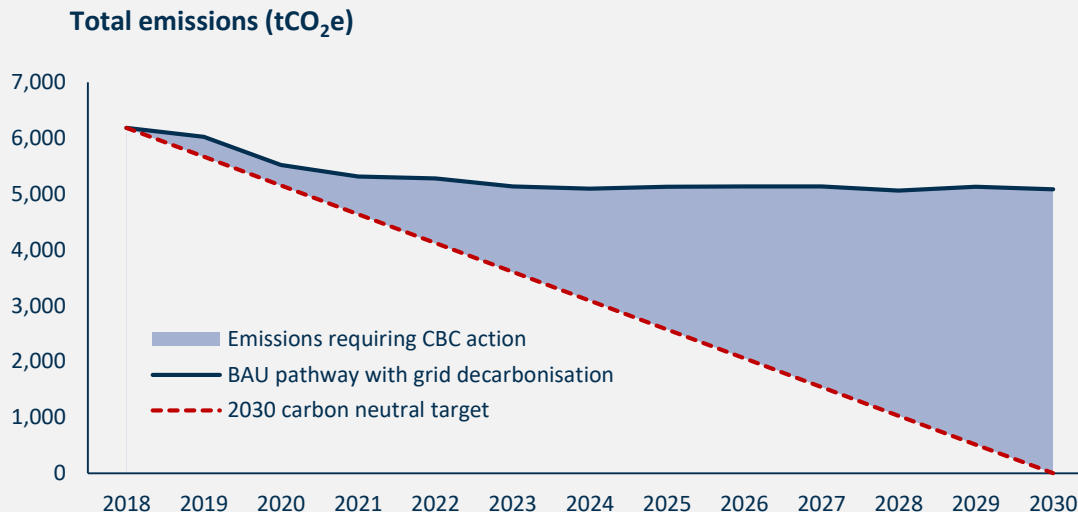
TRANSPORTATION FOOTPRINT		
Ranking	Site Type	Emissions (tCO ₂ e)
1	Fleet Vehicles	1,388
1.a	Waste vehicles	819
1.b	Other vehicles	569
2	Business Travel	50
TOTAL		1,438

Stationary Breakdown

- Gas emissions, primarily from the space and water heating of buildings, make up the majority of the Council's stationary emissions (60.8%)
- Leisure world is the largest single emitter across the Council's portfolio and accounts for 35.3% of all emissions.
- Future reduction in gas emissions will need to be largely driven by Council-led interventions as national trends between now and 2030 will not impact gas emissions as much as other emission sources e.g. electricity consumption.

STATIONARY FOOTPRINT						
Ranking	Site Type	Electricity emissions (tCO2e)	Gas emissions (tCO2e)	Water emissions (tCO2e)	Waste emissions (tCO2e)	TOTAL
1	Leisure and recreation	762	1,511	82	33	2,388
1.a	Leisure World	656	1,445	58	25	2,184
2	Residential buildings	467	928	25	0	1,419
3	Council buildings	148	209	10	9	376
4	Public conveniences	207	72	7	0	286
5	Cemetery / Crem	23	165	2	1	191
6	Street amenities	78	0	1	0	79
7	Pumping stations	3	0	0	0	3
TOTAL		1,687	2,884	127	43	4,742

- Maintaining a business as usual (BAU) case, where energy consumption remains constant will still result in a **decrease in electricity emissions as a result of grid decarbonisation.**
- In a 'do nothing' scenario, CBC's emissions are **expected to reduce by 1,094 tCO₂e** as a result of CBC using greener electricity from the national grid.
- Beyond this, a further 5,085 tCO₂e reduction must then be achieved by CBC to achieve the 2030 carbon neutral target.



Above: BAU pathway for Colchester assuming a 'do-nothing' scenario whereby emission reductions come from the grid decarbonising.



7

Workshop

Workshop delivery

- Two workshop sessions were led by the Carbon Trust - one with a selection of Council officers and another with members of the Task and Finish Group who are overseeing the implementation of the Climate Emergency Declaration.
- Representatives from Colchester Borough Homes and Colchester Amphora (both wholly-owned subsidiaries of the Council) also attended the officers session
- The aims of the session were to:
 - Present interim results
 - Explore the idea of expanding the scope of CBC's target
 - Give consideration to other aspects of climate action planning (e.g. pathway modelling, science-based targets, approach to offsetting etc.)
 - Discuss potential next steps for the Council

Workshop delivery

- The workshops were used to present the interim results of CBC's updated footprint and to display what other Council's are doing in respect to Climate Emergency declarations. During the workshop, the following points were raised by the project team:
 - Relative to other Council's, **Colchester's climate action to date has been impressive**. Over £1.5mil has been invested in carbon reduction projects and significant emission reductions have been achieved through the Council's actions;
 - Despite the increased fleet emissions the Council has **achieved their 40% emissions reduction target**;
 - The Council's historical focus on scope 1 and 2 emissions is consistent with other public sector organisations, and the scope and target of the Climate Emergency declaration is **typical of other Council's**;

Workshop discussion

- A number of questions were posed to the Council to try and **structure the development of the Council's action plan** (e.g. scope and target setting, approach to offsetting). Some highlights of the discussion included:
 - **Scope.** There were extensive discussions around what should and should not be included within the scope of the target. Particularly, the inclusion of the housing stock managed by Colchester Borough Homes was debated. This currently falls within CBC's scope 3 emission sources and is not included. Before making a firm decision, it was recommended by the Carbon Trust to measure the emissions resulting from the Council's scope 3 emissions.
 - **Target setting.** Both the officers and councillors recognised that a 2030 carbon neutral target is extremely ambitious and will be hard to achieve. However, there was a common feeling that Colchester have an obligation to go 'above and beyond' what is expected. There is a clear desire to take a leading role in Climate Action both in the region and at a national context.
 - **Offsetting** will almost certainly be required for CBC to achieve a 2030 carbon neutral target, and it is unlikely that between now and 2030 tree planting initiatives will offset all of CBC's unmitigated emissions. Both the Officers and Councillors recognised that this could result in a large annual expenditure, and various discussions were had as to how to make best-use of this (for example, by funding carbon-reducing initiatives in the local area). The consideration of and robust strategy towards offsetting should be explored by the Council in any plan that is put forward. Page 68 of 404

Workshop discussion

- Additionally, the workshops were used to explore concepts that the Council could potentially explore as part of their climate action.
- In particular, **Scenario modelling** and **science-based targets (SBTs)** were presented as points for consideration to the Council. More information can be found in the appendix of this report.
 - There was a **consensus that SBTs should not make up CBC's core target** and that the Council should continue to pursue a 2030 carbon neutral target. However, the **potential for SBTs to form wider targets** (e.g. for scope 3 emissions) was considered as an option;
 - There was particular interest in scenario modelling, and how it could be used to **focus carbon reduction efforts in the appropriate areas** by taking account of national and local trends & policies.
 - Examples of good governance procedures (e.g. integrating climate-related KPIs for senior officers) and potential project ideas were also discussed as part of the broader carbon management planning.
 - The workshop was concluded by the project team making a series of recommendations to the Council (see section 8 'Recommendations and next steps').

8

Recommendations and next steps

Recommendation 1

Understanding key Scope 3 emissions sources

- CBC are responsible for a much wider footprint outside of their direct control, which is currently not included in the Council's target. This includes contracts (e.g. grounds maintenance) as well as wholly-owned companies such as Colchester Borough Homes and Colchester Amphora;
- We would expect CBC's scope 3 to account for a significant portion of the Council's emissions. Emissions arising from these sources can be reduced from the corporate, procurement and everyday decisions made by the Council;
- There was significant debate amongst Council representatives as to whether or not these sources should be considered within the scope of the Council's target;
- Before making any decision, we recommend for the Council to measure and understand these emission sources to better inform the debate and allow the Council to come to a target that is ambitious but realistic.

Recommended next steps:

- Collect available data and measure relevant Scope 3 emissions

Recommendation 2

Moving towards a road map and action plan – pathway modelling

- We recommend that, before identifying specific project opportunities, the Council need to understand the impact of business as usual, national policies and local initiatives on the future carbon footprint.
- To do so the Council should perform macro-level scenario analysis, which would layer national and Council-level trends & policies to map CBC's emissions out to 2030;
- This will show what the make-up of the Council's emissions will be in 2030 on the current pathway, and in doing so provide steer on focus areas that the Council should prioritise for project implementation between now and then.
- This was discussed at the workshop and received positive feedback from both the Officers and Councillors. The slides presented are contained in the appendices.

Recommended next steps:

- Perform pathway modelling to identify priority focus areas for the Council

Recommendation 3

Footprint calculation

- CBC already has a strong data management and collection process in place for their scope 1 and 2 emissions. However, discrepancies in the calculation of previous footprints were identified and therefore it is important that CBC set up and maintain a robust data capture and verification process to be able to assess their progress.
- In addition, data collection for Rowan House should be refined so that greater confidence can be placed in the meter readings.

Recommended next steps:

- Write and agree an internal data management plan which sets out roles and responsibilities for data capture and verification as well as a timetable for reporting.

Recommendation 4

Maintain collaboration with business and the wider area

- It was very positive to see good collaboration within the organisation and a range of interests from the wider Borough. This should be maintained through ongoing engagement activities.

Recommended next steps:

- CBC should create an engagement plan for continuing to engage a range of stakeholders internally and throughout the Borough on the Climate Emergency

Recommendation 5

Ensure ethos of the Climate Emergency is embedded in broader strategies

- The qualitative review identified that a number of key strategies within CBC will need to be revised in 2020. In order to have maximum impact in the District, it is important that the Climate Emergency ethos and targets are a key feature of the new strategies.

Recommended next steps:

- CBC should engage officers responsible for the development of key strategy revisions early, to ensure the Climate Emergency forms a central pillar of the emerging strategy.



9

Appendix

What is a science-based target?

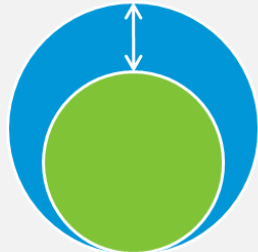
- Within the Paris Climate Agreement 195 nations agreed to hold the increase in global average temperatures to 2°C and pursue efforts to limit the increase to 1.5°C.
- The Intergovernmental Panel on Climate Change (IPCC) along with the International Energy Agency (IEA) have developed a multitude of greenhouse gas reduction pathways that are required to achieve these warming targets.
 - This sets a 'carbon budget' of how many GHG emissions can be emitted over a certain period of time (e.g. 2050 or 2060).
- If a company, organisation, region, or otherwise is to set an emission reduction target in line with climate science requirements to meet the above, then that target is said to be 'science based'.

Science-based targets (SBTs)

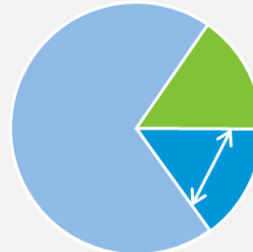
Setting a science-based target

- There are three fundamental components to the development of a science based target:
 - A carbon budget – a finite amount of carbon can be emitted
 - An emissions scenario – how is the budget distributed over time
 - An allocation approach – how is the budget within that scenario allocated amongst companies in the same level of disaggregation
- An analogy can be drawn by considering a pie:

1. Assessing the global carbon budget
How large is the pie?



2. Calculating the Councils carbon budget
How large is my slice?

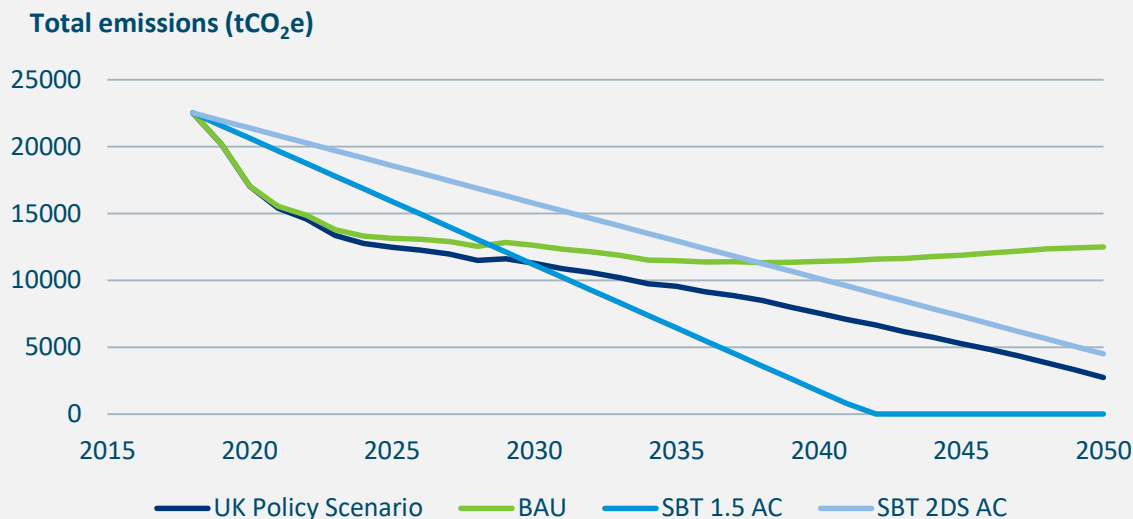


3. Compare your budget and your footprint
Am I eating too much?



Science-based targets (SBTs)

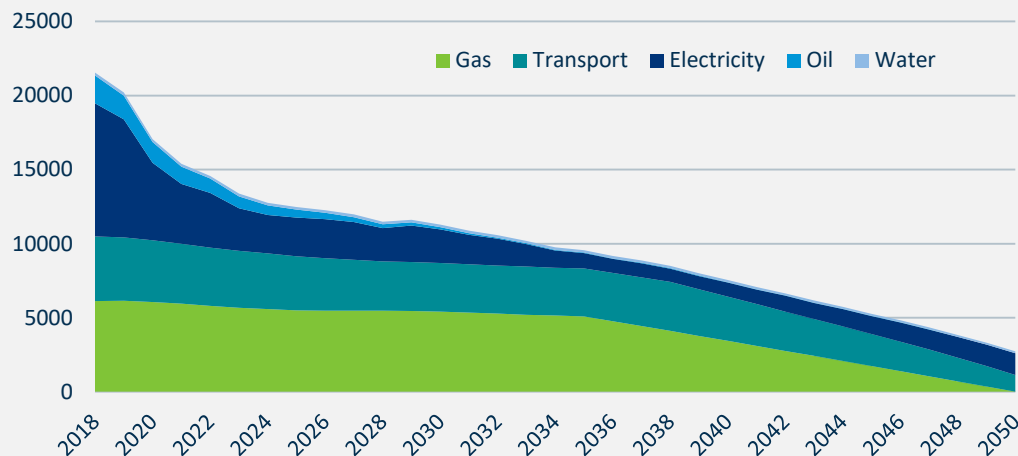
- An example of a science-based target that was conducted by the Carbon Trust was presented to the Council during the workshop.
- A 1.5°C-aligned reduction pathway would result in this Council reaching carbon neutral by 2042.



Above: Science-based target example. This data does not represent Colchester Borough Council

- An example of pathway modelling that conducted by the Carbon Trust was presented to the Council during the workshop.
- For this Council, the modelling showed that by 2050 the majority of their emissions would be a result of electricity and transport.
- The allows the Council to identify where the gap to target exists and therefore prioritise implementation measures.

Total emissions (tCO₂e) with UK Government Policy Scenario



Above: Pathway modelling example. This data does not represent Colchester Borough Council

Appendix: Data Sources

- Energy, vehicle mileage, utilities data – Colchester Borough Council
- Building benchmarks - CIBSE
- Emission Factors – BEIS
- UK emission factors projections – BEIS

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Colchester Borough Council

Climate Emergency Action Plan

January 2020

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Executive Summary

Taking action to tackle our Climate Emergency is an absolute priority for Colchester Borough Council (CBC). In July 2019 the Council was one of the first in the region to make a Climate Emergency declaration.

This Action Plan builds upon many years of achievement and environmental innovation, underlined by Colchester's status as one of the top performing Climate Friendly Council's in England & Wales by Friends of the Earth.

This is the first version of our Climate Emergency Action Plan, it is only a starting point in a ten year journey. We will adapt and update this plan regularly alongside the development of a new Environment & Sustainability Strategy and a Carbon Management Plan that will reflect many of the aspirations and actions from this plan.

Meanwhile we will continue to act boldly on climate change to ensure the whole organisation rises to the challenge of the climate emergency.

The Plan, in summary:

- Provides an assessment of CBC's emissions and their sources and begins to explore likely future scenarios for the next decade.
- Demonstrates that the Council has achieved its 2020 emissions reduction target one year early and sets a goal for the Council to be Net Carbon zero by 2030.
- Demonstrates what action has already been taken and how this crisis is being addressed through partnership via the Conservation Environment & Sustainability Task & Finish Group.
- Highlights our commitment to work with the whole community in responding to the climate emergency and to work with other local authorities and partners to share learning and knowledge.
- Sets out existing and new actions that will be delivered and where necessary developed further to:
 - Embed the Climate Emergency in Organisational Culture & Decision Making
 - Create a Roadmap to reduce our Carbon footprint to net zero by 2030
 - Provide for environmental sustainability through Planning, Development & Sustainable Travel
 - Embed sustainability through the Management of Waste and Recycling
 - Undertake Mitigation, Climate Adaptation and Environmental Stewardship
 - Build Community Resilience through Enabling, Behaviour Change & Partnership Working

Introduction

Taking action to tackle our Climate Emergency is an absolute priority for Colchester Borough Council (CBC). In July 2019 the Council was one of the first in the region to make a Climate Emergency declaration.

The Council is committed to firm action, from setting an ambitious target to be carbon neutral by 2030 to driving forward a significant programme of environmental stewardship to sustain and enhance biodiversity and invest in cleaner, greener, renewable energy projects.

This Action Plan builds upon many years of achievement and environmental innovation, underlined by Colchester's status as one of the top performing Climate Friendly Council's in England & Wales by Friends of the Earth.

The plan aims to address the urgent challenge faced by the Council; one which is made harder because, compared to most places, Colchester has already completed many of the 'easier', 'quick win' projects. This means that moving forward at pace to achieve our targets will require significant investment of time, money and energy from the Council, the government, our partners and citizens.

We are aware of growing public support for environmental action and this has been exemplified by groups such as Extinction Rebellion's People's Assembly & Festival and the work of Eco Colchester, with both groups presenting to the Council's Conservation, Environment & Sustainability Task & Finish Group in 2019.

It must be highlighted that opinion is divided on the pace required to meet this emergency; Extinction Rebellion state that we should aim for carbon net zero by 2025, The UK Committee on Climate Change along with the Intergovernmental Panel on Climate Change (IPaC) both reference dates of 2050 for carbon neutral, which the UK Government announced that it would adopt on the 12 June 2019.

Given the scale of the challenge to achieve a net zero carbon goal by 2030 it is likely that some future measures will entail radical steps that will require far reaching policy and societal changes. They will also rely on the measures taken at regional and national level to achieve an overall carbon reduction target. As was recognised in the agreed motion, the council cannot do this alone.

It is important to note this is the initial version of our Action Plan, it is only a starting point in a ten year journey. We will adapt as we go and update this plan regularly alongside the development of a new Environment & Sustainability Strategy and a Carbon Management Plan that will reflect many of the aspirations and actions from this plan. Meanwhile we will continue to act boldly on climate.

Challenge and Risks associated with Climate Change

In 2018, the Intergovernmental Panel on Climate Change (IPCC) published a report which advised that global warming must be limited to 1.5°C, as opposed to the previous target of 2°C. The IPCC's review of over 6,000 sources of evidence found that, with a rise of 1.5°C, there would be risks to health, livelihoods, food security, water supply, human security and economic growth. A rise to 2°C would be even more catastrophic. It warned that there were 12 years within which to take the serious action required to avert this crisis and avoid the worst impacts.

CBC's Comprehensive Climate Risk Assessment outlines the climate change predictions for Colchester; it identifies risks and looks at existing and potential actions to reduce risks.

The short term climate change risks for Colchester are:

- Milder, wetter winters (central estimate shows an increase in mean winter temperature of 1.3°C and 6% increase in winter precipitation)
- Hotter, drier summers (central estimate shows an increase in mean summer temperature of 1.3°C and 7% decrease in summer precipitation)
- More frequent extreme high temperatures (central estimate shows an increase in the mean temperature of the warmest day of 0.9 °C)
- More frequent downpours of rain (central estimate shows an increase of 5% precipitation on the wettest day)
- Significant decrease in soil moisture content in summer
- Sea level rise and increases in storm surge height (central estimate for sea level rise in the East of England shows a 9.7cm increase under the medium emissions scenario and a 11.5cm increase under the high emissions scenario)
- Possible higher wind speeds.

It is clear that the climate of Colchester is very likely to change in the short term, with more significant changes likely in the longer term. Colchester currently has one of the highest average temperatures and lowest rainfall in the East of England. It is likely that Colchester will be more affected than other areas and it is therefore essential that adaptation measures are put in place to reduce Colchester's vulnerability to climate change.

Benefits associated with Climate Change Action

Whilst there are significant challenges, taking action to mitigate and adapt to climate change could also bring multiple benefits for the environment, society and economy in Colchester. There are new opportunities to promote sustainable local development, enhance quality of life, stimulate investment and innovation, create jobs and reinforce stakeholder participation and co-operation.

Action taken already

Colchester is not starting from scratch on its journey towards becoming net carbon neutral or adapting to climate change impacts.

The Council has made significant reductions in carbon through previous carbon reduction strategies. Over £1.5m has been invested in carbon reduction projects and from a baseline of 10,150 tCO₂e in 2008 **the 40% reduction target has been met, one year ahead of the 2020 target.**

In July 2019, the Council passed a motion to declare a climate emergency and to:
Support the newly formed Conservation and Environmental Sustainability Task and Finish Group to consider the following actions:

Commission an environmental audit which identifies pollution hotspots, wildlife biodiversity and environmental health issues, and an urban impact assessment with an aim to identify areas of improvement across the borough.

Consult expert opinions in the field, as appropriate.

Collaborate with regional and neighbouring local authorities, as well as communities, to encourage practical measures to reduce emissions, reduce carbon footprints and develop community-based renewable energy projects.

Encourage all sectors of the economy across the borough to take steps to reduce waste and become carbon neutral.

Develop a roadmap for Colchester Borough Council to go carbon neutral by 2030.

Report to Cabinet and Full Council within six months with an action plan setting out conservation and environmental sustainability goals to address targets by 2030; incorporating proposals on the investment implications of this proposed activity.

Pledge to ensure future housing and community development projects meet a carbon-neutral standard by 2030

Call upon the Leader of the Council to write to the Minister of State for Energy and Clean Growth requesting that national policy is urgently developed to reflect the seriousness of the current emergency, and to release funds to local authorities, encouraging them to take the necessary measures at local level.

Since the motion was passed, the Council has been working closely with a wide range of stakeholders to develop our approach to addressing the climate emergency as set out in appendix 1 and as reported to Cabinet in November 2019.

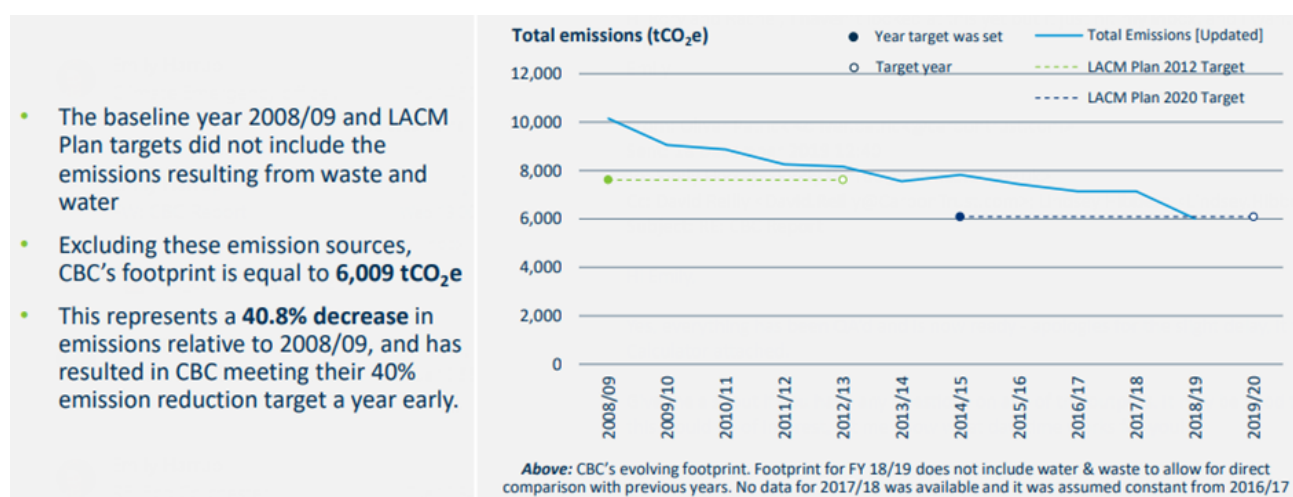
Carbon Emission Baseline

Achieving a net zero carbon target depends on a sound understanding of not only where we have come from, but also where we are now and ultimately where our current plans are taking us.

The Carbon Trust was commissioned to provide the initial evidence base to help us ensure that Colchester Council's response to the climate emergency is informed by sound recommendations and expert guidance to ensure we deploy the most effective solutions to help us tackle climate change.

Analysis of CBC's historic Green House Gas (GHG) emissions was carried out using annual GHG emissions reports. Data was available from 2008/09 up to 2016/17. The emission reductions reported in the GHG reports indicate that CBC achieved its reduction targets with the majority of emission reductions attributed to purchased electricity and the Council's fleet. *(Note: During the Carbon Trust analysis, it became apparent that fleet emission data had been under reported since 2012. However even with this historical calculation error the Carbon Trust report states that in Colchester we have a 40.8% decrease in emissions relative to 2008/09 baselines. This equates to a reduction of 3,970 tonnes of CO₂e)*

Figure 1 – 2018/19 Carbon Footprint



Scope of Carbon Emission Target

The GHG protocol is the most widely used and accepted methodology for GHG accounting. It is the method the Council has used since 2008 and is the method that has been followed to calculate CBC's footprint for FY 18/19.

Under the GHG Protocol, emission sources are divided into scopes 1, 2, and 3. Scopes 1 and 2 emissions are a result of an organisations' direct operations, whereas scope 3 emissions result from an organisations' indirect activities or value chain (for example, from the manufacturing of products used by the Council).

Scope 3 emissions are emitted by a third-party's operations and are generally more difficult to monitor, control and reduce. As a result, public (and private) sector carbon action has traditionally focused on scope 1 and 2 emissions.

Where scope 3 emissions have been included, organisations tend to only consider certain elements where there is a degree of influence or control. However, there is now increasing appetite to include more scope 3 emissions in footprints and to encourage carbon reduction in an organisations' value chain.

All previous carbon footprints for CBC have included:

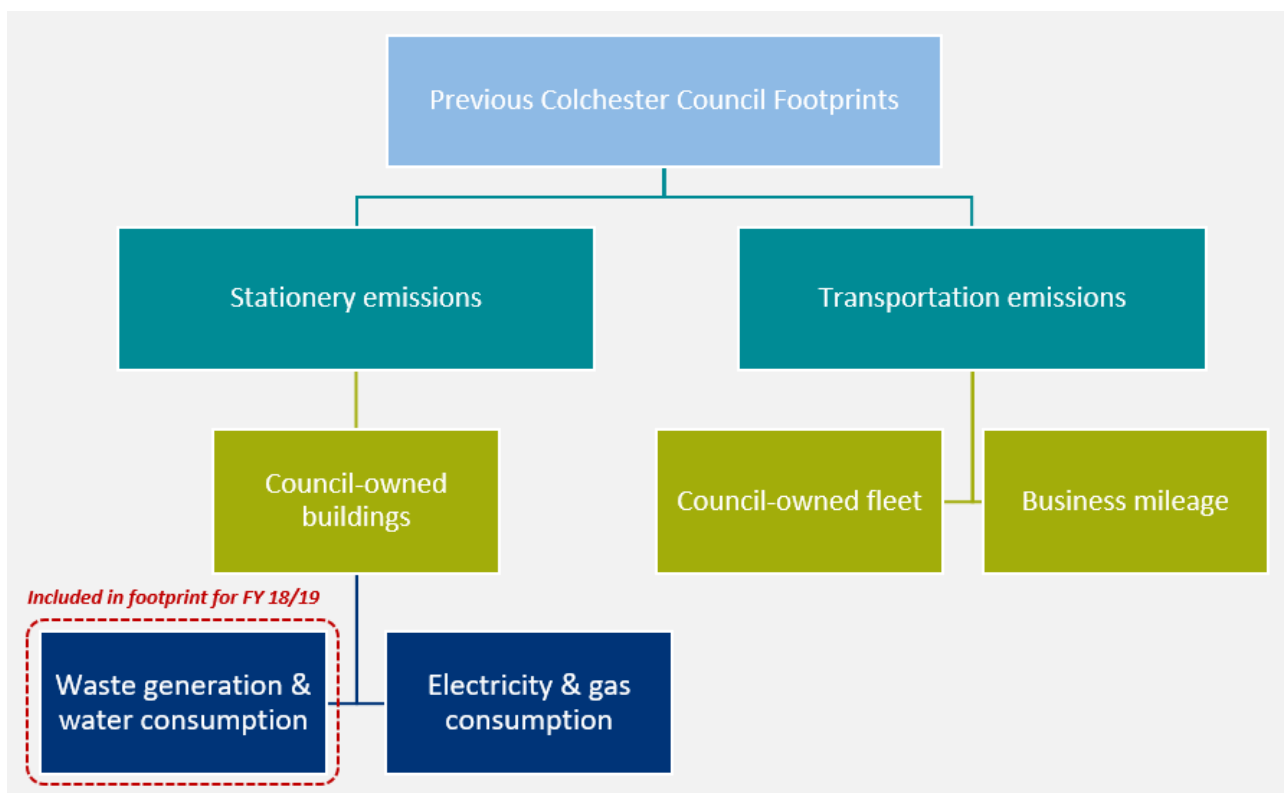
- Emissions from gas consumption for space and water heating in buildings (scope1)
- Emissions from fuel consumption used to power the Council's fleet (scope 1)

- Emissions from electricity consumption (scope 2).
- Emissions resulting from business travel in non-Council operated vehicles (scope 3)

The Council's carbon footprint was recalculated for the financial year 2018/19 and the scope of the footprint was expanded to include further scope 3 emissions including:

- Emissions from the third-party disposal and treatment of waste generated in Council controlled operations (scope 3)
- Emissions resulting from the supply and subsequent treatment of water consumed by the Council's operations (scope 3)

Figure 2 - 2018/19 Adjusted Carbon Footprint Scope



The total carbon footprint for CBC's own operations in the financial year 2018/19 within the scope above is equal to **6,180 tCO₂e**.

The majority of this footprint is attributed to the Council's gas consumption for space and water heating in buildings. Emissions from electricity consumption and for fleet vehicles also form a significant portion of emissions.

Figure 3. – Carbon footprint breakdown by scope

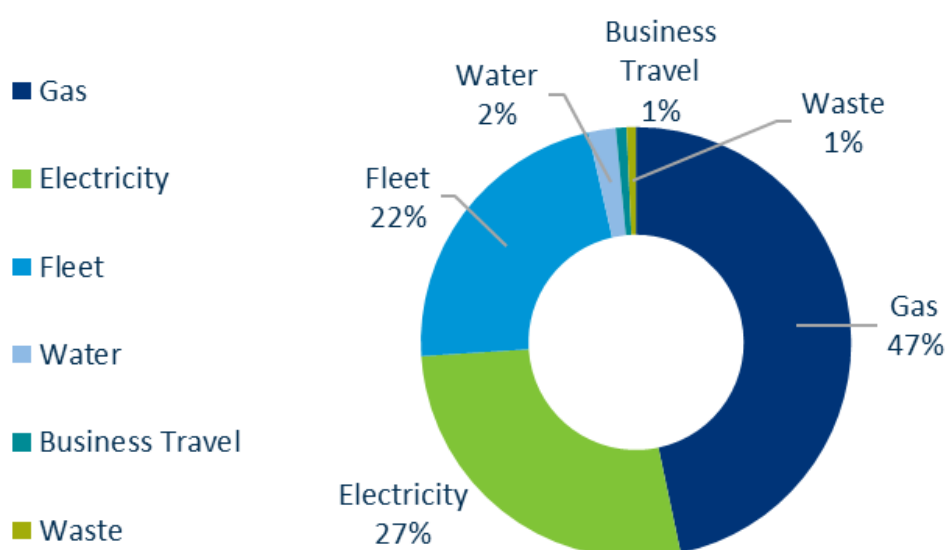


Figure 4. – Historic emissions, updated with data for 18/19.

GHG emissions data – Total Tonnes of CO ₂ e										
	FY 18/19	FY 16/17	FY 15/16	FY 14/15	FY 13/14	FY 12/13	FY 11/12	FY 10/11	FY 09/10	FY 08/09
Gas Consumption	2,884	2,918	3,012	2,993	2,915	3,231	2,642	3,048	4,473	5,285
Owned Transport	1,383	1,589	1,350	1,461	1,363	1,395	1,173	1,157		
Scope 1 Total	4,272	4,507	4,362	4,454	4,278	4,626	3,815	4,205	4,473	5,285
Purchased electricity	1,687	2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Scope 2 Total	1,687	2,583	3,036	3,326	3,224	3,484	4,390	4,603	4,516	4,798
Business Travel	50	47	41	45	49	50	48	58	65	67
Waste ¹	43	-	-	-	-	-	-	-	-	-
Water ¹	127	-	-	-	-	-	-	-	-	-
Scope 3 Total	221	47	41	45	49	50	48	58	65	67
Total emissions	6,180	7,137	7,439	7,825	7,551	8,160	8,253	8,866	9,054	10,150

Areas of Focus for Carbon Emission Reduction

The Council's 'stationary' footprint from buildings, public lighting/amenities etc. accounts for 76.7% of the overall footprint.

The stationary footprint was divided into use-types. Leisure and recreation is by far the largest contributor to the Council's stationary emissions, largely driven by Leisure World, the largest single emitter across the Council's portfolio accounting for 35.3% of all emissions.

The emissions associated with the Council's fleet are also substantial. As the grid continues to decarbonise and purchased electricity becomes 'greener' emissions from the Council's fleet will become an increasingly larger portion of the overall footprint.

Gas emissions, primarily from the space and water heating of buildings, make up the majority of the Council's stationary emissions (60.8%).

Figure 5. Breakdown of Stationary Footprint 18/19

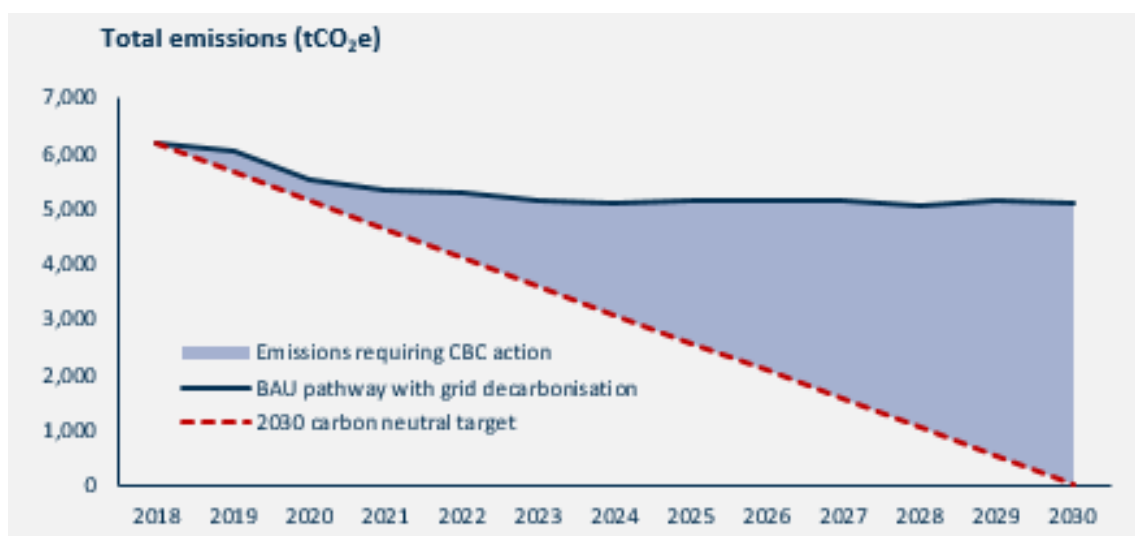
STATIONARY FOOTPRINT						
Ranking	Site Type	Electricity emissions (tCO ₂ e)	Gas emissions (tCO ₂ e)	Water emissions (tCO ₂ e)	Waste emissions (tCO ₂ e)	TOTAL
1	Leisure and recreation	762	1,511	82	33	2,388
1.a	<i>Leisure World</i>	656	1,445	58	25	2,184
2	Residential buildings	467	928	25	0	1,419
3	Council buildings	148	209	10	9	376
4	Public conveniences	207	72	7	0	286
5	Cemetery / Crem	23	165	2	1	191
6	Street amenities	78	0	1	0	79
7	Pumping stations	3	0	0	0	3
TOTAL		1,687	2,884	127	43	4,742

Maintaining a business as usual case, where energy consumption remains constant will still result in a decrease in electricity emissions as a result of grid decarbonisation.

In a 'do nothing' scenario, CBC's emissions are expected to reduce by 1,094 tCO₂e as a result of the Council using greener electricity from the national grid.

Beyond this, a further **5,085 tCO₂e reduction** must then be achieved by CBC to achieve the 2030 net carbon zero target.

Figure 6 - 'do nothing' scenario – emission reductions come from the grid decarbonising.



Further work will be required to ensure that emissions from electricity continue to fall, however greater emphasis will need to be placed on reducing diesel and gas emissions.

Future reduction in gas emissions will need to be largely driven by Council-led interventions as national trends between now and 2030 will not impact gas emissions as much as other emission sources e.g. electricity consumption.

Action Planning

There is a need for a flexible and iterative approach to action planning our carbon reduction strategy and our overall approach to the climate emergency.

As a result, we will adapt and update this plan regularly with more detail on specific projects, costings, milestones for delivery etc as the whole programme of work develops, as new technology becomes available, as we continue to consult with expert partners, wider stakeholders and as we undertake further examination of evidence and best practice.

Alongside the Action Plan we will develop a new Environment & Sustainability Strategy and a Carbon Management Plan that will set out specific carbon reduction projects in greater detail that reflect the aspirations and actions from this overarching initial plan.

Environment and Sustainability is a New Strategic Priority for the Council and has been highlighted in the 2020/21 Budget Strategy to enable the right level of focus, governance and resourcing to be provided to deliver real progress against this action plan.

1. Organisational Culture & Decision Making

We will build on the strategy review undertaken by the Carbon Trust and start a process of aligning CBC's policies and governance to ensure the whole organisation rises to the challenge of the climate emergency.

To make decisions that reflect the declaration of a Climate Emergency the Council will undertake the following actions to ensure all decisions are informed by perspectives on climate change. This will include:

- 1.1 Development and consultation on a new Environmental Sustainability Strategy for Colchester.
- 1.2 Ensuring internal strategies and policies are consistent with the climate change emergency
- 1.3 Embedding environmental/ carbon priorities within the Council's core internal and external communications and narrative
- 1.4 Acknowledging environmental stewardship within the core values of the organisation
- 1.5 Strengthening our assessment of climate and environmental impacts in all decision making and reporting, including project development processes and our performance management framework
- 1.6 Work to improve our procurement processes to ensure that suppliers support our carbon neutral ambitions, for example through specification development and selection processes, in line with the Council's wider commitment to delivering social value.

Climate change adaptation requires universal strategic thinking, a deeper understanding of the challenge and risks, and the adoption of responses that will be

critical to the Council achieving its ambitions. As a result the Council will take steps to:

- 1.7** Develop and roll out a climate change learning and development programme for staff and members to improve understanding of carbon and wider environmental context. The skills programme will include basic training/awareness for everyone, with more targeted/ intensive training for decision-makers to enable them to adequately assess carbon impacts in their decisions.
- 1.8** Continue to develop and support the Council's Travel Plan, to encourage sustainable transport choices by our workforce for both the commute to work and for business travel through schemes such as the 'cycle to work scheme', discounts on public transport and the provision of facilities to support active travellers.

2. Roadmap to Carbon Neutral

We will demonstrate leadership through ensuring that Colchester Borough Council operations will be net carbon zero by 2030.

- 2.1** Development of a new Carbon Management Plan based on insight and evidence gathered from a detailed pathway modelling of the current CBC footprint. Initial action areas for development and some likely measures to be include in the Carbon Management Plan are set out below:
 - 2.1.1** Take steps to ensure the council's future electricity supply is provided by 100% renewably generated sources
 - 2.1.2** Continue to review our estate and assets to investigate means of increasing energy efficiency of heating, lighting and cooling systems.
 - 2.1.3** Investigate options for acquiring or funding further renewable energy generating and/or storage installations in the Borough.
 - 2.1.4** Take a phased approach to renewal of our fleet as new technologies and associated infrastructure becomes available.
 - 2.1.5** Understand the role of carbon offsetting and explore opportunities to develop a robust strategy for offsetting emissions that will keep investment within and benefit the local community e.g. operating own solar farms to provide local energy using currently unused CBC land.

The target for net carbon zero by 2030 relates specifically to the scope of our current footprint scope 1 and 2 emissions i.e. emissions as a result of CBC's direct operations and some scope 3 emissions (see page 7 & 8). However, there is an ambition to go 'as far as possible' and explore the wider footprint outside of the Council's direct control (further scope 3 emissions) not currently included in the target. This includes contracts (e.g. grounds maintenance) as well as wholly-owned companies such as Colchester Borough Homes and Colchester Amphora. As a result, there is a need to measure and understand these emission sources to inform a future target that is ambitious but realistic.

- 2.2** Collect available data and measure relevant scope 3 emission sources to ensure the Council is going as far as possible in its efforts to reduce carbon emissions.

The Council needs to understand the impact of business as usual, national policies, local initiatives and current procurement timelines on the future carbon footprint. This will show what the make-up of the Council's emissions will be in 2030 on the current pathway, and in doing so provide steer on focus areas that the Council should prioritise for project implementation between now and then. In order to achieve this the Council will:

- 2.3** Commission and undertake macro-level scenario analysis, to overlay national and Council-level trends & policies to map CBC's emissions out to 2030. Perform pathway modelling to identify priority focus areas for the Council
- 2.4** Write and agree an internal data management plan which sets out roles and responsibilities for data capture and verification as well as a timetable for reporting.

3. Planning, Development & Sustainable Travel

The Council will continue to play a central role in engaging communities and enabling environmentally friendly choices in everything from energy to active travel. The Planning system is one of the primary mechanisms for Colchester transitioning to a low-carbon society. The planning system does this by shaping new and existing developments in ways that reduce carbon emissions, sustains and enhances biodiversity and positively builds community resilience to challenges such as extreme heat or flood risk.

Central government changes to planning and building regulation legislation is required in order to enforce carbon neutrality on new developments.

Through the Conservation, Environment and Sustainability Task & Finish Group, a review has been undertaken of the measures that could be undertaken through the planning system to achieve carbon neutrality in new and existing developments. Although much work is already taking place, many opportunities have been identified as set out below. The full list of measures and actions to be explored can be seen in Appendix 2.

- 3.1** Pursue the table of actions and measures identified by the planning service (Appendix 2) that can be undertaken within existing planning legislation.
- 3.2** Respond to central government consultations that can influence changes to legislation in relation to increasing sustainability and carbon neutrality standards within planning and building regulations for future development.
- 3.3** Undertake visits to exemplar sustainable developments to better understand different financial models and approaches including for new development, retrofitting existing housing stock and innovative approaches to encouraging sustainable travel.

- 3.4** Investigate the opportunity for the Council to lead the way on its own forthcoming developments, where appropriate, such as Amphora led developments and the Garden Communities, as these provide opportunities to become exemplars of sustainable building and carbon neutrality.
- 3.5** Ongoing lobbying of central government for legislation which will enforce higher environmental standards and carbon neutrality for future developments.
- 3.6** Explore opportunities to develop and adopt shared standards with neighbouring authorities to provide consistency and set expectations on development set across the county.

4. Waste Management

The way we manage waste in Colchester has a significant impact on our carbon footprint, and that of the County Council as the waste disposal authority. Changes in material consumption patterns and a shift towards more sustainable waste management not only saves money but will also have significant implications for reducing emissions.

Future options regarding the collection and recycling of waste need to ensure that a carbon accounting approach is taken towards all aspects of the service. While the Council has control over the method of collection, it is not the Disposal Authority but will work with Essex County Council to continue to encourage the most sustainable options for waste disposal.

Colchester already has an outstanding waste and recycling service, but further opportunities have been identified in the action planning process as set out below:

- 4.1** Further enhance the systems for household waste, recycling, food and garden waste collections across the Borough with a focus on waste minimisation, increased recycling and composting and reduction of residual waste.
- 4.2** Stimulate increased reuse as well as upcycling and repairing opportunities and the necessary skills and training to undertake these.
- 4.3** Reduce resource use, particularly paper for printing and single-use plastic. Seek to progress towards single-use plastic-free status and support community plastic-free initiatives.
- 4.4** Seek to minimise or cease the sale of single use plastics and encourage alternative materials throughout our retail operations
- 4.5** Explore the trial of smart waste technology to improve waste monitoring and collection efficiencies in the Borough.
- 4.6** Continue to communicate frequently with Colchester residents to improve participation in recycling and waste minimisation initiatives.
- 4.7** Review our trade waste collection service to develop additional commercial recycling collections.

- 4.8** Take an asset based community development approach to discovering and enabling existing and new community led initiatives associated with repair, upcycle and reuse social movements.

5. Mitigation, climate adaptation and environmental stewardship

Local Strategic and Health & Wellbeing Partnerships carry out considerable planning to ensure that communities, especially the vulnerable, are supported during events that may cause an interruption to services and utilities, e.g. storms and flooding etc. The Council also has robust Flood Emergency Plans in place and climate related risks are taken into account in the Councils Risk Register.

Open green space and parks, how they are utilised, and the activities they support are a real barometer for 'community' with important links to volunteer and community led action and initiatives. Colchester's rural, urban and coastal geography means outdoor space is a strong factor in the biodiversity, character and attraction of our place. These spaces provide a critical backdrop to our ecological and environmental action. There is also cross over with other key strategic priorities for the Council including; health & wellbeing, increasing physical activity, and active travel. As such the Council will:

- 5.1** Plant 200,000 trees by 2024 as part of the Colchester Woodland Project
- 5.2** Undertake a review and update of the climate risks, actions and control measures set out in the Council's Corporate Risk Assessment and gain a better understanding of what further potential adaptation will be required.
- 5.3** Maximise opportunities to collaborate with and integrate the whole system change approach being implemented through the Essex Local Delivery Pilot (ELDP) including opportunities to lever funds for investment in sustainable local community led initiatives e.g. Community food growing and gardening projects already in development.
- 5.4** Undertake a review of Council Strategies for parks and green space ensuring opportunities to tackle climate change are embedded within the approach including measures to safeguard and enhance existing habitats and species.
- 5.5** Ensure biodiversity is prioritised in green space maintenance including Ceasing the use of glyphosate herbicides in Council operations through a phased approach, identifying and trialling alternative sustainable practices including 'wilding' of open spaces and lobbying and encouraging wider stakeholders with grounds maintenance responsibilities to take the same approach.
- 5.6** Work with partners to develop a vision for the upper, middle, and lower River Colne that prioritises its value as a unique natural asset to be carefully utilised, protected and enhanced.

6. Build Community Resilience through Enabling, Behaviour Change & Partnership Working

Ensuring Colchester is a truly resilient Borough, where communities feel empowered and connected to take action on climate change will be a challenge. However we are aware of growing public support for environmental action, equally Colchester has excellent community partnerships that can be strengthened and nurtured to ensure a collaborative, innovative and inclusive approach to action can be taken by all:

- 6.1** Maximise opportunities to collaborate and support/promote local community led initiatives (including assistance to lever and source funding opportunities where needed) e.g. Wivenhoe Transition Town, Rowhedge Going Greener, Eco Colnes and Halstead
- 6.2** Ensure enabling action on our climate emergency is a key element of a new Community Enabling Strategy for the Council. As part of this undertake regular and ongoing dialogue with community groups across Colchester to ensure we make best use of the assets, skills, talents and creativity within our communities to tackle our climate emergency.
- 6.3** Utilise existing platforms, networks, and Groups such as Eco Colchester, Extinction Rebellion's People's Assembly and our own scrutiny processes to ensure that there is diversity in the development of solutions and proposals for climate action.
- 6.4** Take action to enable and support educational and awareness raising events e.g. Eco Colchester 2020 and the action of interested stakeholders, schools and businesses to promote behaviour change across our communities.
- 6.5** Work with town and parish Councils and seek to identify how we can work together optimally on this challenge, reflecting the wishes of the communities and residents we serve.
- 6.6** Develop a climate emergency communications and engagement plan to support delivery of our overarching action plan

Working with other Local Authorities across Essex will be crucial if we are to deliver against all of the aspirations within the motion, and in the coming months we will be continuing to seek dialogue with our neighbouring authorities and those throughout the UK who have also declared Climate Emergencies. There is already a growing appetite amongst other regional authorities to work together on this agenda, and we will support the principle that the climate change work should be one of the key priorities for the region.

- 6.7** Utilise existing partnering mechanisms to enable regional conversations with other Local Authorities across Essex and the Eastern region on joint climate emergency action.

Ongoing Review

During the next phase of our approach, via the Conservation, Environment and Sustainability Task & Finish Group we will continue to work with expert partners, stakeholders and the community to consult opinion on and fully evaluate activity, options, their associated benefits, impacts, risks and barriers across the 6 action themes described in this first Climate Emergency Action Plan.

In parallel we will mobilise a delivery programme to accelerate the planning and delivery of projects for early implementation, a number of which sit within the Council's 'New Strategic Priorities' programme.

Appendix 1 – Action taken as reported to Cabinet in November 2019.

Climate Emergency Motion Target	What we've done
Audit of pollution hotspots and environmental health issues.	<p>A full audit of pollution hotspots has been undertaken as part of our air quality management activity. Hot spot areas have been identified and continue to be monitored. As a result of the action taken to tackle air pollution in Colchester additional Government funding has been secured to deliver a two-year behaviour change project to tackle levels of pollution in the borough.</p> <p>We also have full details of all potentially polluting processes and the controls they have in place through Environmental Permitting. These processes are monitored regularly for compliance.</p>
<i>Audit of Wildlife/ Biodiversity</i>	<p>Several specialist groups already undertaken audits. These will be assessed as we move forward with our plans to identify whether any gaps exist. Where this is the case a further audit will be engaged.</p> <p>A phased approach to cease the use of glyphosate herbicides has commenced based on the nature of the sites where herbicides are used, the need to encourage biodiversity where possible, and the availability of alternative sustainable practices.</p>
<i>Urban Impact Assessment</i>	<p>The local plan and resulting significant decisions all require a substantial impact assessment.</p> <p>Colchester's Cabinet agreed in November 2019 that environmental and carbon considerations are required to be taken into account in all decision making. All formal Council reports and decisions are now required to set out the environmental and sustainability implications of the decision, with particular reference to the definition of sustainable development set out in the National Planning Policy Framework.</p>
Consult expert opinions in the field	<p>Several experts have been consulted or have attended the task and finish group including the Carbon Trust, Eco Colchester. Feedback has also been considered from Extinction Rebellion Colchester.</p> <p>Through the delivery of wider projects supporting our ambitions from clean air, active travel to woodland planting Colchester is working with a wide range of expert partners including Intelligent Health, Active Essex, Essex University the Woodland Trust and Forestry Commission.</p>
Collaborate with regional and neighbouring local authorities, as well as communities	<p>Joint transport strategy/projects to facilitate increased cycling and walking are being developed with Essex County Council. Community activation, social movements and active travel are the primary means by which the Council aims to increase levels of physical activity, walking and cycling through the Essex Local Delivery Pilot a significant piece of work involving a wide range of stakeholders including Tendring District Council and Basildon Borough Council.</p> <p>The Council is working closely with Essex County Council to coordinate tree planting in addition to Parish Councils and community groups on this project.</p> <p>In November 2019 Colchester's cabinet also committed to working</p>

	with other authorities, organisations and companies who use glyphosate herbicides within the borough to encourage them to cease their use.
Encourage all sectors of the economy across the borough to take steps to reduce waste and become carbon neutral.	<p>Work has continued with the Single Use Plastic reduction campaign across the Borough. The refill campaign has also been publicised and supported through the introduction of 5 new/refurbished public water fountains.</p> <p>A review of our trade waste collection service is also underway to develop additional commercial recycling collections.</p>
Develop a roadmap for Colchester Borough Council to go carbon neutral by 2030.	<p>The Carbon Trust were commissioned to undertake a carbon footprinting exercise and to identify the key areas of focus that will form the basis of a roadmap and strategy for Colchester to be net carbon zero. Workshops have been undertaken with Officers & Members in December 2019 to inform our strategic approach moving forward.</p> <p>The Council has recruited a dedicated Climate Emergency Project Officer to coordinate the development of a new Environment and Sustainability Strategy, Carbon Management Plan and to support the wider delivery of climate emergency projects and ambitions.</p>
Pledge to ensure future housing and community development projects meet a carbon-neutral standard by 2030.	<p>A report was presented to the Environment & Sustainability Task and Finish group outlining measures CBC are already undertaking through planning and a table of new suggested measures recommended to enhance the delivery of sustainable development. This table of new measures will be developed as part of our action plan.</p> <p>Building regulations provide the most robust way of ensuring new housing is carbon neutral. The Council responds to consultations to improve the Building Regulations and will lobby central government to ensure they aim for carbon neutrality.</p>
	The Leader of the Council has written to Minister of State for Energy and Clean Growth requesting that national policy is urgently developed to reflect the seriousness of the current emergency, and to release funds to local authorities, in order that Borough Councils' like Colchester can take the necessary measures at local level.

Appendix 2 - Proposed measures for implementation within existing planning legislation

Short term – within next 12 months

Medium term – within next 3 years

Long term – over 3 years

Measures Identified	Timeframe	How can this be achieved
Investigate the introduction of a Climate Emergency Checklist so decision makers can understand the sustainability of proposals & demonstrate compliance with these measures	Short term: Investigation Delivery: Medium term and ongoing	<ul style="list-style-type: none"> Investigate the incorporation of all of these measures into a Climate Emergency Checklist. Research examples of sustainability checklists from elsewhere.
Dedicated Travel Plan Co-Ordinators for larger developments to ensure that Travel plans are successful	Short term: Investigation Delivery: Ongoing	<ul style="list-style-type: none"> Compile evidence to justify the need for Travel Plan co-ordinators Consider monitoring requirements, i.e. what monitoring data is available from ECC, identify monitoring gaps.
Information on sustainable travel choices to be included in marketing of residential properties for developments where there are good sustainable transport options to encourage reduced car use and ownership.	Short term: Investigation Delivery: ongoing	<ul style="list-style-type: none"> Add informative to relevant applications as part of Transport & Sustainability response/requests to planning permission consultations Consider how this would be monitored.
Improve, enhance & expand the Colchester Orbital as a walking and cycling route	Short term: Ongoing Delivery: Ongoing	<ul style="list-style-type: none"> A scoping paper has been prepared, which identifies further work.
Installation of electric vehicle charging points	Short term: Ongoing Delivery: Ongoing	<ul style="list-style-type: none"> Liaise with other departments. Request electric charging points as part of new development.
Require developers to provide a Canopy Cover Assessment for each major app & maintain or increase canopy cover on site	Short term: Investigation Delivery: Short – Medium term	<ul style="list-style-type: none"> Guidance to be prepared outlining exactly what is required. Talk to local groups about their help in establishing baseline cover across Colchester.
Tree Preservation Orders (TPOs) on allocated sites to safeguard canopy cover	Short term: Investigation Delivery: Ongoing	<ul style="list-style-type: none"> TPOs to be made on all allocated sites where appropriate.
Produce guidance on small scale biodiversity	Short term: Investigate	<ul style="list-style-type: none"> Investigate small scale net gain projects.

net gain projects	Delivery: Medium	<ul style="list-style-type: none"> • Prepare guidance document & discuss planning conditions with DM
Encourage sites or part of sites (e.g. Amphora & MOD sites & garden communities) to deliver exemplar buildings	Short term: Discussion Delivery: Medium to long term	<ul style="list-style-type: none"> • Arrange a site visit for T&F Group to passive house development in Norwich, and other local examples. • Research other local/national examples. • Discussions with developers.
Consideration given to car free developments and other approaches to reducing car parking provision and encouraging car free lifestyles	Short term: Discussion Delivery: Medium-long term	<ul style="list-style-type: none"> • Research car free developments & travel plans & discuss with the Highway Authority to inform discussion on future options.
Introduce car clubs	Short term: Ongoing Delivery: Short - medium	<ul style="list-style-type: none"> • Consider further locations in Colchester to implement car clubs.
Investigate measures to support sustainable modes of transport: investigate a workplace parking levy in the town centre	Medium term: Investigation Delivery: Medium-long term	<ul style="list-style-type: none"> • Research examples of a workplace parking levy and consider its application in Colchester. • Work with other departments to consider incentives such as green number plates, access to bus lanes and parking levy
Above ground SuDS to be designed as multifunctional features to form part of green infrastructure network	Medium term: Discussion Delivery: Medium – Long term	<ul style="list-style-type: none"> • Discuss with ECC as the Lead Local Flood Authority & other LPAs.
Council to adopt or management scheme to be secured to maintain SuDS features where these are also adoptable open space	Medium term: Investigation Delivery: Medium-long term	<ul style="list-style-type: none"> • Consider maintenance and management costs for each SuDS feature. 2. discuss with Parks team.
Require new dwellings to meet optional tighter water standard of 110 litres pppd	Short term: Investigation Delivery: Medium-long term	<ul style="list-style-type: none"> • Research how this is implemented elsewhere (Environment Agency & Anglian Water to advise). • Discuss implementation with DM.
Encourage green roofs and green walls	Short: Investigation Delivery: Medium term	<ul style="list-style-type: none"> • Look at examples of good practice elsewhere. • Consider the benefits of producing a guidance note for applicants.
Explore options for a long term, strategic biodiversity net gain strategy	Medium: Investigation Delivery: Medium - long term	<ul style="list-style-type: none"> • Follow the progress of the Environment Bill & Defra Metric 2.0.

		<ul style="list-style-type: none"> Consider the benefits and options for a strategic project & how this conforms to legislation & best practice. Discuss with other Essex LPAs.
Raise awareness of Home Quality Mark (HQM)	Short term: Discussion Delivery: Medium - long term	<ul style="list-style-type: none"> Talk to ECC about how this is being promoted in Essex & how we can raise the profile of the HQM in Colchester.
Seek a proportion of homes to be built to lifetime homes standard	Short term: Discussions Delivery: Short - medium	<ul style="list-style-type: none"> Discussions with developers.
Consider identifying suitable areas for renewable and low carbon energy	Short term: Investigation Delivery: Medium – longer term	<ul style="list-style-type: none"> Look at examples from other LPAs and the benefits this has brought. Discuss with Climate Emergency Officer as part of Carbon Trust project.
Identify opportunities for development to draw its supply from decentralised, low energy sources	Medium: Discussion Delivery: Long term	<ul style="list-style-type: none"> Discuss with Amphora. Look at allocations.

Report of	Assistant Director for Corporate and Improvement Services	Author	Paul Cook ☎ 505861
Title	2020/21 Revenue Budget, New Strategic Priorities and the Medium-Term Financial Forecast		
Wards affected	All		

1 **Executive Summary**

- 1.1 The Council continues to demonstrate prudence and robust financial management. It is therefore able to invest in New Strategic Priorities and deliver a balanced revenue budget for 2020/21. This will require a modest £4.95 (2.6%) increase in the Colchester Borough Council Tax for 2020/21. Grants to parish councils have been maintained at 2019/20 levels after several years' successive reductions.
- 1.2 The report also covers the Council's future investment in long term assets via its Capital Programme; Capital Strategy and Treasury Management Strategy for 2020/21.
- 1.3 The report also sets out the Medium-Term Financial Forecast to 2023/24.

2 **Recommended Decision**

- 2.1 To approve the 2020/21 Revenue Budget and Medium-Term Financial Forecast as set out in Appendices A, G and H.
- 2.2 To approve the use of General Fund balances and reserves to make a £2.805m one off pension fund deficit payment for 2020/23 as set out in Section 7 of this report.
- 2.3 To make revenue budget provision in 2020/21, 2021/22 and 2022/23 to meet the cost of the pension deficit payment for 2023/24 as set out in Section 7 of this report.
- 2.4 To approve the pension 'pass through' arrangement from April 2019 for Amphora employees as set out in Section 7 of this report and to delegate completion of the final agreement to the Portfolio Holder for Resources in conjunction with the S151 Officer.
- 2.5 To approve the allocation of £500k in the 2020/21 budget for the Local Plan, noting that use will be dependent on the Planning Inspectorate hearing outcomes and the

consequent way ahead for garden communities, North Essex Garden Communities Ltd or alternative approaches.

- 2.6 To approve the Capital Strategy and Capital Programme set out in Appendix B.
- 2.7 To note the budget resilience statement set out in Appendix D and the forecast level of reserves and balances set out in Appendix I.
- 2.8 To approve the Treasury Management Strategy Statement and prudential indicators set out in Appendix E.
- 2.9 To recommend to Council the 2020/21 revenue budget requirement of £24,514k.
- 2.10 To recommend to Council Colchester's element of the Council Tax at £195.57 per Band D property being an increase of £4.95 (2.6%).
- 2.11 To approve care leavers treatment as designated persons for council tax purposes removing any council tax liability in accordance with Section 13 of this report.
- 2.12 To note the 2020/21 implementation agreed in 2019 Budget Setting of a 200% council premium for properties empty over five years.

3 Reason for Recommended Decisions

- 3.1 The Council is required to determine its annual budget requirement and set a council tax by 11 March preceding the new financial year.
- 3.2 The Chief Finance Officer must report to the Authority on the robustness of the estimates used to calculate its budget requirement and the adequacy of the proposed reserves.

4 Alternative Options

- 4.1 None

5. Background information

- 5.1 The timetable and approach to the 2020/21 budget strategy was agreed at Cabinet on 10 July 2019. The Budget was further developed in a report to 20 November 2019 Cabinet.

6 New Strategic Priorities

- 6.1 The Council's budget and forward planning is centred around our obligation to provide high quality statutory and other services to the people of Colchester Borough, in accord with the Council's Strategic Plan.
- 6.2 The Council's 2020/21 Budget and Medium-Term Financial Forecast will maintain or improve those essential services, supporting those helping others. The budget will continue to improve the facilities and opportunities available to the people of Colchester and the wider Borough, and our visitors, through capital investment and the New Strategic Priorities agreed by Cabinet in November 2019. Early progress and illustrative highlights are set out below, by theme:

Environment Theme

6.3 Environment and Sustainability

- The Environment and Sustainability Task and Finish Group's work is underway and will inform the Council's response to the Climate Emergency
- A Carbon Trust 'Footprint Report' shows Colchester met its 2020 target one year early and includes proposals for Carbon Neutrality by 2030
- The Climate Emergency Action Plan will present a range of ambitious actions for Full Council to adopt in February, with resources made available to deliver

6.4 Colchester Woodland Project

- Thousands of trees have been planted at community events across Colchester and a further 10,000 trees will be donated to the public, parish councils and community groups to plant on their land by the end of March 2020
- Environmental Impact Assessments of larger planting sites will be completed by May 2020 and work is underway towards delivery of 200,000 trees by 2024

6.5 Waste and Recycling Service

- A comprehensive review of the service is being carried out aiming to improve collection and recycling performance, service to the customer and employee health and wellbeing

Place Theme

6.6 Highways and Cycling

- Work is underway to review options for cycle routes, cycle security, cycle parking and to 'green' the Colchester Orbital
- Workstreams are being developed to encourage sustainable modes of travel improving health, wellbeing, community safety and air quality.
- A new Transport Strategy is being sought with Essex County Council to prioritise plans for cycling and walking, part of a wider partnering approach that will see jointly funded much needed Town Centre high street improvements

6.7 Garden Communities and the Local Plan

- Joint work continues with Government, Essex County and other Council partners towards infrastructure supporting future garden communities
- Government commitments have been secured for improvements to the A12 and A133/A120 link road. Further government funding has been provided for garden community development
- Local Plan hearings opened 14 January 2020 with future funding and next steps subject to the Inspector's report.

6.8 River Colne Renewal

- Cleanliness and appearance of the River Colne is being reviewed with the Environment Agency
- Ideas gathered by the Policy and Public Initiatives Panel are being reviewed for further consultation and public engagement to consider issues such as access, use and river condition
- A longer-term vision for the River Colne will be developed

Commercial Theme

6.9 Rowan House Site

- A Workforce, ICT and accommodation improvement strategy is in development to provide more effective working tools and a modern and effective business environment
- Detailed feasibility work being scoped and costed including 'Amphora 3' development and budget implications

6.9 Northern Gateway

- The Northern Gateway South Masterplan and Heat Network boreholes have been completed
- Sports Park construction is progressing well (opening Summer 2020) providing high quality facilities for residents and visitors, to encourage and enable more sport participation and greater community health and wellbeing.

Community Theme

6.10 Renew Our Community Assets

- Colchester Borough is home to many types of community assets, ranging from established Borough-wide or local neighbourhood community groups to green spaces. Many wards and parishes contain village halls and venues for hire. Neighbourhoods develop their own publications and online resources to share with their neighbours. Volunteers lead and contribute to activities which improve the quality of life of residents.
- This renewal programme is in the scoping phase. It will build on the recent Local Delivery Pilot that is increasing participation in sport and leisure. It will also build on experience from recent S106 funded community projects.
- The project will develop of a new asset-based community development strategy by March 2020

6.11 Cultural Strategy

- Developing a refreshed cultural and arts and heritage vision and strategy with partners with an external consultant to be appointed by April 2020

6.12 Youth Focus

- Conducting an independent study and analysis to consider the benefits and costs of a Youth Zone for Colchester by the end of January 2020
- Broadening the study to consider Youth Provision across the borough and identify any gaps with an interim report due February 2020

6.13 Heritage Live

- Highlighting of Colchester Castle and Balmerne Hill due for completion February 2020
- Commencing work on Nero and Gladiators Castle Exhibition to support a 'Roman Invasion'. Exhibition to open in August 2021
- Commence preparation for Roman Church structural works in April 2020
- Engaging with schools to support visits to museums
- Commemoration of Captain Jones and Lieutenant Pinto with work commencing in March 2020

6 Local Plan and North Essex Garden Communities

- 6.11 Local Plan hearings are taking place in January 2020. At the hearings the Inspector is publicly examining the additional evidence submitted by Braintree, Colchester and Tendring councils in support of their Local Plans. The hearings are in response

to questions raised by the Planning Inspector about Garden Communities. Garden Communities are the long-term strategy of the three North Essex councils, in partnership with Essex County Council, to help meet the future growth of the area in a more strategic and infrastructure supported way, in accord with Government direction and policy

- 6.12 Half of the necessary planning and development funding has been provided by Government, the balance by stage by the Council partners. Release of the latest instalment of £350k for the 2019/20 Colchester contribution to North Essex Garden Communities was postponed, pending the Inspector's decisions. If garden communities are approved full Council will be asked to agree to release this sum, currently held in our reserves.
- 6.13 Colchester Council remains a full partner and shareholder in the current delivery vehicle, North Essex Garden Communities Ltd (NEGC). Continuing support for which has been demonstrated by the Government's announcement on 14 January 2020 of a further £550k grant for the project. Further support from Government is expected as from our Council partners who like Colchester Borough Council will provide or plan for future year Local Plan support, including garden community plans and development.
- 6.14 Colchester Borough Council accordingly sets aside £500k of New Homes Bonus funding in years 2020/21 to 2023/24 to allow for development of the Local Plan. If the Inspector finds in favour of Garden Communities, this could be used to make North Essex Garden Communities contributions. If the Inspector finds against Garden Communities, the New Homes Bonus could be used to take forward an alternative approach to the Local Plan or to otherwise mitigate the impacts of development or to meet the infrastructure needs that would have been met through garden communities.
- 6.15 More details on the financial arrangements for North Essex Garden Communities are set out in Appendix C.

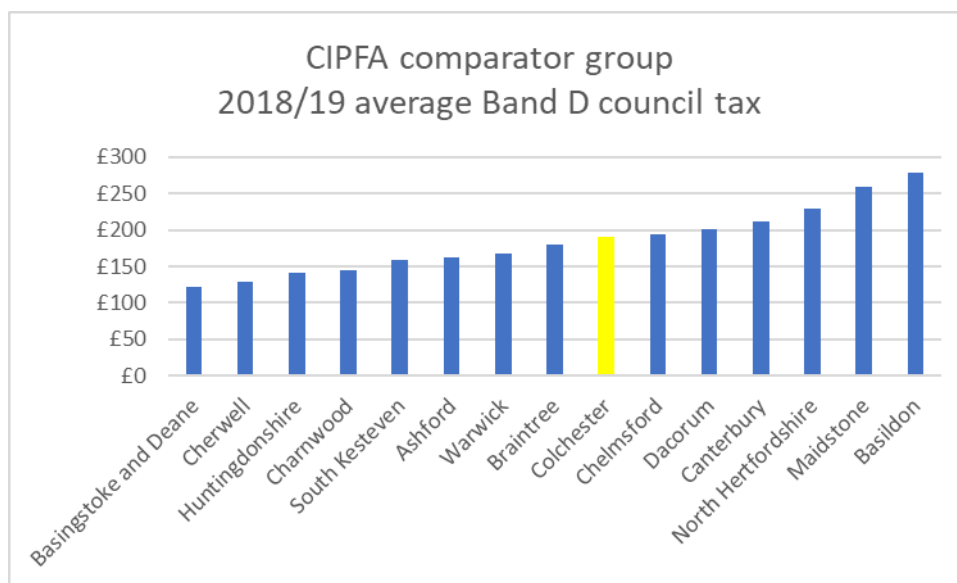
7 Pensions

- 7.1 The 2019 Essex County Council Superannuation Fund actuarial valuation has been completed. The Colchester deficit - which was assessed at £31m in the 2016 valuation – has reduced to £17m. This deficit will be repaid over the next 16 years, this being the period recommended by the scheme actuary.
- 7.2 The most financially advantageous option for CBC is to pay 3 years' deficit contributions up front in 2020/21. This is the approach that was successfully followed in 2017/18.
- 7.3 The 2020-23 Medium Term Financial Forecast includes annual contributions to replenish a reserve for future deficit repayments. The deficit will be reassessed by the scheme actuaries in their 2022 valuation. A reserve is planned to be available in April 2023 to pay the expected 2023-26 deficit repayments up front.
- 7.4 At the establishment of Amphora, it became a separate member of the Essex superannuation fund. Amphora membership ensured transferring employees could continue in the pension scheme. The Amphora membership is underwritten by the Council.

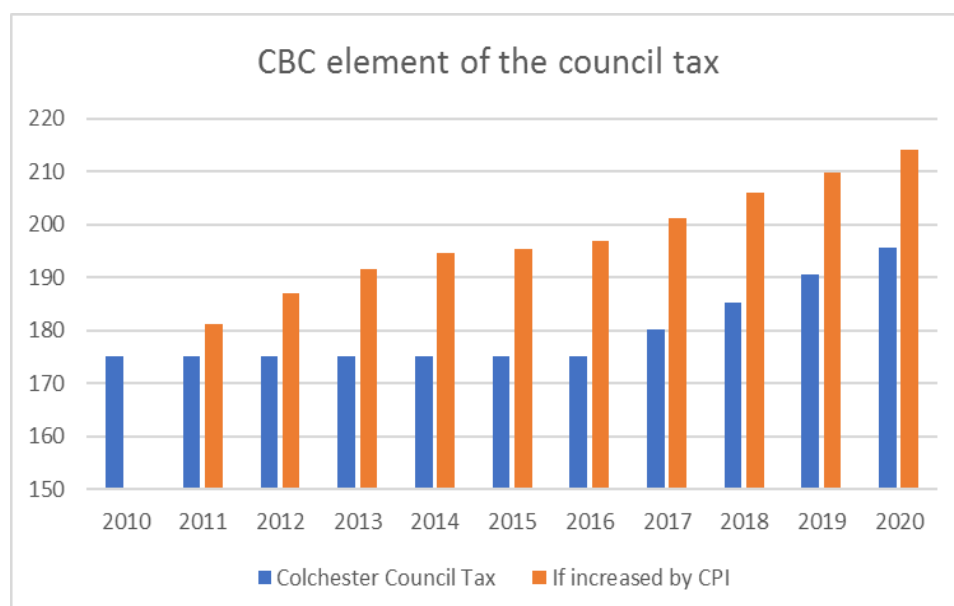
- 7.5 Under company accounting requirements changes in fund asset values and pension liabilities must be reflected in profit and loss. This has led to unpredictable variations in profitability. This is inappropriate as Amphora is in any case fully owned by the Council.
- 7.6 It is therefore proposed to 'pass through' the Amphora pension liabilities back to the Council from April 2019, including them in the wider Council pension scheme. This will reflect the practical reality that the Amphora is an alternative vehicle for delivering Council services. The change will avoid misleading volatility in Amphora profitability and enable the variations to be treated through reserves in the Council's accounts without impacting on the budget requirement.

8 Council Tax

- 8.1 The proposed council tax for Colchester represents good value. The chart shows the council tax in 2019/20 was within the interquartile range for the Council's comparator group.



- 8.2 The chart demonstrates how Colchester's council tax increases have lagged behind inflation over the last few years.



9 Prudence

- 9.1 The Section 151 Officer is content with the resilience of the proposed 2020/21 budget and the level of reserves. The Budget Resilience Statement is set out in Appendix D. The forecast level of reserves is set out in Appendix I
- 9.2 It is expected that the Council will spend within budget in 2019/20.
- 9.3 The General Reserve is forecast to be £2.373m at the end of 2020/21 and therefore fulfils the agreed minimum level of 10% of the net budget.

10 Consultation

- 10.1 Scrutiny Panel has examined the 2020/21 Budget and Medium Term Financial Forecast at its July 2019 and November 2019 meetings. This report will be considered by Scrutiny Panel at its 28 January 2020 meeting.
- 10.2 The Leader of the Opposition and the Shadow Portfolio Holder for Resources have been offered the opportunity to meet with officers to assist with consideration of any alternative budget proposals.
- 10.3 A consultation meeting with business ratepayers took place on 15th January 2020. The main comments made were that new and start-up businesses could benefit greatly by clearer information on business rates liabilities and discounts from the Council so that this element of their business could be effectively managed.

11 Financial implications

- 11.1 As set out in the report.

12 Environmental and Sustainability Implications

- 12.1 The New Strategic Priorities reflect the Council's declaration of a Climate Emergency and its commitment to becoming carbon neutral by 2030. The environmental and sustainability implications of individual programmes will be thoroughly assessed with reference to the definition of sustainable development set out in the National Planning Policy Framework.

13 Equality and Diversity Implications

- 13.1 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.
- 13.2 Care leavers will now be treated as designated persons under the council tax regulations. A care leaver joining an existing household with a single person discount in place will be given sufficient discretionary relief to ensure that the council tax liability does not increase as a result of their presence. It is not expected

this will result in a significant cost, and Essex County Council are bearing a relevant share.

13.3 A household where only care leavers are liable to pay council tax will be given sufficient discretionary relief to extinguish the council tax liability completely.

13.4 A care leaver in a property, which would otherwise be exempt from council tax, will be given sufficient discretionary relief to ensure that no council tax continues to be payable.

14 **Risk Management Implications**

14.1 As set out in the report

15 **Other Standard References**

15.1 There are no direct Publicity, Human Rights, Community Safety or Health and Safety implications as a result of this report.

Appendices






- Appendix A – Revenue Budget 2020/21 and Medium Term Financial Forecast
- Appendix B – Capital Strategy and Capital Programme
- Appendix C – North Essex Garden Communities
- Appendix D – Budget Resilience Statement
- Appendix E – Treasury Management Strategy Statement
- Appendix F – Technical reconciliations of budget requirement
- Appendix G – Summary Budget 2020/21
- Appendix H – 2020/21 General Fund Budgets
- Appendix I – Reserves
- Appendix J – Use of New Homes Bonus

Background Papers

Appendix A - Revenue Budget 2020/21 and Medium Term Financial Forecast

- 1 The provisional 2020/21 local government finance settlement has now been received. All the Council's government support is in the form of retained business rates or New Homes Bonus. Revenue Support Grant is no longer received. The Council fund its net budget from council tax and by exceeding government business rates assumptions.
- 2 The overall 2020/21 Medium Term Financial Forecast is set out in Table A1 below. This show a balanced position for 2020/21. Row 6 shows the forecast budget surplus or gap from 2021/22 onwards assuming a continuity of current funding levels. Row 8 shows the potential gap after including potential government funding losses assumed in the Medium Term Financial Forecast.
- 3 The funding available allows the Council to offer a wide range of services, examples of which are set out in the chart. Full service budgets are provided in Appendices G and H.

Table A1 – Funding the Medium Term Financial Forecast						
		19/20	20/21	21/22	22/23	23/24
		£'000	£'000	£'000	£'000	£'000
1	Base Budget	20,438	19,921	20,351	21,216	21,918
2	Retained business rates	(4,257)	(4,300)	(3,843)	(3,386)	(2,930)
3	Business Rates growth above government plans	(2,163)	(1,444)	(1,929)	(1,929)	(1,929)
4	New Homes Bonus used for base budget	(1,946)	(1,674)	(1,171)	(999)	(603)
5	Council Tax	(12,072)	(12,503)	(12,951)	(13,407)	(13,870)
6	(Surplus)/Gap if government funding maintained	0	0	(43)	494	1,086
7	Potential government funding loss			500	1,000	1,500
8	(Surplus)/Gap after potential loss	0	0	457	1,494	2,586

The Council's direct spending of £84.923m				
Community	Customer	Environment	Policy and Corporate	Back Office
				
£6.437m	£43.836m	£16.127m	£21.287m	£0.991m
Licensing	Elections	Waste	Sport	Democracy
Bereavement	Local Tax	Recycling	ICT	Management
Culture	Benefits	Car Parking	Housing	

Council Tax

- 4 The number of properties expected to be subject to council tax (council tax base) is shown below. The numbers are standardised to council tax band D. (For example, Band A council tax is 6/9 of Band D, so a Band A property would count as 0.667 Band D equivalents. The figures also allow for Single Person and other discounts.
- 5 The increasing numbers of properties demonstrate the growth of Colchester and its increasing council tax base.

Table A2- Changes in Band D equivalent properties		
	No of properties	Gain from previous year
2020/21	63,933	602
2019/20	63,331	1,371
2018/19	61,960	828
2017/18	61,132	636
2016/17	60,496	949

Appendix B – Capital Strategy and Capital Programme

1. The Chartered Institute of Public Finance and Accountancy Prudential Code requires local authorities to produce a Capital Strategy. This is in line with the Ministry of Housing, Communities and Local Government's 2018 statutory guidance on local government investments, particularly about non-financial investments.
2. In contrast to revenue expenditure which is spending on the day to day running costs of services such as employee costs and supplies and services, capital investment seeks to provide long-term solutions to Council priorities and operational requirements that yield benefits to the Council generally for a period of more than one year.
3. The five aims of the Capital Strategy are:
 - a. To take a long-term perspective on capital investment and to reflect the Council's wider place-making and growth agenda.
 - b. To ensure investment is prudent, affordable, and sustainable over the long term.
 - c. To set out the arrangements and governance for capital investment decision-making.
 - d. To make the most effective and appropriate use of funds available - including revenue, capital receipts and housing right-to-buy receipts – to deliver the Council's strategic aims.
 - e. To establish a clear methodology to prioritise capital proposals. .
4. The Council has adopted the New Strategic Priorities set out in this Report.
5. Colchester Commercial Holdings Ltd is the holding company for three separate subsidiaries, with related but distinct products, services, markets and opportunities. These companies make a high-quality commercial offer which maintains the strong public sector ethos of its shareholder.
 - a. Colchester Amphora Trading will deliver high quality products and services to public and private sector clients in the Property, Leisure and Health Care industries.
 - b. Colchester Amphora Energy will design and implement low carbon energy systems and provide energy services in Colchester.
 - c. Colchester Amphora Homes will deliver high quality affordable and private sale homes in Colchester and the surrounding area.
6. Colchester Borough Council's Asset Management Strategy will set out the vision for how we manage our assets over the next 5 years

Principles for Capital Planning

7. The Council operates a clear and transparent approach to the prioritisation of all capital spending. This includes decisions to invest in the Colchester Commercial Holdings group of companies.

Table B1 Investment Principles	
Affordability and financial sustainability, whilst risk aware	The Council will only invest in projects that are affordable and financially sustainable in the long term and where risk is at an appropriate level.
Strategic Plan Spending Priorities	The Council prioritises investment in its Strategic Plan Spending Priorities.
Revolving Investment Fund	The Council operates a Revolving investment Fund to deliver major capital projects.
Investing for growth	The Council will grow Colchester and its economy, whilst delivering whole systems solutions to demographic, social and environmental challenges sustainably across Colchester. This will generate increased business rates income for future retention.
Invest to save and to generate returns	The Council will invest in projects which will <ul style="list-style-type: none"> • reduce service costs • avoid costs (capital or revenue) that would otherwise arise • invest to generate a financial return (invest to invest).
Colchester Commercial Holdings Ltd	The Council will invest in and lend to Colchester Commercial Holdings Ltd to enable the subsidiary companies to provide services to residents and to the Council. The companies also generate dividend income for the Council.
Investment to improve and maintain Council assets and systems	The Council will improve and maintain the condition of core assets and systems to replace them or extend their life where appropriate. The Council will make provision for lifecycle investment to maintain infrastructure to a standard that effectively supports service delivery.

8. The Council owns investment properties in Colchester and the portfolio generates a revenue return. The scale of investment is proportionate, and the risk is at a manageable level. Investment properties are regularly periodically to market level under a rolling programme.
9. When making non-financial investments the Council considers the balance between security, liquidity and yield based on its risk appetite. It also considers the contribution of the non-financial investment to a range of outcomes including growth and income.
10. Colchester has not borrowed for outright investment purposes.
11. The Council's Medium Term Financial Forecast includes dividend income from Colchester Commercial Holdings Limited and investment property income to achieve a balanced budget. These contributions are at a proportionate level.
Funding Sources for Capital Investment
12. The Council funds its Capital Programme from a range of sources, which are principally;
 - a. Capital receipts
 - b. Grants

- c. Section 106 agreements
- d. Reserves and revenue
- e. Prudential borrowing

13. Housing Revenue Account Capital is entirely funded from the ring fenced Housing Revenue Account. It is a rolling 5-year outlook based on stock condition and planned projects. Key areas of housing investment include planned and cyclical works; mechanical and electrical and heating; accessible homes and repairs. The programme also includes development and special projects. The Housing Revenue Account capital programme is funded from:
- a. Housing Revenue Account Self Financing (The Major Repairs Reserve)
 - b. Capital Receipts (Housing Revenue Account)
 - c. Revenue and Reserves (Housing Revenue Account)
 - d. Prudential Borrowing

Governance of the Capital Strategy

14. The Capital Programme will be agreed by full Council as part of the annual budget setting process. Variations to the Capital Programme or any in-year additions must be ratified by Budget Group. Any changes found outside Executive Directors remit will be recommended to Cabinet for approval.
15. The Revolving Investment Fund Committee meets regularly to develop and assess investment proposals. It is supported by the Revolving Investment Fund Steering Group.
16. Capital projects are overseen by the Programme Delivery Board, which will escalate issues to the Revolving Investment Fund Committee or Cabinet as appropriate. This is supported by the Business Delivery Group whose function is to identify risks and issues and to review all new and closed projects.
17. Financial monitoring reports on the capital programme are considered quarterly by Cabinet and monthly by the Business Delivery Group and escalated by exception to the Business Delivery Board.
18. Relevant requirements of the Capital Strategy will be incorporated into financial regulations and standing orders.

Capital Programme 2020/21 onwards

1. The Capital Programme builds on the schemes approved in setting the 2019/20 Budget. The proposed programme reflects 'in house' and external grants and awards and remains dependent on confirmation of values and allocation decisions, by Government and or through the Revolving Investment Fund. The indicative projection below includes £10m for the Town Deal Fund, though that fund could be up to £25M. and assumes:
 - Reprofilling the 2019/20 programme as previously reported, including bringing ultra fast broadband to Colchester with government funding
 - The Towns Deal Fund allocation of £10M is illustrative. The Council will seek the maximum £25M that is available from the Ministry of Housing, Communities and Local Government. Government support could be either capital or revenue. It is expected there will be additional investment from partners.
 - Continuing and augmenting the Revolving Investment Fund. Includes superb facilities at the Northern Gateway Sports Park
 - The New Strategic Priorities set out in the main budget report
 - Upgrading CCTV to digital offering a vastly improved service
 - Setting up a Limited Liability Partnership and Charity to lease 100 newly acquired properties from the council. This will have a significant impact on the need for temporary accommodation and is a ground breaking scheme

Table B2 – Capital Programme

		2019/20	2020/21	2021/22	2022/23	2023/24
		£'000	£'000	£'000	£'000	£'000
1	General Fund 2019 Programme	58,684	9,994	300		
2	Revised 2019 Programme	46,345	46,749	1,900	420	
	New Schemes in addition to the 2019 Programme					
3	Town Deal Fund			3,300	3,300	3,400
4	New Strategic Priorities		5,000	5,000		
5	Land Acquisition					5,000
6	CCTV		500			
7	100 Homes Project		20,000	0		
8	General Fund 2020 Programme	46,345	72,249	10,200	3,720	8,400
9	Housing Revenue Account 2019 Programme	20,851	35,232	25,516	18,204	17,492
10	Revised 2019 Housing Revenue Account Programme	18,866	3,500			
11	New Schemes		26,663	35,349	30,389	21,316
12	Housing Revenue Account 2020 Programme	18,866	30,163	35,349	30,389	21,316
13	Total 2020 Capital Programme	65,211	102,412	45,549	34,109	29,716

Appendix C – North Essex Garden Communities

- 1 Government, Colchester Borough Council and three other Local Authorities (Essex County Council, Braintree and Tendring District Councils) have agreed to work together to meet housing and infrastructure needs across their respective boundaries. To that end the Local Authorities have created a Council owned Company, North Essex Garden Communities Ltd.
- 2 As Shareholders in North Essex Garden Communities Ltd the Councils are bound together, to work as one and to contribute to the running costs needed for feasibility, planning, communications and other work, including support to the Planning Inspector. Council staff, expertise and capabilities are pooled and supplemented when needed.
- 3 Each Council has a different role, Colchester's includes back office support. Colchester Borough Council as banker thus holds contributions from the partners, including Government. Colchester buys in services when needed and covers or carries forward such costs (including any winding up costs) if and when needed, until partner contributions are received.
- 4 Since 2016/17 each partner has provided their agreed shares, but not always at the same time. In 2019/20 the Colchester Council budget included £350k for North Essex Garden Communities. These funds came from the Council's New Homes Bonus. The contribution was one eighth of the overall Budget needed, taking account of other contributions, costs carried forward from 2018/19 and in year predicted spend.
- 5 Pending a formal decision to release the funds, the £350K Colchester contribution has been held in the Council's reserves, available for any purpose. Other North Essex Garden Communities partners have now released their funding.
- 6 North Essex Garden Communities costs however continue to be incurred by Colchester in 2019/20, for recovery as contributions become available. £177k was carried forward from the 2018/19 financial year outturn. Similarly, the Council has incurred £180k on behalf of all partners in 2019/20.
- 7 These total carry costs of £357k reflect Colchester Council's banker role.
- 8 On 14 January 2020 a £500k government grant to support the project was announced. This will potentially enable the Colchester Borough Council carrying cost to be recovered from North Essex Garden Communities.
- 9 For Colchester Council investment to date or budgeted for 2020/21 or the MTF is significant, but it is small relative to the multi-billion investments that should follow and the significant advantages that garden communities should provide, from greater social and other infrastructure to more affordable and Council housing, and a better quality of life.
- 10 Such spend for each Council is also excellent value for money. For one eighth of overall spend, Colchester Council secures invaluable feasibility testing, viability and development planning work, and cooperation across North Essex.

- 11 If the Planning Inspector finds in favour of Garden Communities, the Local Authorities will need to continue this feasibility and development work. In the longer term some form of delivery vehicle will be formed, with funding to be found from other partners and or Government.
- 12 In the medium term, as noted in para 9 of Annex D of the 20 November 2019 Budget Report to Cabinet Colchester Council and other partners may have to provide further interim funding.
- 13 In the Colchester Medium Term Financial Forecast this is planned at £500k per year. The precise obligation has yet to be quantified. Government help, in those circumstances, would be sought and expected.
- 14 These funds, for 2020/21 and onwards, will only be released if the Planning Inspector approves Garden Communities and only then after agreement with other partners. This next phase of Garden Communities partnering work would involve taking forward the proposals to the stage where external funding for the long term development of garden communities could be secured.
- 15 Funding for North Essex Garden Communities is currently by contribution, as expected for 2020/21, but it is proposed that as soon as practical, these contributions should take the form of loans from the partner authorities. If this approach is agreed these contributions would potentially be repayable from the long term development and delivery funding to be secured from external funders.

Appendix D – Budget Resilience Statement

- 1 In 2018/19 the Council spent within the approved budget. In 2019/20 the Council is forecast to spend within its approved budget. The Council has a good record of delivering agreed savings. The 2020/21 savings proposals were developed by a comprehensive programme of officer meetings reviewing all service budgets line by line supported by Finance Business Partners.
- 2 The Council has in place reliable revenue and capital monitoring processes enabling it to take corrective action in the event of unexpected budget variations. The Council has good finance and performance monitoring processes – including the Performance Management Board and the Revolving Investment Fund Steering Group - that are being further enhanced during 2019/20 and will apply in 2020/21. These arrangements will ensure that any new expenditure proposals are adequately assessed.
- 3 The Council is not relying on the use of balances to deliver its core services in 2020/21.
- 4 The budget process allows for the review of budget proposals by the Scrutiny Panel and this has applied to the 2020/21 proposals. The Council's use of resources judgment by BDO in the 2018/19 audit was satisfactory, following an assessment of the Council's approach. There is an effective risk management process in place
- 5 The level of Council borrowing and reserves is reasonable in comparison to other authorities in its comparator group as set out in the budget report to November 2019 Cabinet. In particular the minimum level of general reserve is set at 10% of the net revenue budget.
- 6 It appears therefore that the 2020/21 budget and Medium Term Financial Forecast are robust and the reserves and balances adequate as set out in the succeeding tables.
- 7 The Chartered Institute of Public Finance and Accountancy resilience index for 2018/19 shows the Council had a slightly above average external debt figure for its comparator group. However it is in a strong position relative to its comparator group. This reflects the Government self-financing housing revenue account settlement. The majority of this debt (£120m) was determined by government under the self-financing settlement in April 2012. These need to be linked to corporate risk registers.

CIPFA Financial Resilience Index

Tier

Lower

Authority

Colchester

Comparator Group

Nearest Neighbour

Year

2018-19

Results Breakdown

Indicators of Financial Stress

Higher Risk

Lower Risk

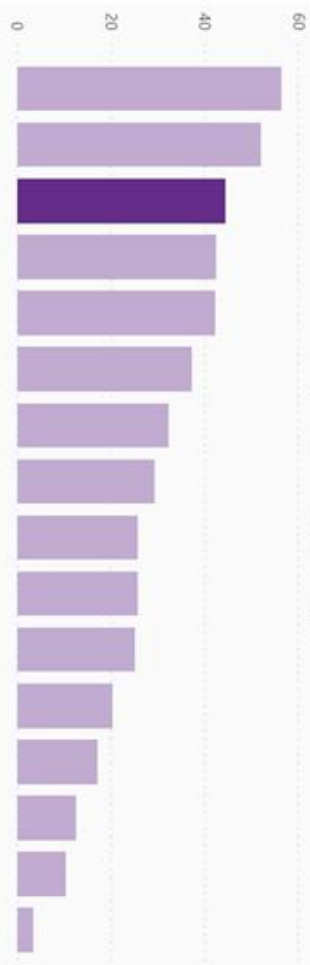


Indicator

Indicator	Min	Indicator Value	Max
Unallocated Reserves	3.35%	44.32%	56.41%
Earmarked Reserves	8.65%	128.94%	275.03%
Change in Unallocated Reserves	-85.78%	-26.60%	137.29%
Change in Earmarked Reserves	-84.31%	121.24%	121.24%
Change in HRA Reserves	-316.00%	91.12%	354.61%

Individual Analysis

Comparator Group Analysis



Unallocated Reserves

Trend Analysis



Appendix E - Treasury Management Strategy Statement

Introduction

- 1.1 This iteration of the Treasury Management Strategy Statement is provided in the traditional Council format to enable the prudential indicators to be set for 2020/21. A fundamental review of the Strategy will take place during 2020/21 to give greater transparency and better integration with the capital Programme.
- 1.2 The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.
- 1.3 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 1.4 The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund Balance.
- 1.5 Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, (arising usually from capital expenditure), and are separate from the day to day treasury management activities.
- 1.6 The Chartered Institute of Public Finance and Accountancy defines treasury management as the management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
- 1.7 The contribution Treasury Management function makes to the Council is critical, as the effective balance of debt and investment operations ensure the ability to meet spending commitments as they fall due, both for day to day expenditure and more importantly to fund and adjust to complex capital scheme funding.

- 1.8 Treasury management arrangements have a direct impact on the Council's revenue budget and Medium Term Financial Strategy as a result of the interest costs of borrowing and income due in relation to investments. Cash balances result from reserves and spending or income cashflows from revenue and capital planning; therefore the Treasury Management Strategy is an integral part of setting the Council's budget.
- 1.9 The primary reporting changes include the introduction of a capital strategy to provide focus on long term capital investment plans, the requirement for transparent reporting around Non Treasury management investments (loans to third parties, investment properties purchase, etc.) and commercial activity under the Localism Act 2011 and additional S151 duties with regards assurance.

Reporting requirements

- 1.10 The Council is currently required to produce three main reports each year, which incorporate a variety of policies, estimates and actuals. These reports are all required to be scrutinised and reviewed. This role is undertaken by the Council's Scrutiny Panel and Governance and Audit Committee.
- 1.11 The year's Strategy is recommended to Full Council following consideration by the Cabinet and consideration by the Scrutiny Panel. It covers:
- Capital (including prudential indicators);
 - Minimum Revenue Provision Policy (how residual capital expenditure is charged to revenue over time);
 - Treasury Management Strategy (how the investments and borrowings are to be organised) including treasury indicators; and
 - an investment strategy (the parameters on how investments are to be managed).
- 1.12 Mid-Year Treasury Management Report updates on the capital position, amending prudential indicators as necessary, and whether any policies require revision.
- 1.13 Annual Treasury Report after the financial year end reports actual prudential and treasury indicators and treasury operations compared to the strategy.

Training

- 1.14 The Chartered Institute of Public Finance and Accountancy Code requires the responsible officer to ensure that Members with responsibility for treasury management or scrutiny receive adequate training in treasury management. Further training will be arranged as required. The training needs of treasury management officers are periodically reviewed.

Treasury Management Strategy for 2020/21

- 1.15 The Treasury Management Strategy for 2020/21 covers capital and treasury management.

Table E1 – Content of Treasury Management Strategy	
Capital	capital expenditure plans and the associated prudential indicators
	minimum revenue provision policy
Treasury management	current treasury position
	treasury indicators which limit the treasury risk and activities of the Council
	prospects for interest rates
	borrowing strategy
	policy on borrowing in advance of need
	debt rescheduling
	investment strategy
	creditworthiness policy
	policy on use of external service providers

- 1.16 These elements cover the requirements of the Local Government Act 2003, the Chartered Institute of Public Finance and Accountancy Prudential Code, Ministry of Housing Communities and Local Government Minimum Revenue Provision Guidance, the Chartered Institute of Public Finance and Accountancy Treasury Management Code and Ministry of Housing Communities and Local Government Investment Guidance.

Treasury Management Advisors

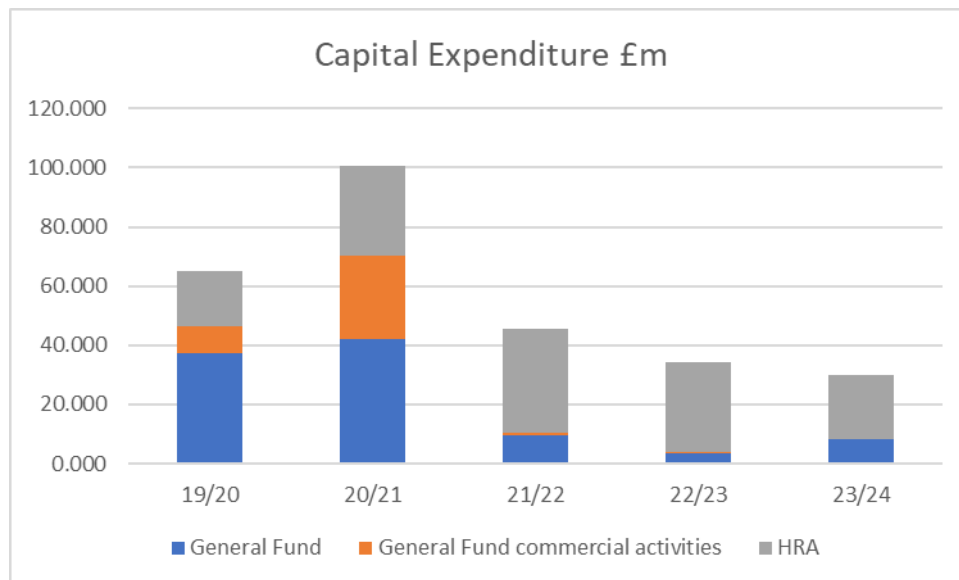
- 1.17 The Council currently uses Link Asset Services as its external treasury management advisors.
- 1.18 Responsibility for treasury management decisions remains with the Council and undue reliance is not placed upon external advisers. Decisions use available information including external advice.

2 The Capital Prudential Indicators 2019/20 – 2023/24

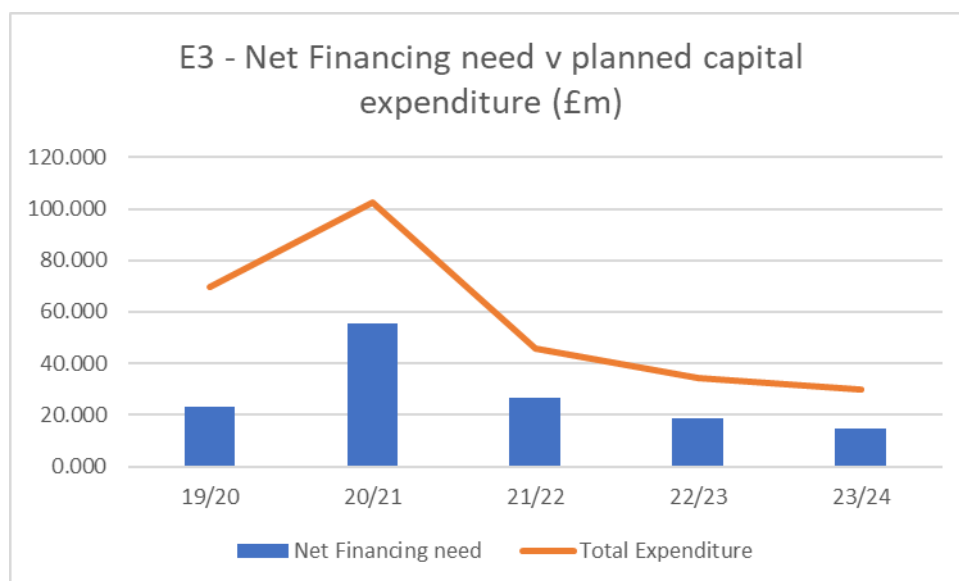
- 2.1 The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the capital prudential indicators.

Capital expenditure

- 2.2 This prudential Indicator is a summary of the Council's capital expenditure plans set out in Appendix B of this budget report.

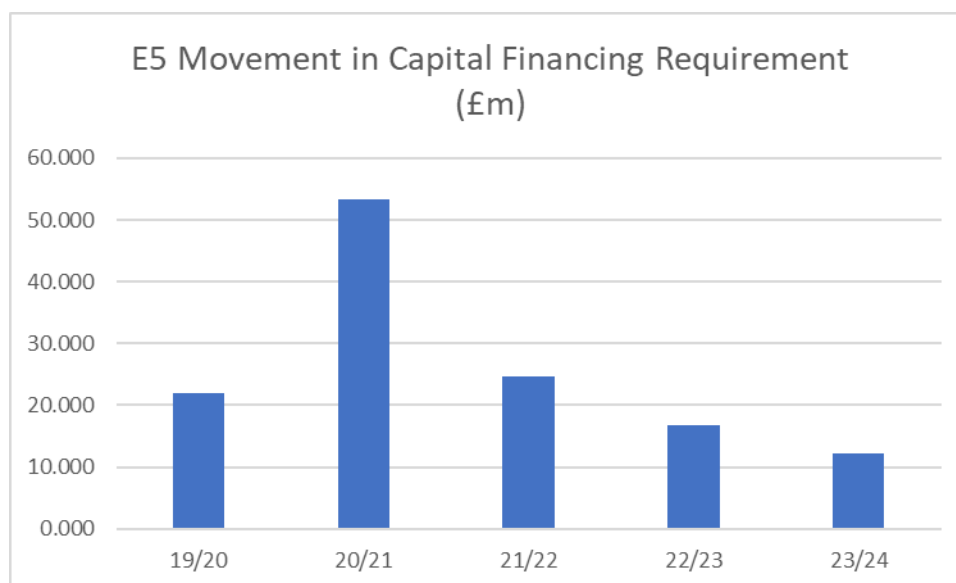
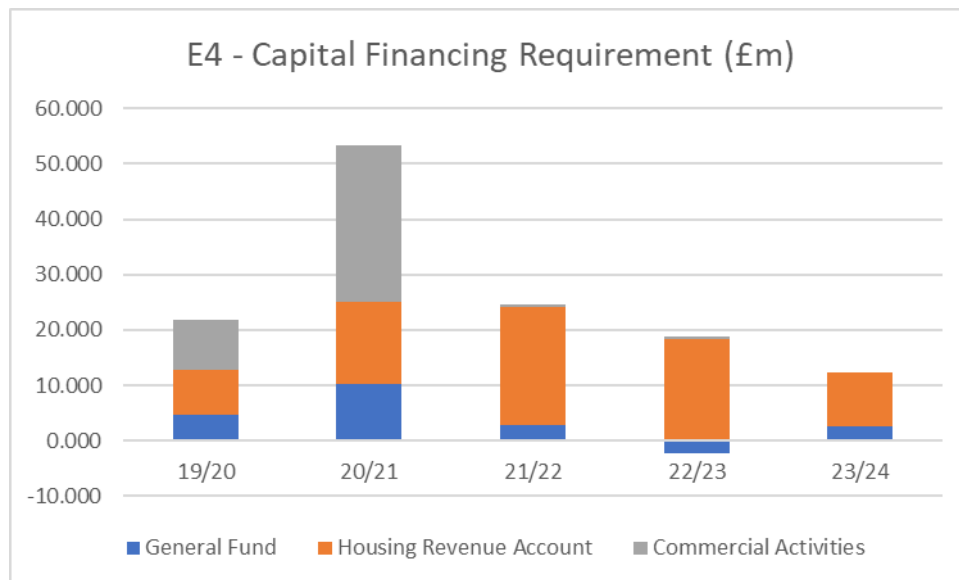


- 2.3 Chart E3 summarises how the capital programme will be financed by capital and revenue resources. The balance of financing will be provided by borrowing. The proportion of borrowing is well below the planned capital programme reflecting the significant use of other financing such as capital receipts and grants.



The Council's borrowing need

- 2.4 The second prudential indicator is the Council's Capital Financing Requirement. This is outstanding capital expenditure which has not yet been funded from either revenue or capital resources. It is a measure of the Council's underlying borrowing need. The requirement does not increase indefinitely, as the Minimum Revenue Provision is a statutory annual revenue charge which reduces the borrowing need in line with each asset's life, and so charges the economic consumption of capital assets as they are used.
- 2.5 Capital Financing Requirement projections are set out in Chart E4 and a breakdown of the annual movement in Chart E5



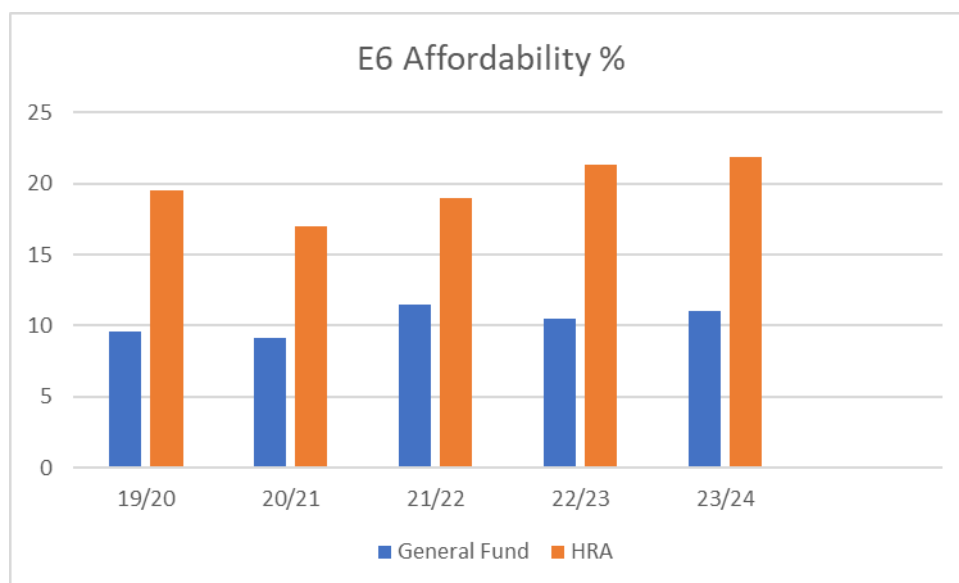
Minimum Revenue Provision Policy Statement

- 2.6 The Council is required to pay off an element of the accumulated General Fund capital spend each year through a revenue charge (the Minimum Revenue Provision), although it is also allowed to undertake additional voluntary payments if required.
- 2.7 Government regulations require the full Council to approve a Minimum Revenue Provision Statement in advance of each year. A variety of options are provided to councils, so long as there is a prudent provision. The Council is recommended to approve the following Minimum Revenue Provision Statement:
- 2.8 For capital expenditure incurred before 1 April 2008 or which in the future will be Supported Capital Expenditure, the policy will allow for the borrowing need to be repaid on an equal instalment basis over a period of 50 years. This has the benefits of reducing the amount payable for the first 17 years, introducing a consistent level of charge, and ensuring that this element of Minimum Revenue Provision is eventually completely repaid.

- 2.9 For all unsupported borrowing (including finance leases) the Minimum Revenue Provision policy will be the Asset Life Method. Minimum Revenue Provision will be based on the estimated life of the assets, in accordance with the regulations. This provides for a reduction in the borrowing need over approximately the asset's life. Repayments included in finance leases are applied as Minimum Revenue Provision.
- 2.10 There is no requirement on the Housing revenue Account to make a minimum revenue provision but there is a requirement for a charge for depreciation to be made.
- 2.11 The S151 Officer will keep the Council's Minimum Revenue Provision Policy under review to ensure that it remains fit for purpose in relation to its borrowing requirements.

Affordability Prudential Indicators

- 2.12 The previous paragraphs cover the overall capital, and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances.
- 2.13 Ratio of financing costs to net revenue stream. This indicator identifies the trend in the cost of capital (borrowing and other long-term obligation costs net of investment income) against the net revenue stream.



- 2.14 The estimates of financing costs include the commitments set out in the budget report.

3 Economic Outlook provided by Link Asset Services

- 3.1 The Council has appointed Link Asset Services as its treasury advisor and part of our service is to assist the Council to formulate a view on interest rates. Section 3 of the strategy is provided by Link.

Link Asset Services Interest Rate View														
	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00	1.25	1.25	1.25	1.25
3 Month LIBID	0.70	0.70	0.70	0.80	0.90	1.00	1.00	1.00	1.10	1.20	1.30	1.30	1.30	1.30
6 Month LIBID	0.80	0.80	0.80	0.90	1.00	1.10	1.10	1.20	1.30	1.40	1.50	1.50	1.50	1.50
12 Month LIBID	1.00	1.00	1.00	1.10	1.20	1.30	1.30	1.40	1.50	1.60	1.70	1.70	1.70	1.70
5yr PWLB Rate	2.30	2.40	2.40	2.50	2.50	2.60	2.70	2.80	2.90	2.90	3.00	3.10	3.20	3.20
10yr PWLB Rate	2.60	2.70	2.70	2.70	2.80	2.90	3.00	3.10	3.20	3.20	3.30	3.30	3.40	3.50
25yr PWLB Rate	3.20	3.30	3.40	3.40	3.50	3.60	3.70	3.70	3.80	3.90	4.00	4.00	4.10	4.10
50yr PWLB Rate	3.10	3.20	3.30	3.30	3.40	3.50	3.60	3.60	3.70	3.80	3.90	3.90	4.00	4.00

- 3.2 The above forecasts have been based on an assumption that there is an agreed deal on Brexit, including agreement on the terms of trade between the UK and EU, at some point in time. The result of the general election has removed much uncertainty around this major assumption. However, it does not remove uncertainty around whether agreement can be reached with the EU on a trade deal within the short time to December 2020, as the prime minister has pledged.
- 3.3 It has been little surprise that the Monetary Policy Committee (MPC) has left Bank Rate unchanged at 0.75% so far in 2019 due to the ongoing uncertainty over Brexit and the outcome of the general election. In its meeting on 7 November, the MPC became more dovish due to increased concerns over the outlook for the domestic economy if Brexit uncertainties were to become more entrenched, and for weak global economic growth: if those uncertainties were to materialise, then the MPC were likely to cut Bank Rate. However, if they were both to dissipate, then rates would need to rise at a “gradual pace and to a limited extent”. Brexit uncertainty has had a dampening effect on UK GDP growth in 2019, especially around mid-year. There is still some residual risk that the MPC could cut Bank Rate as the UK economy is still likely to only grow weakly in 2020 due to continuing uncertainty over whether there could effectively be a no deal Brexit in December 2020 if agreement on a trade deal is not reached with the EU. Until that major uncertainty is removed, or the period for agreeing a deal is extended, it is unlikely that the MPC would raise Bank Rate.
- 3.4 Bond yields / Public Works Loan Board rates. There has been much speculation during 2019 that the bond market has gone into a bubble, as evidenced by high bond prices and remarkably low yields. However, given the context that there have been heightened expectations that the US was heading for a recession in 2020, and a general background of a downturn in world economic growth, together with inflation generally at low levels in most countries and expected to remain subdued, conditions are ripe for low bond yields. While inflation targeting by the major central banks has been successful over the last thirty years in lowering inflation expectations, the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers: this means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. This has pulled down the overall level of interest rates and bond yields in financial markets over the last thirty years. We have therefore seen over the last

year, many bond yields up to ten years in the Eurozone actually turn negative. In addition, there has, at times, been an inversion of bond yields in the US whereby ten-year yields have fallen below shorter-term yields. In the past, this has been a precursor of a recession. The other side of this coin is that bond prices are elevated, as investors would be expected to be moving out of riskier assets i.e. shares, in anticipation of a downturn in corporate earnings and so selling out of equities. However, stock markets are also currently at high levels as some investors have focused on chasing returns in the context of dismal ultra-low interest rates on cash deposits.

- 3.5 During the first half of 2019-20 to 30 September, gilt yields plunged and caused a near halving of longer term Public Works Loan Board rates to completely unprecedented historic low levels. (See paragraph 3.7 for comments on the increase in the Public Works Loan Board rates margin over gilt yields of 100bps introduced on 9.10.19.) There is though, an expectation that financial markets have gone too far in their fears about the degree of the downturn in US and world growth. If, as expected, the US only suffers a mild downturn in growth, bond markets in the US are likely to sell off and that would be expected to put upward pressure on bond yields, not only in the US, but also in the UK due to a correlation between US treasuries and UK gilts; at various times this correlation has been strong but at other times weak. However, forecasting the timing of this, and how strong the correlation is likely to be, is very difficult to forecast with any degree of confidence. Changes in UK Bank Rate will also impact on gilt yields.
- 3.6 One potential danger that may be lurking in investor minds is that Japan has become mired in a twenty-year bog of failing to get economic growth and inflation up off the floor, despite a combination of massive monetary and fiscal stimulus by both the central bank and government. Investors could be fretting that this condition might become contagious to other western economies.
- 3.7 Another danger is that unconventional monetary policy post 2008, (ultra-low interest rates plus quantitative easing), may end up doing more harm than good through prolonged use. Low interest rates have encouraged a debt-fuelled boom that now makes it harder for central banks to raise interest rates. Negative interest rates could damage the profitability of commercial banks and so impair their ability to lend and / or push them into riskier lending. Banks could also end up holding large amounts of their government's bonds and so create a potential doom loop. (A doom loop would occur where the credit rating of the debt of a nation was downgraded which would cause bond prices to fall, causing losses on debt portfolios held by banks and insurers, so reducing their capital and forcing them to sell bonds – which, in turn, would cause further falls in their prices etc.). In addition, the financial viability of pension funds could be damaged by low yields on holdings of bonds.
- 3.8 The overall longer run future trend is for gilt yields, and consequently Public Works Loan Board rates, to rise, albeit gently. From time to time, gilt yields, and therefore Public Works Loan Board rates, can be subject to exceptional levels of volatility due to geo-political, sovereign debt crisis, emerging market developments and sharp changes in investor sentiment. Such volatility could occur at any time during the forecast period.
- 3.9 In addition, Public Works Loan Board rates are subject to ad hoc decisions by H.M. Treasury to change the margin over gilt yields charged in Public Works Loan Board

rates: such changes could be up or down. It is not clear that if gilt yields were to rise back up again by over 100bps within the next year or so, whether H M Treasury would remove the extra 100 bps margin implemented on 9.10.19.

- 3.10 Economic and interest rate forecasting remains difficult with so many influences weighing on UK gilt yields and Public Works Loan Board rates. The above forecasts, (and Monetary Policy Committee decisions), will be liable to further amendment depending on how economic data and developments in financial markets transpire over the next year. Geopolitical developments, especially in the EU, could also have a major impact. Forecasts for average investment earnings beyond the three-year time horizon will be heavily dependent on economic and political developments.

Investment and borrowing rates

- 3.11 Investment returns are likely to remain low during 2020/21 with little increase in the following two years. However, if major progress was made with an agreed Brexit, then there is upside potential for earnings
- 3.12 Borrowing interest rates were on a major falling trend during the first half of 2019-20 but then jumped up by 100 basis points on 9 October 2019. The policy of avoiding new borrowing by running down spare cash balances has served local authorities well over the last few years. However, the unexpected increase of 100 basis points in Public Works Loan Board rates requires a major rethink of local authority treasury management strategy and risk management.
- 3.13 The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring higher borrowing costs in the future when the Council may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.
- 3.14 There will remain a cost of carry to any new long-term borrowing that causes a temporary increase in cash balances as this position will, most likely, incur a revenue cost - the difference between borrowing costs and investment returns.

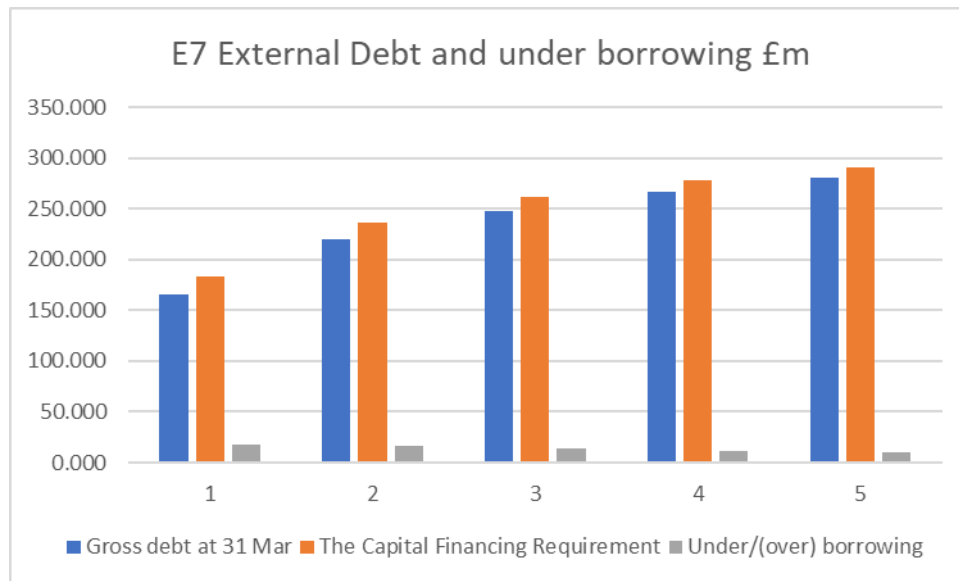
4 Borrowing

- 4.1 The capital expenditure plans set out in Section 2 provide details of the service activity of the Council. The treasury management function ensures that the Council's cash is organised in accordance with the relevant professional codes, so that sufficient cash is available to meet this service activity and the Council's capital strategy. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

Current portfolio position

- 4.2 The Council's treasury portfolio position at 31 March 2019, with forward projections are summarised below. The table shows the actual external debt against the underlying capital borrowing need (the Capital Financing Requirement), highlighting any over or under borrowing.

The Council's forward projections for borrowing are summarised below. The table shows the actual external debt, against the underlying capital borrowing need, (the Capital Financing Requirement), highlighting any over or under borrowing.

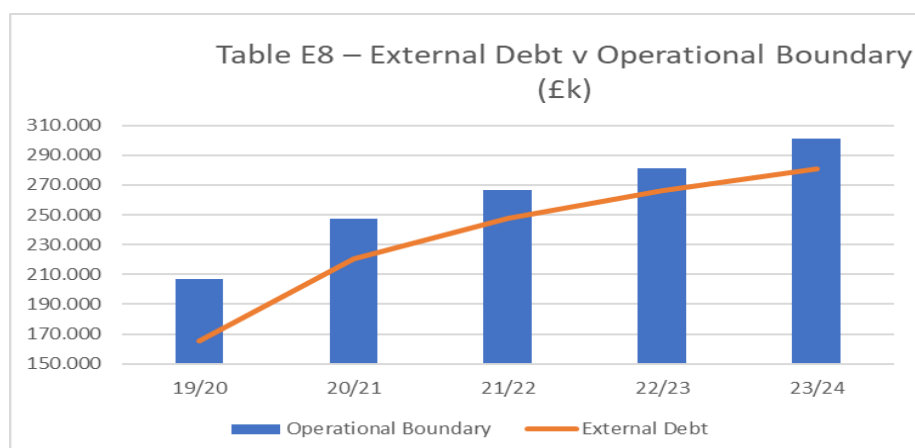


4.3 Within the prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well-defined limits. One of these is that the Council needs to ensure that its gross debt does not, except in the short-term, exceed the total of the Capital Financing Requirement in the preceding year plus the estimates of any additional Capital Financing Requirement for 2018/19 and the following two financial years. This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue or speculative purposes.

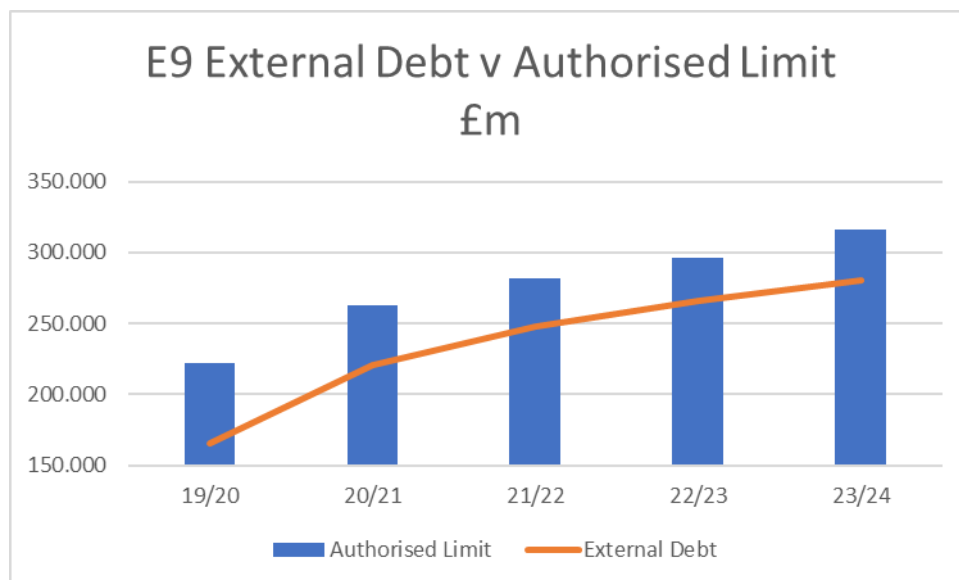
4.4 The S151 Officer reports that the Council complied with this prudential indicator in the current year and does not envisage difficulties for the future. This view takes into account current commitments, existing plans, and the proposals in this report.

Treasury Indicators: Limits to Borrowing Activity

4.5 The Operational Boundary is the limit beyond which external debt is not normally expected to exceed. Planned external debt is well within the operational boundary limit.



- 4.6 The Authorised Limit for external debt represents a control on the maximum level of borrowing. This is a statutory limit determined under section 3 (1) of the Local Government Act 2003 beyond which external debt is prohibited. This limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short-term, but is not sustainable in the longer term. The chart shows that planned external debt is well within the authorised limit sought.

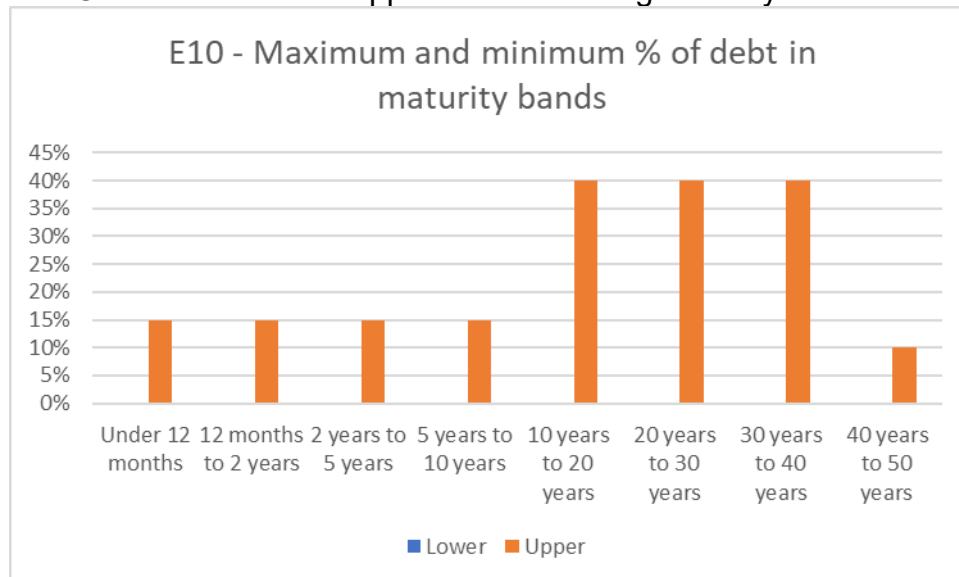


Borrowing Strategy

- 4.7 The Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy is prudent as investment returns are low and counterparty risk is still an issue that needs to be considered.
- 4.8 Against this background and the risks within the economic forecast, caution will be adopted with the 2020/21 treasury operations. The S151 Officer will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:
- if it was felt that there was a significant risk of a sharp FALL in long and short-term rates, (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long-term borrowing will be postponed, and potential rescheduling from fixed rate funding into short-term borrowing will be considered.
 - if it was felt that there was a significant risk of a much sharper RISE in long and short-term rates than that currently forecast, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position will be re-appraised with the likely action that fixed rate funding will be drawn whilst interest rates are lower than they are projected to be in the next few years.
- 4.9 Any decisions will be reported to the Scrutiny Panel or Governance and Audit Committee at the next available opportunity.

Treasury Management Limits on Activity

- 4.10 There are three debt related treasury activity limits. The purpose of these are to restrain the activity of the treasury function within certain limits, thereby managing risk and reducing the impact of any adverse movement in interest rates. However, if these are set to be too restrictive they will impair the opportunities to reduce costs / improve performance. The indicators are:
- Upper limits on variable interest rate exposure. This identifies a maximum limit for variable interest rates based upon the debt position net of investments;
 - Upper limits on fixed interest rate exposure. This is similar to the previous indicator and covers a maximum limit on fixed interest rates;
 - Maturity structure of borrowing. These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing, and are required for upper and lower limits.
- 4.11 The Council is asked to approve the following treasury indicators and limits:



Policy on Borrowing in Advance of Need

- 4.12 The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds. Risks associated with any borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

Debt Rescheduling

- 4.13 As short-term borrowing rates will be considerably cheaper than longer term fixed interest rates, there may be potential opportunities to generate savings by switching from long-term debt to short-term debt. However, these savings will need to be considered in the light of the current treasury position and the size of the cost of

debt repayment (premiums incurred). The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings;
- helping to fulfil the treasury strategy;
- enhance the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

- 4.14 Consideration will also be given to identify if there is any residual potential for making savings by running down investment balances to repay debt prematurely as short-term rates on investments are likely to be lower than rates paid on current debt.
- 4.15 Any rescheduling will be reported to the Scrutiny Panel or the Governance and Audit Committee at the earliest meeting following its action.

Municipal Bond Agency

- 4.16 It is possible that the Municipal Bond Agency will be offering loans to local authorities in the future. The Agency hopes that the borrowing rates will be lower than those offered by the Public Works Loan Board. The Council will consider making use of this new source of borrowing as and when appropriate.

Leases International Financial Reporting Standard 16

- 4.17 This standard replaces the current guidance in International Accounting Standard 17 on leases. The standard provides a single lessee accounting model, requiring lessees to recognise assets and liabilities for all leases unless the lease term is 12 months or less or the underlying asset has a low value. Lessors continue to classify leases as operating or finance, with International Financial Reporting Standard 16's approach to lessor accounting remaining substantially unchanged from the International Financial Reporting Standard 17 approach. The implementation of this new requirement will increase the Council's liability and impact the Council's borrowing limits
- 4.18 In December 2018, the Chartered Institute of Public Finance and Accountancy /Local Authority Scotland Accounts Advisory Committee announced its plans to delay implementation of International Financial Reporting Standard 16 in the Code until 1 April 2020. The Council will therefore need to adopt International Financial Reporting Standard 16 from 1 April 2020. The impact of adopting International Financial Reporting Standard 16 will be disclosed in the financial statements for the year ending 31 March 2021.

Housing Revenue Account borrowing

- 4.19 As part of the Housing Revenue Account reform arrangements in April 2012, the Council decided to follow the 'two pool' approach to allocating existing debt, taking into account those loans that were originally raised for a specific purpose. This assumed that the Housing Revenue Account would be 'fully borrowed', however the Housing Revenue Account is now in a position where it may need to borrow to fund the Housing Investment Programme.

- 4.20 As the Council is maintaining an under-borrowed position, the Housing Revenue Account will be recharged for the cost of any new borrowing requirement based on the average balance of unfinanced Housing Revenue Account borrowing during the year, using the Public Works Loan Board variable rate as at 31 March of the previous year. In an environment of low investment returns and relatively stable borrowing rates, this provides a recharge that is beneficial to both the Housing Revenue Account and General Fund and can be reasonably forecast from early on in the financial year. This approach will be reviewed annually in conjunction with the Treasury Management Strategy Statement and projected investment returns.

5 Annual Investment Strategy

Investment Policy

- 5.1 The Ministry of Housing Communities and Local Government and the Chartered Institute of Public Finance and Accountancy have extended the meaning of 'investments' to include both financial and non-financial investments. This report deals solely with financial investments, (as managed by the treasury management team). Non-financial investments, essentially the purchase of income yielding assets, are covered in the Capital Strategy.
- 5.2 In accordance with the above guidance, and in order to minimise the risk to investments, the Council applies minimum acceptable credit criteria in order to generate a list of highly creditworthy counterparties which also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the Short-term and Long-term ratings.
- 5.3 Ratings will not be the sole determinant of the quality of an institution, and it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To achieve this the Council will engage with its advisors to maintain a monitor on market pricing such as Credit Default Swaps and overlay that information on top of the credit ratings.
- 5.4 Other information sources used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.
- 5.5 Investment instruments identified for use in the financial year are listed in the Appendix, which includes Counterparty, time and monetary limits. These will cover both 'Specified' and 'Non-Specified' Investments.
- 5.6 Such investments are treated as expenditure for treasury management and prudential borrowing purposes even though they do not create physical assets in the Council's accounts. Appropriate budgets in respect of these activities are agreed as part of the Council's budget setting and ongoing monitoring processes and considered as part of the Investment Strategy.
- 5.7 Specified Investments are sterling denominated investments of not more than one-year maturity, meeting the minimum 'high' criteria where applicable. These are considered low risk assets where the possibility of loss of principal or investment

income is small. Non-Specified Investments are those that do not meet the specified investment criteria. A limit of £20m will be applied to the use of Non-Specified Investments (this will partially be driven by the long-term investment limits).

Creditworthiness policy

5.8 This Council applies the creditworthiness service provided by Link Asset Services. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody's and Standard & Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- "watches" and "outlooks" from credit rating agencies;
- CDS spreads that may give early warning of likely changes in credit ratings;
- sovereign ratings to select counterparties from only the most creditworthy countries.

5.9 This modelling approach combines credit ratings, and any assigned Watches and Outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads. The end product of this is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the suggested duration for investments. The Council will, therefore, use counterparties within the following durational bands

- Yellow 5 years *
- Dark pink 5 years for Ultra-Short Dated Bond Funds with a credit score of 1.25
- Light pink 5 years for Ultra-Short Dated Bond Funds with a credit score of 1.5
- Purple 2 years
- Blue 1 year (only applies to nationalised or semi nationalised UK Banks)
- Orange 1 year
- Red 6 months
- Green 100 days

Y	Pi1	Pi2	P	B	O	R	G	N/C
1	1.25	1.5	2	3	4	5	6	7
Up to 5yrs	Up to 5yrs	Up to 5yrs	Up to 2yrs	Up to 1yr	Up to 1yr	Up to 6mths	Up to 100days	No Colour

- No colour not to be used

5.10 The creditworthiness service uses a wider array of information than just primary ratings. Furthermore, by using a risk weighted scoring system, it does not give undue preponderance to just one agency's ratings.

5.11 Typically the minimum credit ratings criteria the Council uses will be a Short-term rating (Fitch or equivalents) of F1, and a Long-term rating of A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.

5.12 All credit ratings will be monitored on a monthly basis. The Council is alerted to changes to ratings of all three agencies through its use of the creditworthiness service. Any rating changes, rating watches (notification of a likely change), rating outlooks (notification of a possible longer term change) are provided to officers

almost immediately after they occur and this information is considered before dealing.

- if a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
- in addition to the use of credit ratings the Council will be advised of information in movements in credit default swap spreads against the iTraxx benchmark and other market data on a daily basis via its Passport website, provided exclusively to it by Link Asset Services. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.

5.13 Sole reliance will not be placed on the use of this external service. In addition the Council will also use market data and market information, and information on any external support for banks to help support its decision making process.

Country limits

5.14 The Council will only use approved counterparties from countries with a minimum sovereign credit rating of AA-, based on the lowest available rating. However this policy excludes UK counterparties. The list of countries that qualify using this credit criteria as at the date of this report are shown in Appendix C. This list will be amended by officers should ratings change in accordance with this policy.

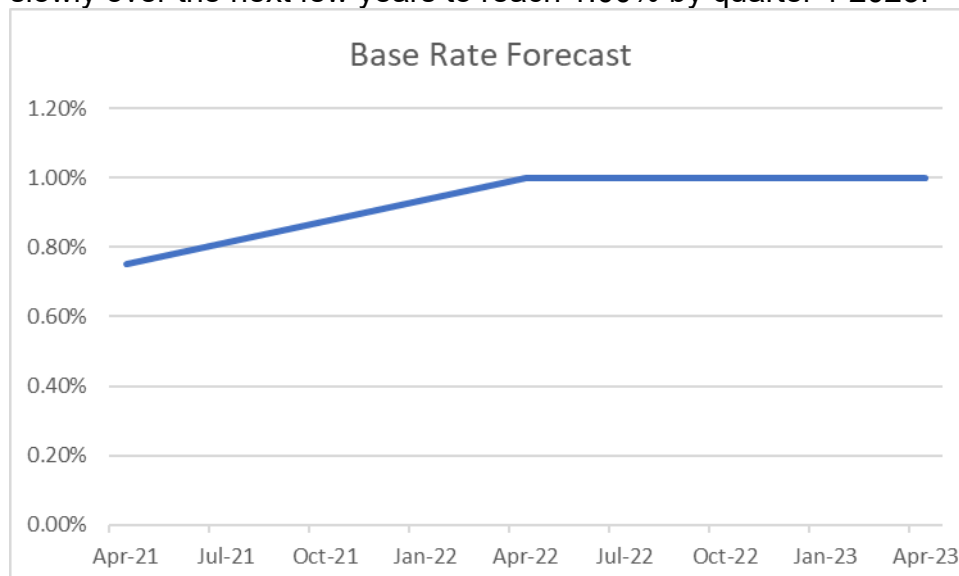
5.15 In addition:

- no more than £15m will be placed with any non-UK country at any time;
- the limits will apply to a group of companies;
- sector limits will be monitored regularly for appropriateness.

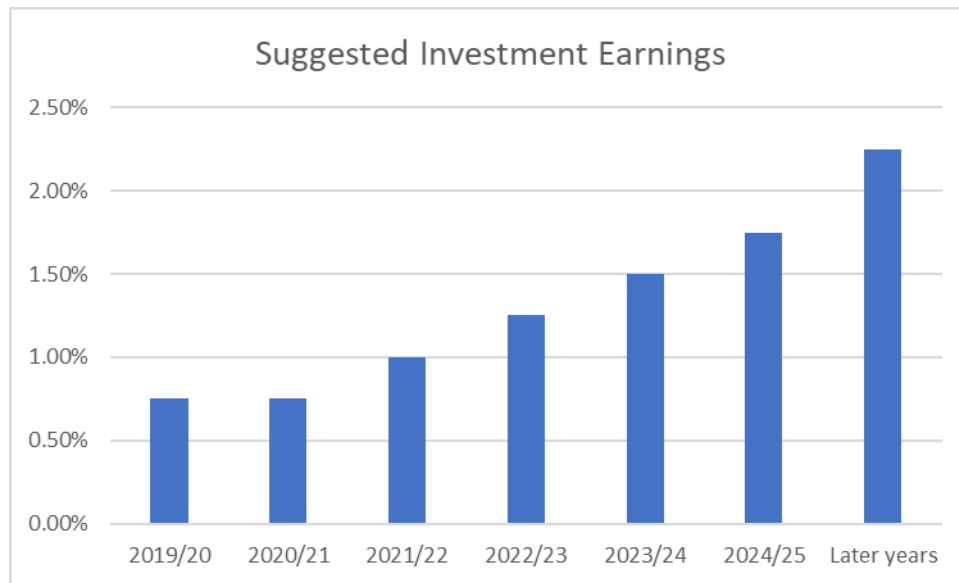
Investment strategy

5.16 The Council will manage all of its investments in-house. Investments will be made with reference to the core balance and cash flow requirements and the outlook for short to medium term interest rates.

5.17 On the assumption that the UK and EU agree a Brexit deal including the terms of trade by the end of 2020 or soon after, then Bank Rate is forecast to increase only slowly over the next few years to reach 1.00% by quarter 1 2023.



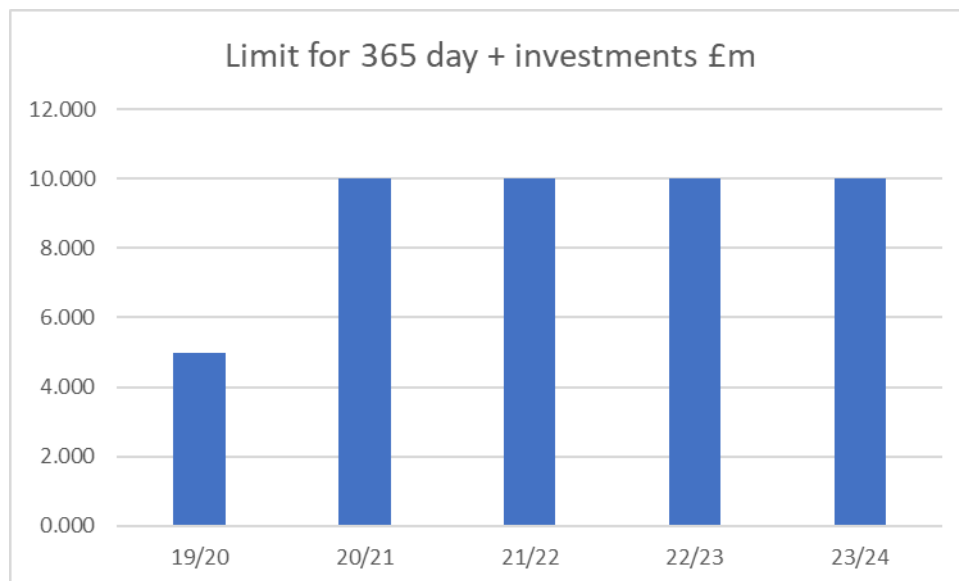
- 5.18 The suggested budgeted investment earnings rates for returns on investments placed for periods up to about three months during each financial year are as follows:



- 5.19 For its cash flow generated balances, the Council will seek to utilise its business reserve instant access and notice accounts, money market funds and short-dated deposits (overnight to 100 days) in order to benefit from the compounding of interest.

Investment treasury indicator and limit

- 5.20 The limit for the total principal funds invested for greater than 365 days is set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment and are based on the availability of funds after each year-end.



End of year investment report

- 5.21 At the end of the financial year, the Council will report on its investment activity to the Governance & Audit Committee as part of its Annual Treasury Report.

Public Works Loan Board rates and forecast shown below take into account the 20 basis point certainty rate reduction effective as of 1 November 2012.

Bank Rate															
	Now	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Link Asset Services	0.75%	0.75%	0.75%	0.75%	0.75%	0.75%	1.00%	1.00%	1.00%	1.00%	1.00%	1.25%	1.25%	1.25%	1.25%
Capital Economics	0.75%	0.75%	0.75%	0.50%	0.50%	0.50%	-	-	-	-	-	-		-	-
5yr PWLB Rate															
	Now	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Link Asset Services	2.36%	2.30%	2.40%	2.40%	2.50%	2.50%	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%	3.20%	3.20%
Capital Economics	2.36%	2.40%	2.40%	2.40%	2.40%	2.40%	-	-	-	-	-	-		-	-
10yr PWLB Rate															
	Now	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Link Asset Services	2.61%	2.60%	2.70%	2.70%	2.70%	2.80%	2.90%	3.00%	3.10%	3.20%	3.20%	3.30%	3.30%	3.40%	3.50%
Capital Economics	2.61%	2.60%	2.60%	2.60%	2.60%	2.60%	-	-	-	-	-		-	-	-
25yr PWLB Rate															
	Now	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Link Asset Services	3.18%	3.20%	3.30%	3.40%	3.40%	3.50%	3.60%	3.70%	3.70%	3.80%	3.90%	4.00%	4.00%	4.10%	4.10%
Capital Economics	3.18%	2.90%	2.90%	2.90%	2.90%	2.90%	-	-	-	-	-	-	-	-	-
50yr PWLB Rate															
	Now	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Link Asset Services	3.04%	3.10%	3.20%	3.30%	3.30%	3.40%	3.50%	3.60%	3.60%	3.70%	3.80%	3.90%	3.90%	4.00%	4.00%
Capital Economics	3.04%	3.00%	3.00%	3.00%	3.00%	3.00%	-	-	-	-	-	-		-	-

Specified investments – These investments are sterling investments of not more than one-year maturity, or those which could be for a longer period but where the Council has the right to be repaid within 12 months if it wishes. These are considered low risk assets where the possibility of loss of principal or investment income is small

Organisation	Min. Credit Criteria	Money Limit	Maturity Limit
Banks and Building Societies (including term deposits, CDs or corporate bonds)	Yellow	£10m	1 years
	Purple	£10m	1 years
	Orange	£10m	1 year
	Blue	£10m	1 year
	Red	£7.5m	6 months
	Green	£5m	100 days
	No colour	Not to be used	
UK Government Gilts	UK sovereign rating	£10m	1 year
UK Government Treasury Bills	UK sovereign rating	£10m	1 year
UK Local & Police Authorities	N/A	Unlimited	1 years
Debt Management Agency Deposit Facility	AAA	Unlimited	6 months
Money Market Funds	AAA	£10m	Liquid
Enhanced Money Market Funds	Dark Pink / Light Pink / AAA	£10m	Liquid
Bonds issued by Multilateral Development Banks	AAA	£3m	6 months

Non-Specified Investments – These are investments that do not meet the specified investment criteria. A limit of the lesser of £20m or 50% of the portfolio will be held in aggregate in non-specified investments.

Organisation	Min. Credit Criteria	Money Limit	Maturity Limit
UK Local & Police Authorities	N/A	£10m	5 years
Banks and Building Societies (including term deposits, CDs or corporate bonds)	Yellow / Purple	£10m	5 years
UK Government Gilts	UK sovereign rating	£10m	5 years
UK Government Treasury Bills	UK sovereign rating	£10m	5 years
Property fund	AAA	£5m	5 years

Notes:

- Non U.K. country limit of £15m

- Limit in all Building Societies of £10m

The use of property funds can be deemed capital expenditure, and as such will be an application of capital resources. The Council will seek guidance on the status of any fund it may consider using. Appropriate due diligence will also be undertaken before investment of this type is undertaken.

The criteria in this appendix are intended to be the operational criteria in normal times. At times of heightened volatility, risk and concern in financial markets, this strategy may be amended by temporary operational criteria further limiting investments to counterparties of a higher creditworthiness and / or restricted time limits. This list is based on those countries that have sovereign ratings of AA- or higher and also have banks operating in sterling markets, which have credit ratings of green or above in the Link Asset Services credit worthiness service.

AAA	Australia
	Canada
	Denmark
	Germany
	Luxembourg
	Netherlands
	Norway
	Singapore
	Sweden
	Switzerland
AA+	Finland
	U.S.A.
AA	Abu Dhabi (UAE)
	France
	U.K.
	Hong Kong
AA-	Belgium
	Qatar

Treasury Management Strategy Statement Supporting Tables

Table E2 – Capital Expenditure (£k)						
		19/20	20/21	21/22	22/23	23/24
1	General Fund	37,159	41,949	9,700	3,300	8,400
2	General Fund commercial activities	9,180	28,300	500	420	0
3	Total General Fund	46,339	72,249	10,200	3,720	8,400
4	Housing Revenue Account	18,868	30,163	35,349	30,389	21,316
5	Total	65,211	102,412	45,549	34,109	29,716

Table E3 – Net Financing Need (£k)						
		19/20	20/21	21/22	22/23	23/24
1	Capital receipts	17,825	23,625	73	0	0
2	Capital grants	16,055	11,578	4,580	3,300	3,400
3	Capital reserves	2,119	3,176	4,583	2,297	1,927
4	Revenue	10,486	8,716	9,554	9,627	9,865
5	Net Financing need	23,302	55,317	26,759	18,885	14,524
6	Total Expenditure	69,787	102,412	45,549	34,109	29,716

Table E4 – Capital Financing Requirement (£k)						
		19/20	20/21	21/22	22/23	23/24
1	General Fund	4,654	10,144	2,904	-2,196	2,704
2	Housing Revenue Account	8,052	14,877	21,259	18,465	9,524
3	Commercial Activities	9,180	28,300	500	420	0
4	Total	183,566	236,887	261,550	278,239	290,467
5	Increase on previous year	21,886	53,321	24,663	16,689	12,228

Table E5 – Components of annual movement (£k)						
		19/20	20/21	21/22	22/23	23/24
1	Net financing need from Table E5, Row 5	23,302	55,317	26,759	18,885	14,524
2	Less Minimum Revenue Provision and other financing movements	-1,416	-1,996	-2,096	-2,196	-2,296
3	Movement in Capital Financing Requirement	21,886	53,321	24,663	16,689	12,228

Table E6 – Affordability (%)						
		19/20	20/21	21/22	22/23	23/24
	General Fund	9.6	9.1	11.5	10.5	11.0
	Housing Revenue Account	19.5	17.0	19.0	21.3	21.9

Table E7 – External Debt (£k)						
		19/20	20/21	21/22	22/23	23/24
1	Debt at 1 April	141,805	165,324	220,641	247,400	266,285
2	New Borrowing	23,302	55,317	26,759	18,885	14,524
3	Other long-term liabilities (OLTL)	217	0	0	0	0
4	Gross debt at 31 Mar	165,324	220,641	247,400	266,285	280,809
5	The Capital Financing Requirement	183,566	236,887	261,550	278,239	290,467
6	Under/(over) borrowing	18,242	16,246	14,150	11,954	9,658

Table E8 – Operational Boundary (£k)						
		19/20	20/21	21/22	22/23	23/24
1	Debt	206,632	247,400	266,285	280,809	300,809
2	Other long-term liabilities	217	217	217	217	217
3	Total	206,849	247,617	266,502	281,026	301,026

Table E9 – Authorised Limit (£k)						
		19/20	20/21	21/22	22/23	23/24
1	Debt	221,632	262,400	281,285	295,809	315,809
2	Other long-term liabilities	217	217	217	217	217
3	Total	221,849	262,617	281,502	296,026	316,026

Table E10 - Maturity structure of fixed interest rate borrowing 2020/21		
	Lower	Upper
Under 12 months	0%	15%
12 months to 2 years	0%	15%
2 years to 5 years	0%	15%
5 years to 10 years	0%	15%
10 years to 20 years	0%	40%
20 years to 30 years	0%	40%
30 years to 40 years	0%	40%
40 years to 50 years	0%	10%

Table E11 – Maximum sum invested over 365 days (£k)						
		19/20	20/21	21/22	22/23	23/24
	365+ investments	5,000	10,000	10,000	10,000	10,000

Appendix F – Technical reconciliations of budget requirement

Table F1 – Technical reconciliation of budget requirement		
	Element	£'000
1	Revenue expenditure requirement for 2020/21	24,514
2	Collection fund deficit (business rates and Council Tax)	540
3	New Homes Bonus	(3,602)
5	Use of balances / reserves for pensions payment	(1,870)
6	Use of Business Rates Reserve	(540)
7	Use of Business Rates Pooling gain	(200)
8	Use of balances	(310)
9	Budget Requirement	18,532
10	Funded by:	
11	Business Rates Baseline Funding	(4,300)
12	Business Rates Improvement	(1,729)
13	Council Tax Payers requirement (before Parish element) see below*	(12,503)
14	Total Funding	(18,532)

Table F2 – Technical reconciliation of Band D Council Tax		
1	Council Tax Payers requirement (before Parish element)	12,503
2	Council Tax Base – Band D Properties	63,933
3	Council Tax at Band D	195.56

Table F3 – Technical reconciliation of 2020/21 Base Budget		
1	Base Budget	20,206
2	One-off items	(270)
3	Cost Pressures	5,768
4	New Strategic Priorities excluding New Homes Bonus - revenue	71
5	New Strategic Priorities excluding New Homes Bonus - capital financing	145
6	Growth Items	55
7	Savings	(1,848)
8	Change in use of New Homes Bonus for one off investment	387
9	Forecast Base Budget	24,514

Table F4 – Technical reconciliation of 2020/21 savings		
1	Commercial approach	753
2	Digitalisation	50
3	External Funding	192
4	Fees and Charges	301
5	Invest to Save	350
6	Procurement	150
7	Supplies & Services	52
8	Total Savings	1,848
Table F5 – Technical reconciliation of 2020/21 pressures		
1	General Inflation	817
2	IT costs	77
3	Council Tax Sharing Agreement	0
4	Refuse vehicles and crew	62
5	Staffing Changes	133
6	Commercial Income	126
7	Net impact of Minimum Revenue Provision and Interest	418
8	IT costs	225
9	Finance System Upgrade	24
10	Procurement TUPE	24
11	Review of budget targets	11
12	S&L - pensions and income	127
13	Northern Gateway Sports	72
14	Colchester & Ipswich Museums Service	40
15	Fuel	60
16	Use of Glyphosate Herbicides	21
17	Rowan House Lease	125
18	2019 Actuarial Review Impact	586
19	LCTS - Care Leavers	15
20	Pensions (3 year up-front deficit payment)	2,805
21	Cost pressures excluding New Strategic priorities	5,768
22	New Strategic Priorities excluding New Homes Bonus - Revenue/Capital Financing	216
23	Total cost pressures	5,984

Table F6 – Reconciliation of Medium Term Financial Forecast						
		19/20	20/21	21/22	22/23	23/24
		£'000	£'000	£'000	£'000	£'000
1	Base Budget	20,438	19,921	20,351	21,216	21,918
2	New Homes Bonus for Strategic Priorities	1,469	1,928	2,091	2,258	2,658
3	Use of reserves	(1,701)	2,665	(625)	(625)	(750)
4	Budget Requirement	20,206	24,514	21,817	22,849	23,826

Appendix G - Summary Budget 2020/21

	Adjusted Base Budget	One-Off Items	Cost Pressures	Growth Items	Technical Items	Total Savings	Detailed 20/21 Budgets
		£'000	£'000	£'000	£'000	£'000	£'000
Corporate & Democratic Core	(264)	0	0	0		0	(264)
Executive Management Team	657	0	48	0		0	705
Community	2,147	(90)	204	20		(422)	1,859
Customer	3,205	0	223	35		(218)	3,245
Environmental (excluding North Essex Parking Partnership)	5,374	0	511	0		(770)	5,115
Policy & Corporate	7,774	(25)	1,209	(13)	(0)	(292)	8,653
Total General Fund Services	18,893	(115)	2,195	42	(0)	(1,702)	19,313
Technical Items							
<i>Corporate Items / sums to be allocated to services</i>							
Investment Allowance funded by New Homes Bonus	2,283	(65)	0	400	0	0	2,618
Futures Reviews Funding	(11)	0	11				0
New Strategic Priorities	0		71			(197)	(126)
Staffing Changes	0		110				110
Services Contribution to IT Equipment	0		0			(58)	(58)
LCTS Care Leavers Scheme	0		15			0	15
Inflation (Pay)	0		223			(23)	200
IT Server costs	75	(75)	0			0	0
Leasing Changes Advice	15	(15)	0			0	0
<i>Non-Service Budgets</i>							
CLIA (net interest)	530		403			(100)	833

	Adjusted Base Budget	One-Off Items	Cost Pressures	Growth Items	Technical Items	Total Savings	Detailed 20/21 Budgets
		£'000	£'000	£'000	£'000	£'000	£'000
R&R Contribution	300		0				300
Min Revenue Provision	1,141		159			232	1,532
Pensions	366		2,805				3,171
Contribution to Bad Debts Provision	20		0				20
General Fund/ Housing Revenue Account /North Essex Parking Partnership Adjustment	(3,406)		(8)				(3,414)
Total Below the Line	1,313	(155)	3,789	400	0	(146)	5,201
Total incl Below the line	20,206	(270)	5,984	442	(0)	(1,848)	24,514
Funded by:-							
Use of balances	0	0	0		(125)		(125)
Contribution to balances	1,786	(1,786)	0		935		935
Contribution to Business Rates Reserve	406	(406)	0		0		0
Use of other Earmarked Reserves	(185)	185	0		(2,990)		(2,990)
Use of NNDR reserve	0	0	0		(540)		(540)
Business Rates Baseline	(4,257)		(43)				(4,300)
NNDR Levy Surplus	(65)	65	0				0
NNDR Growth above Baseline	(1,600)		0		(125)		(1,725)
Business Rates Pooling	(200)		0		0		(200)
Council Tax	(12,072)		0		(435)		(12,507)
Collection fund Transfer	(604)	604	0		540		540
New Homes Bonus	(3,415)		0		(187)		(3,602)
Total	(20,206)	(1,338)	(43)	0	(2,927)	0	(24,514)

Appendix H - 2020/21 General Fund Budgets

	Direct Budgets			Non-Direct Budgets	
Area	Spend	Income	Net	Net	Total
	£'000	£'000	£'000	£'000	£'000
Corporate & Democratic Core	286	(550)	(264)	2,597	2,333
Total	286	(550)	(264)	2,597	2,333
Executive Management Team					
EMT	705	-	705	(705)	-
Total	705	-	705	(705)	-
Community					
Assistant Director	157	-	157	(157)	-
Licencing, Food & Safety	526	(537)	(11)	432	421
Community Safety	93	-	93	22	115
Environmental Health Services	519	(67)	452	183	635
Building Control	444	(455)	(11)	268	257
Community Initiatives	403	-	403	184	587
Private Sector Housing	508	(172)	336	140	476
Bereavement Services	923	(1,585)	(662)	289	(373)
Cultural Services	599	(107)	492	946	1,438
Colchester Museums	70	(532)	(462)	34	(428)
Subtotal	4,242	(3,455)	787	2,341	3,128
Colchester & Ipswich Museums	2,195	(1,123)	1,072	846	1,918
Total	6,437	(4,578)	1,859	3,187	5,046
Customer					
Assistant Director	153	-	153	(153)	-
Customer Business	672	(149)	523	(523)	-
Local Taxation & NNDR	486	(713)	(227)	661	434
Customer Solutions	1,122	(100)	1,022	(1,022)	-
Customer Experience	2,406	(312)	2,094	(2,094)	-
Electoral Services	420	(3)	417	109	526
Subtotal	5,259	(1,277)	3,982	(3,022)	960
Benefits - Payments & Subsidy	38,577	(39,314)	(737)	883	146
Total	43,836	(40,591)	3,245	(2,139)	1,106
Environment					
Assistant Director	146	-	146	(146)	-
Neighbourhood Services	11,145	(3,475)	7,670	2,766	10,436
Car Parking	1,084	(3,970)	(2,886)	1,038	(1,848)
Subtotal	12,375	(7,445)	4,930	3,658	8,588

		Direct Budgets				Non-Direct Budgets	
	North Essex Parking Partnership	3,752	(3,637)	115		120	235
	Total	16,127	(11,082)	5,045		3,778	8,823
	Policy & Corporate						
	Assistant Director	167	-	167		(167)	-
	Finance	966	(146)	820		(821)	(1)
	ICT	2,077	(245)	1,832		(1,832)	-
	People and Performance	756	(189)	567		(633)	(66)
	Governance	3,024	(304)	2,720		(2,666)	54
	Place Strategy	1,251	(25)	1,226		(79)	1,147
	Planning	1,164	(1,227)	(63)		759	696
	Housing	2,060	(818)	1,242		(134)	1,108
	Communications	638	(189)	449		(449)	-
	Subtotal	12,103	(3,143)	8,960		(6,022)	2,938
	<i>Company Related:-</i>						
	Client - Commercial Company	1,837	(528)	1,309		(1,837)	(528)
	Corporate Asset Management	1,749	(270)	1,479		(1,404)	75
	Commercial & Investment Props	260	(3,119)	(2,859)		2,428	(431)
	Sport & Leisure	5,335	(5,571)	(236)		2,070	1,834
	Total	21,284	(12,631)	8,653		(4,765)	3,888
	Adjustment for NEPP use of balances	-	185	185		-	185
	Total (excl. NEPP)	84,923	(65,610)	19,313		1,833	21,146

* Non-direct budgets reflect recharges between service areas and technical accounting charges. These are shown to present the full cost of services.

Appendix I – Reserves, Provisions and Balances

	2018/19	2019/20		2020/21
	Actual	Actual	Forecast	Forecast
General Reserve -	2,630	2,586	2,498	2,373
General Reserve - Risk Allocation	1,161	1,161	661	661
General Reserve - Carry-forwards	2,272	522	522	522
Pension Reserve	1,289	3,214	3,214	900
Redundancy, North Essex Parking Partnership, Colchester & Ipswich Museum Service	582	263	463	463
Renewals and Repairs	2,105	2,403	1,903	1,903
Insurance	471	471	471	471
Capital Expenditure Reserve	1,448	1,593	600	600
Capital Receipts Reserve	391	5,011	1,000	1,000
Gosbecks Reserve	171	171	171	171
Heritage Reserve	117	100	100	100
Revenue Grants unapplied	2,944	3,651	2,916	2,916
Parking Reserve	1,458	1,274	1,089	904
Heritage Mersea Mount	11	11	11	0
Business Rates Reserve	1,443	1,510	1,510	770
Mercury Theatre Reserve	110	110	110	0
Revolving Investment Fund Reserve	1,292	1,898	1,000	250
S106 / Asset replacement	45	48	0	0
TOTAL General Fund	19,940	25,997	18,239	14,004
Housing Revenue Account Reserve	4,564	4,564	4,373	3,873
Major Repairs Reserve	3,653	3,653	0	0
Housing Revenue Account Retained Right To Buy Receipts – Debt	5,597	5,597	6,427	1,313
Housing Revenue Account Retained Right To Buy Receipts – Replacement	5,870	5,870	5,549	4,281
TOTAL Housing Revenue Account	19,684	19,684	16,349	9,467
Total	39,624	45,681	34,588	23,471

Appendix K – Allocation of New Homes Bonus

	Allocation of New Homes Bonus	2019/20	2020/21	2021/22	2022/23	2023/24
		£'000	£'000	£'000	£'000	£'000
1	New Homes Bonus	3,415	3,602	3,262	3,257	3,261
2	Allocated to:-					
3	Contribution to RIF	250	250	250	250	250
4	Affordable housing allocation	163	150	88	116	120
5	Base Budget	1,033	833	633	433	233
6	Allocation to CNG Sports Project	500				
7	Savings Implementation Costs	0	441	200	200	0
8	Local Plan allocation reserved for NEGC contributions or alternative local plan options dependent on decisions of the Planning Inspector	0	500	500	500	500
9	Support for one-off schemes (see below)	1,469	1,428	1,591	1,758	2,158
10	Total allocation	3,415	3,602	3,262	3,257	3,261
	Use of NHB allocation for one-off schemes					
11	Support for one-off schemes	1,469	1,428	1,591	1,758	2,158
12	Allocated to:					
13	Cultural Events Fund 2020-21		20			
14	High Street (net additional contribution to ECC works)		40			
15	Environment & Sustainability Task and Finish Group resource		50			
16	West Mersea Town Council Toilets		30			
17	Town Hall office reconfiguration		40			
18	Better Colchester Communications		150			
19	Strategic Priorities Programme Delivery		150			
20	Balance for future allocation and New Strategic Priorities		948	1,591	1,758	2,158

29th January 2020

Report of	Assistant Director of Place and Client Services	Author	Tina Hinson ☎ 506903
Title	Increasing the supply of affordable housing – 100 homes project		
Wards affected	All wards		

1. Executive Summary

- 1.1 Colchester Borough Council (CBC) has continually sought new and innovative ways to tackle the national housing crisis. CBC and Colchester Borough Homes have had some real successes in preventing homelessness from occurring in the first place and the Council has delivered on its housing targets, as well as putting an ambitious new council house building programme in place.
- 1.2 However, new homelessness legislation has seen the pressure on an already-limited supply of affordable accommodation increase, as local housing authorities are now obliged under their new homelessness duties to offer temporary accommodation to more people including those not in priority need.
- 1.3 This report recommends that the Council takes a new innovative approach to increasing the supply of affordable housing by purchasing 100 former council homes and homes on the open market. The Council would complete any required repairs and refurbishment of the properties ready for letting.
- 1.4 The Council would then transfer the properties on a long lease to a limited liability partnership (LLP). The Council and a newly established independent charity would enter into the limited liability partnership. The properties would be leased in tranches of approximately 33 properties to the LLP. To alleviate the pressure on temporary accommodation for homeless households and to ensure homes are not standing empty pending transfer to the LLP, the properties will be let on a non-secure basis by the Council to households who are homeless.
- 1.5 The LLP would fund the lease from the Council by borrowing and using rental income from the homes to repay the debt. At the end of the lease the borrowing is fully repaid. The LLP would be the landlord and day to day management of the homes would be by an experienced housing manager, Colchester Borough Homes, under a separate management agreement with the LLP. Rents would be specified under the terms of the lease to ensure that the homes are genuinely affordable for Colchester residents.
- 1.6 The Council would provide some capital funding to secure nomination rights to the properties which in the future would be let through the choice-based lettings system, Gateway to Homechoice.
- 1.7 The 100 homes project would make a significant contribution to meeting the housing needs of Colchester's residents who need affordable rented, secure and decent homes.

2. Recommended Decision

- 2.1 To approve the addition to the capital programme for the acquisition of approximately 100 local homes at market rates.
- 2.2 To agree to assist with the setting up of a new charity whose charitable aim will be to work to reduce homelessness in Colchester and to delegate the approval of any associated expenditure, which will be fully recovered, to the Assistant Director for Place and Client Services.
- 2.3 To approve entering into a limited liability partnership (LLP) with the new charity “Hollytrees Homes” for the purpose of managing genuinely affordable local homes.
- 2.4 To approve the long-term leasing of the acquired homes to the limited liability partnership for a minimum of 80 years.
- 2.5 To approve the granting of up to £2 million of retained right to buy receipts, affordable new homes bonus and affordable housing commuted sums to the limited liability partnership to use to increase designated affordable housing for borough residents.
- 2.6 To approve that the initial rent levels for the homes, as dictated by the lease with the limited liability partnership, be no more than the Local Housing Allowance to ensure that they are genuinely affordable for local residents.
- 2.7 Delegate authority to the Chief Finance Officer/S151 Officer, in consultation with the Portfolio Holder for Resources, to finalise the funding arrangements that will enable the limited liability partnership to obtain its long leasehold interest.

3. Reason for Recommended Decision

- 3.1 There are currently just under 3,000 households on the Council’s Housing Register seeking affordable housing. The Council continues to seek new and innovative ways to increase the supply of affordable housing and provide good quality, affordable and stable homes for Colchester’s residents who are in housing need.
- 3.2 The use of a charity led LLP enables the Council to maximise the use of retained Right to Buy receipts, affordable housing new homes bonus and commuted sums to secure far more affordable homes than just using this funding on its own and to do so at pace. The proposed lease solution ensures that the homes remain genuinely affordable and are offered on a longer-term basis than other solutions to provide households with greater future certainty and security. The lease structure also ensures that the Council retains the freehold or long leasehold interest in the homes and can benefit from any future capital appreciation or additional revenue income.
- 3.3 By matching the future repayment of the funding of the acquisition of the homes to expected rental income profile, the LLP is being financed in the most cost effective way. This funding will come via an institutional investor with a lower initial cost that increases by inflation over the duration of the agreement.
- 3.4 The lease and funding structure will enable a small financial surplus to be generated by the LLP which will flow back to the Council as rent under the lease. This surplus will contribute to funding front line services for Colchester residents.

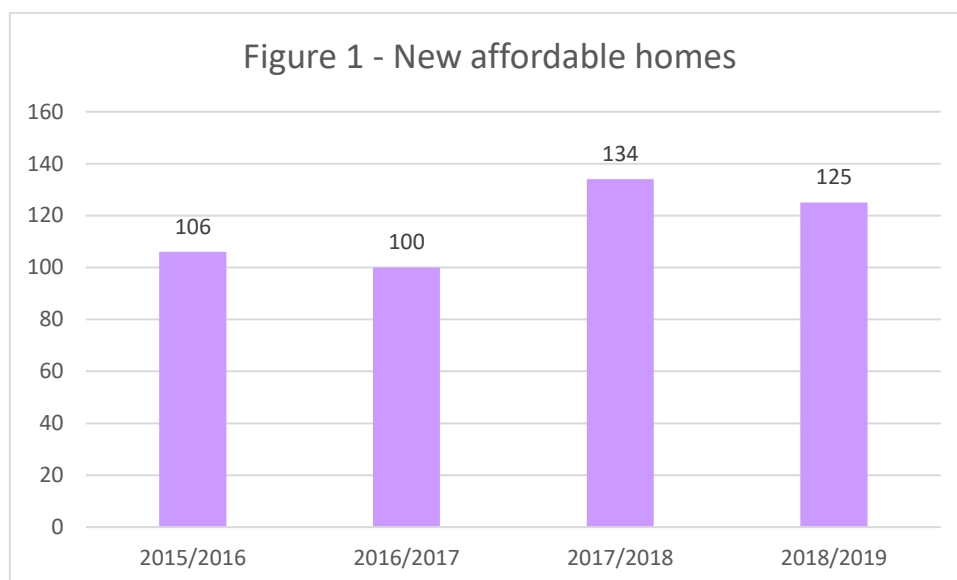
4. Alternative Options

- 4.1 The Council could do nothing however, as detailed in section 5 below, with rising homelessness pressures resulting in reduced lifetime outcomes for the affected households and the financial impact for the Council, this not considered a realistic option.
- 4.2 The Council could extend its own acquisition programme within the Housing Revenue Account (HRA). However, this would require additional borrowing within the HRA, along with subsidy from other sources such as Right to Buy receipts. This would need to be justified by a business case under the prudential borrowing regime. Any solution delivered in the HRA can potentially be affected by central government policy regarding rent levels, tenancy types and changes to the right to buy rules. The LLP solution, as it is not constrained by central government rent policies, offers much greater future flexibility on the use of the homes and rent levels.
- 4.3 The Council could set up a community benefit society (CBS) or a wholly owned company (in addition to the existing wholly owned companies the council has setup). Both of these have been explored and discounted because the CBS model would see the CBS take ownership of the assets meaning it benefits from any increases in the value of the homes and that the Council would not have any mechanism to control the use of the assets or rent levels in the longer term. The wholly owned company model has been discounted because the Council has already undertaken significant borrowing to then on-lend to its companies and any additional borrowing would further expose the Council; as any new company would be wholly owned it would not be able to benefit from the subsidies available such Right to Buy receipts that the Council can make available and improve the viability of the model. It would also be a less tax efficient model than the LLP, reducing the financial benefit that can be achieved.

5. Background Information

Colchester Borough Council's housing duties

- 5.1 The Council has a wide range of housing duties which include, but are not limited to:
- Assessing the current and future need for affordable housing and the demand for market housing.
 - Planning and facilitating new supply.
 - Preventing and relieving homelessness and where they are unable to do so provide temporary accommodation until permanent housing can be secured.
 - Publish an Allocations Policy setting out how social and affordable housing will be let and maintain a Housing Register of those in housing need.
- 5.2 Assessing the current and future need for affordable and the demand for market housing
The evidence base for our emerging Local Plan includes two assessments of the need for housing. These assessments, produced using Government guidance and complex methodology, provide the overall number of homes needed in Colchester and the number of affordable homes needed. The number of new affordable homes needed to meet need is 278 each year.
- 5.3 The chart below shows the number of new affordable homes delivered in Colchester over the past four years.



- 5.4 Planning and facilitating new supply
The Council has ambitious plans to deliver 350 new affordable homes over the next 5 years through a number of projects. These include the Council building homes on former council garage sites; through its Housing Company Amphora Homes which will deliver market and affordable homes; and a modest acquisitions programme.
- 5.5 Preventing and relieving homelessness and where they are unable to do so provide temporary accommodation until permanent housing can be secured
The introduction of the Homelessness Reduction Act 2017 in 2018 has fundamentally changed the duties placed on local housing authorities and the way in which they respond to homelessness. Local housing authorities' duties have widened to include single people who are at risk of or are homeless along with more time to work with everyone who is at risk of homelessness to give advice and assistance to prevent homelessness occurring.

- 5.6 The new Homelessness Reduction Act places two additional statutory duties on local housing authorities:

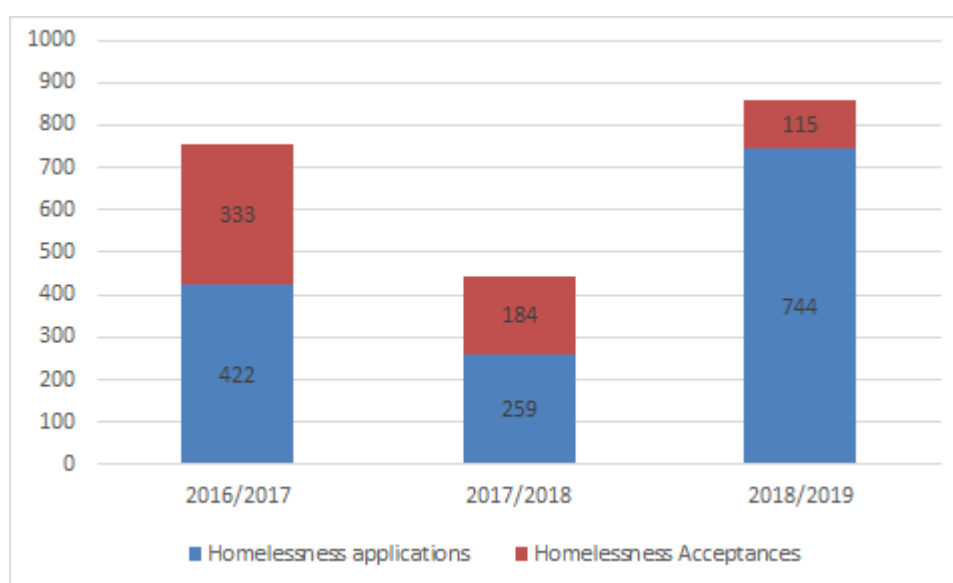
The prevention duty – requires councils to intervene to prevent homelessness at an earlier stage, when a household is at risk of losing their home in the next 56 days. This is particularly relevant for those living in privately rented homes who are served with notice and provides more opportunity to support people directly into another tenancy.

The relief duty - requires councils to offer more advice and support to anyone who is already homeless, regardless of whether they are in priority need and may involve offering accommodation.

The duties that existed under the previous homelessness legislation, known as the **The main duty** remains in place. A main housing duty is owed where homeless households are eligible (certain persons from abroad are ineligible for housing assistance), have a priority need for accommodation and are not homeless intentionally. Before the introduction of the Homelessness Reduction Act Colchester had almost eliminated the use of Bed and Breakfast accommodation, but the pressure that Colchester now faces, having to prevent or relieve homelessness, has led to increasing use of short-term accommodation, including Bed and Breakfast.

- 5.7 The most significant change is that local housing authorities are now obliged under the new homelessness relief duty to offer temporary accommodation to more people including those not in priority need or intentionally homeless, and the pressure on an already-limited supply of affordable accommodation has increased.

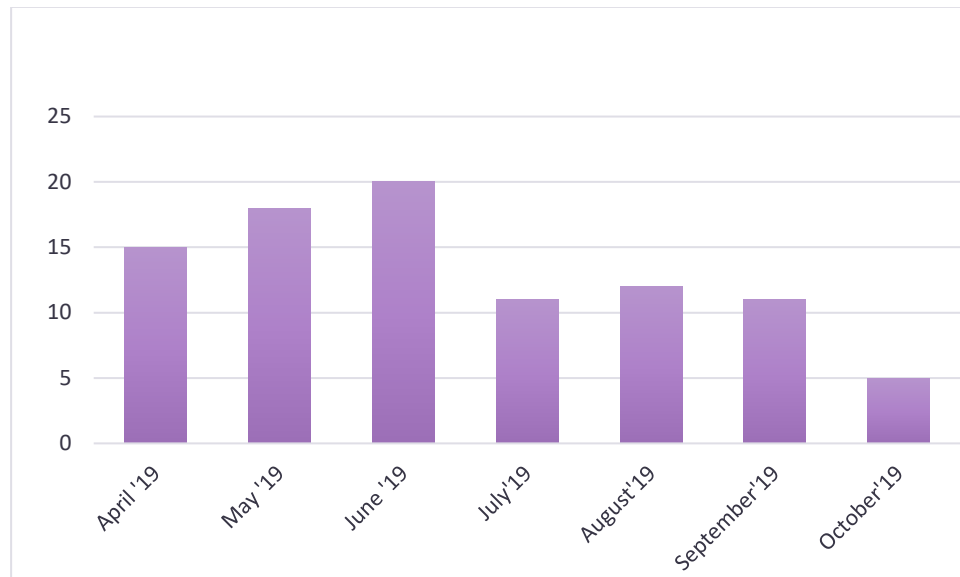
Figure 2: Homelessness - Applications and acceptances



Source: 2016/2017 and 2017/2018 - DCLG P1E 2018/2019 - MHCLG H-CLIC statistical returns

- 5.8 Before the introduction of the Homelessness Reduction Act, Colchester had almost eliminated the use of Bed and Breakfast accommodation, but the pressure that Colchester now faces, having to prevent or relieve homelessness, has led to increasing use of short-term accommodation, including Bed and Breakfast (see Figure 3). This is disappointing but inevitable, as options to prevent and relieve homelessness using available accommodation are both expensive and in short supply.

Figure 3 Use of Bed and Breakfast for homeless households in 2019/2020



Source: Colchester Borough Homes

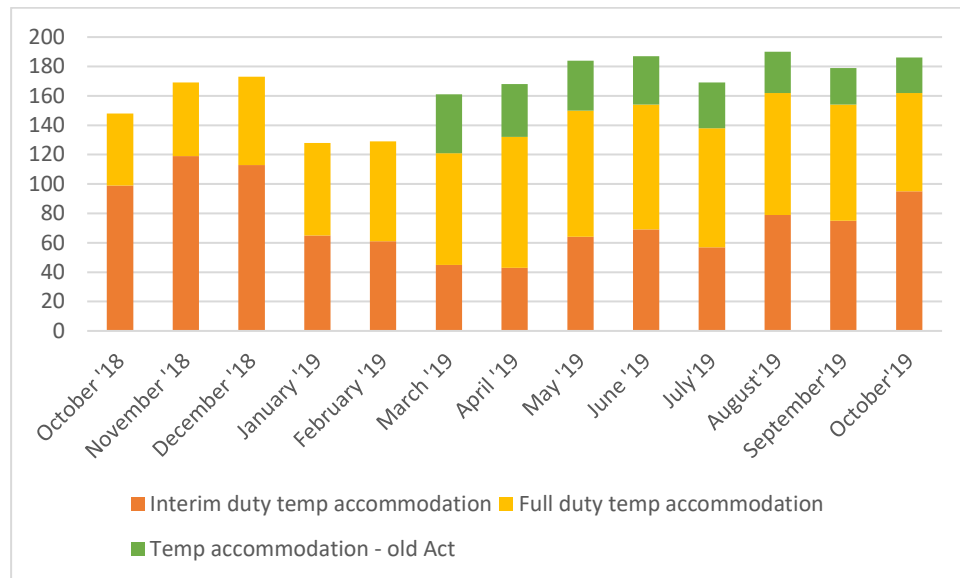
5.9 Working with the Council's arm's length management organisation, Colchester Borough Homes, a number of solutions have been developed including:

- with local landlords through provision of incentive payments, deposits, bonds and rent in advance;
- a matching service to help homeless people find suitable lodgings;
- acquiring family homes either purchasing directly or through a private sector leasing scheme
- support, which at a time of crisis can prevent homelessness;
- building new council homes on former garage sites and with our housing company Amphora;
- working with housing associations to deliver new affordable homes.

However, the supply of affordable rented homes in Colchester is not enough to meet demand and as can be seen from Figure 4 below, we still have households living in temporary accommodation who were accepted under the previous homelessness legislation and to whom a duty to provide a permanent home was accepted prior to October 2018.

5.10 The underestimated consequence of the Homelessness Reduction Act appears to be the increased need for temporary accommodation for the required 56-days, which is intended to give time and opportunity to relieve the situation and find an alternative. In Colchester, where private sector rents are high and generally not affordable to those who approach us for assistance and a limited supply of affordable rented housing, this leaves few options and many with expectations of housing that we are not able to deliver.

Figure 4 Households placed in temporary accommodation since the introduction of the Homelessness Reduction Act



Note: Due to changes in the data collection systems information for those households in temporary accommodation prior to March 2019, where a duty was owed under the previous Homelessness Act, was not collected on a monthly basis

Source: H-CLIC Statistical Returns

- 5.11 As a result of the additional temporary accommodation costs, there are significant cost pressures resulting from providing temporary accommodation. The net cost of an individual placement varies but averages at £1,130 per additional acceptance and therefore the acquisition of 100 homes would be expected to produce a cost avoidance of an estimated £113,000.
- 5.12 Publish an Allocations Policy setting out how social and affordable housing will be let and maintain a Housing Register of those in housing need.
An Allocations Policy is a legal requirement for local authorities allocating affordable and social housing. Colchester Borough Council is a partner in the Gateway to Homechoice (G2H) Partnership along with seven other Essex and Suffolk local authorities. The Partnership has one Allocations Policy which sets out; who can join the Housing Register; the priority applicants are awarded on the Housing Register to reflect their need for housing which properties applicants are eligible for; and how the policy works.
- 5.13 At the end of September 2019 there were just under 3,000 households seeking social and affordable housing in Colchester. Bands A, B and C are the Priority Bands for rehousing. Band A applicants have a critical or urgent need to be rehoused, Band B applicants have a serious need to be rehoused and Band C applicants have medium need to be rehoused. Of the total applicants on the register, 50% are in the priority bands A to C.

Figure 5 Households on the Housing Register

Priority Banding	Number of households
A	80
B	601
C	728
D	165
E	1293
Total	2867

Source: Gateway to Homechoice, September 2019

5.14 Innovative approach to increasing the supply of affordable housing

In order to address the need for affordable rented housing, the Council is seeking a solution to increase the supply of affordable rented housing which ensures:

- That the homes are let to Colchester residents on longer term tenancies at genuinely affordable rents;
- That the properties remain available as affordable homes in the long term;
- The use of the any capital funding contributed by the Council is maximised and adds value;
- It can benefit from the long-term ownership of the homes;
- Alternative forms of funding can be accessed to ensure that the solution does not require an annual subsidy.

5.15 It is proposed that the Council acquire approximately 100 homes on market terms which it will then long lease on to a newly formed limited liability partnership (LLP). The proposed 100 homes project delivers the outcomes in 5.14 above because:

- The LLP is between the Council and a new independent local charity, "Hollytrees Homes¹". The charity will be the majority partner in the LLP meaning it has legal control and enables the granting capital funding including retained Right to Buy receipts granted to it by the Council.
- As a result of the granting of capital funding the Council will receive nominations in perpetuity to those homes so it can allocate to households on its Housing Register.
- The lease between the Council and the LLP will dictate the key policy drivers of the Council, such as rent levels and tenancy type, under which the LLP must let the homes for the duration of the lease. The lease will also require that the homes are maintained to an agreed standard with adequate provisions made for periodic replacements and repairs. The length of the lease will be dependent on the unexpired term on any leasehold homes acquired but would be expected to be for a minimum of 80 years with a Council only break option to coincide with the repayment by the LLP of any debt on the homes.
- The lease will enable the LLP to enter in to an underlease agreement with institutional investors to raise the funds to repay the Council the initial purchase cost of the homes. In addition to the purchase price, the lease premium paid on the head lease by the LLP will also ensure that the Council recovers any associated costs of purchase including but not limited to stamp duty land tax, surveys, conveyancing, refurbishment and any temporary borrowing costs will be offset upon lease to the LLP. This will ensure that the Council does not have an increase in debt as a result of the acquisitions.

¹ Hollytrees Homes is the proposed name of the new independent charity in recognition of a famous Colchester house which was purchased by the Colchester Corporation (a predecessor of CBC) in 1920.

- At the end of the lease, or at an agreed break point to coincide with the repayment of the debt by the LLP, the freehold or long leasehold interest in the homes will revert to the Council and, as a result, it will directly benefit from any capital uplift in values or future revenue income from the homes. See Appendix 1 for a diagram of the proposed 100 homes structure.

- 5.16 To enable the creation of the charity, individual trustees will be identified who will be responsible for its operation and accountable to the Charities Commission. The Council will provide the support for the creation and initial operation of the charity, including any submissions to the Charities Commission, with the ambition that it operates on a standalone basis as soon as possible.
- 5.17 It is proposed that the homes be funded on an indexed linked basis from an institutional funder. This reflects the expectation that the net income from the homes will rise on an indexed basis.
- 5.18 The recommended structural and funding solution outlined above is that used by the London Borough of Croydon to acquire 250 homes approved in July 2017 and implemented through 2018 and 2019.
- 5.19 The proposed solution is for an initial acquisition of approximately 100 homes with the mix of homes shown in Figure 6 below. Within the acquisitions programme, properties will be identified which are suitable for adaptation to make them suitable for wheelchair users and those with restricted mobility. This reflects the anticipated need for homes and where the Council experiences the greatest financial pressure from the alternative provision of temporary accommodation.

Figure 6 Proposed mix of homes to be purchased

Property Type	Number
One bed flat	16
Two bed flat	36
Three bed house	45
Four bed house	3
Total	100

- 5.20 The homes would be let by the LLP as assured shorthold tenancies of up to five years after an initial tenancy of twelve months. This would enable the Council to discharge its statutory housing duties and provide tenants with longer term security than is available in the private sector. As the LLP as a landlord does not fall under the definition of the Housing Act 1985, it would not be subject to government rent policy and nor would Right to Buy apply to the homes.
- 5.21 It is anticipated that the homes would be managed on behalf of the LLP by Colchester Borough Homes (CBH) as it already manages the Council's stock and is an experienced provider of social and affordable rented homes. CBH would be appointed under a Management Agreement with defined performance standards and the requirement to provide the LLP with all required management information.
- 5.22 To support the recommended solution, a full financial model has been developed to project the operating income and expenditure and to ensure that the homes can be acquired at rates which enable the repayment of the debt incurred in purchasing them. The model also enables sensitivity testing of different scenarios to ensure that the solution can deliver under a range of assumptions.

5.23 For the initial acquisition of the homes, the model incorporates:

- Purchase price;
- Stamp Duty Land Tax (SDLT);
- Conveyancing fees;
- Other acquisition fees (surveys, safety certificates);
- Refurbishment of the homes prior to letting;

The total cost of the scheme, including all implementation costs, is estimated at £22m with an assumed grant of up to £2m of funding from the Council using its retained right to buy receipts, the affordable housing element of new homes bonus and affordable housing commuted sums from the Council leaving a residual funding requirement of approximately £20m. The lease premium payable by the LLP for the head lease of the 100 homes will ensure that the Council is fully reimbursed for all costs, including any short term debt charges.

5.24 The operational financial model includes;

- Rental income at the Local Housing Allowance (LHA);
- Management and maintenance;
- Insurance;
- Bad debts;
- Voids;
- Overheads to support the LLP;
- Life cycle fund for periodic repairs and replacement;
- Allowance for refurbishment of void homes;
- Interest costs and repayment of the principle of the loan.

All estimates are prudent to ensure that the solution can deliver financially in the event of any changes in circumstance.

5.25 Figure 7 below sets out a summary of the financial model. Under the proposed solution, the LLP surplus will return to the Council as rent under the terms of the lease agreement. In addition to the surplus, the Council will also benefit from avoiding the cost of temporary accommodation which is estimated, asset out in the paragraph above, at £113,000 per year.

Figure 7 Summary of financial model

	Year 1 £000	Year 2 £000	Year 3 £000	Year 4 £000	Year 5 £000
Rental Income	(765)	(786)	(808)	(831)	(854)
Operating Costs	166	171	176	180	186
Life Cycle	55	57	58	60	61
Net Rent	(543)	(559)	(574)	(590)	(607)
Debt & Repayment	463	476	489	503	517
LLP Retention	20	20	20	20	20
LLP Surplus	(60)	(63)	(65)	(67)	(70)

5.26 To enable the implementation of the solution in a timely manner, it is intended to appoint, using the Crown Commercial Service legal advice framework, the specialist legal advisors used by the London Borough of Croydon who can provide draft documents which can be amended for the specific circumstances of the Council. It is also intended to appoint specialist finance advisors to arrange the competition to appoint a funding partner for the LLP. To support the process of acquiring the homes, provision has been made in the financial model for additional staff resources if required. Any implementation

costs incurred by the Council will be recovered from the LLP as part of the lease premium for the homes.

- 5.27 It is estimated that the LLP and lease solution will take approximately four months to implement and, in parallel, the Council will commence the acquisition of the homes. Based on previous experience, it will take approximately 18 months to purchase 100 homes though it is anticipated that the properties will be leased in three tranches to the LLP with a transfer every six months. To enable the acquisition of the homes, the Council will need a short term borrowing facility of up to £10m which will be replenished with the transfer of each tranche and fully repaid on the lease of all purchased homes. Acquisition by the council would commence on establishment of the LLP and finalisation of the associated agreements
- 5.28 In the short term, following acquisition and refurbishment but prior to leasing to the LLP as one of the three tranches, the Council will let the homes under licence to households in need of temporary accommodation. This will ensure that the homes are not unutilised pending transfer, generate income for the Council to offset any operational costs and it is planned that the homes will be let to the households who will ultimately receive the offer of an AST from the LLP.
- 5.29 Once operational, the LLP will be overseen by an LLP Board consisting of both partners – the charity and the Council. It will be responsible for overseeing the management of the homes and tenants by the appointed property manager and ensuring the financial performance of the LLP.
- 5.30 The LLP will need a level of administration, governance and finance support to ensure the processing of relevant transactions, oversee the finances of the partnership and monitor the contractual performance of the housing manager. It is proposed that this is provided by the Council in the first instance, on market terms, with an estimate of 1.5 – 2.0 FTE assumed for planning purposes.
- 5.31 Whilst the Council will only be a minority partner in the LLP, to enable the granting of Right to Buy receipts, the LLP will be setup to ensure that certain matters require the agreement of both partners. Such reserved matters will include the agreement of the annual business plan, the take on of additional debt or other liabilities and any issues relating to the future of the homes, e.g. potential disposal or sale of any interest in the lease. This will ensure that the Council's freehold or long leasehold interest in the homes and the interests of the tenants are protected.

6. Equality, Diversity and Human Rights implications

- 6.1 The 100 homes project and the proposal in this report will increase the availability of affordable housing in the borough. An EIA has been carried out and is regularly updated for the provision of new and additional affordable housing. The assessment did not show any particular areas of concern or that those with protected characteristics would be unfairly disadvantaged. Please see link to the EIA below:

[Equality Impact Assessment](#)

- 6.2 It is not considered that the approval of the proposals contained in this report involves a breach of human rights.

7. Strategic Plan References

- 7.1 The 100 homes project will help to achieve the following goals from the Council's Strategic Plan 2018 - 2021:

Wellbeing - Making Colchester an even better place to live and supporting those who need most help:

- Create new social housing by building Council homes and supporting Registered Providers
- Target support to the most disadvantaged residents and communities.

8. Publicity Considerations

- 8.1 There will be opportunities to publicise the progress of the purchase of the homes and the Council's financial contribution to enabling it to happen. One of the conditions of the partnership will be that any publicity is jointly agreed between CBC, the Charity and the LLP.

9. Financial implications

- 9.1 All financial implications are covered in the background section of the report and, in particular, paragraphs 5.15 to 5.31.
- 9.2 The financial model is based on prudent assumptions but has been tested with different scenarios considering a different unit mix, higher purchase costs and higher funding costs as the most significant variables. The model has headroom in which to absorb the impact of such changes both individually and cumulatively whilst still delivering a surplus within the LLP.
- 9.3 Whilst stated in section 5, it is important to emphasise that although the Council will incur expenditure during the implementation period including legal fees and the setup costs on behalf of the Charity and the LLP as well as the purchase and refurbishment cost of the homes, it will be fully reimbursed via the premium paid on the head lease. As a result, there will be no long-term increase in the level of debt of the Council from this programme and any temporary borrowing costs will be offset upon lease of the properties to the LLP.
- 9.4 The key financial risks for the scheme and ongoing operational management by the LLP are:
- Purchase costs – the cost of acquiring the homes is based on prudent estimates and prior experience. In the event, however, that sufficient homes cannot be identified, the financial model can absorb higher initial costs. Alternatively, to mitigate, the Council could opt to stretch the initial acquisition period to longer than the planned 18 months or vary the unit mix to increase the acquisition of homes where supply is more plentiful, i.e. if three bed houses are difficult to purchase at an acceptable price, the Council could buy more two bed flats.
 - Inflation – the cost of financing is linked to inflation for the length of the funding agreement of 40 to 50 years. The risk of inflation being very high is mitigated by including a cap of 5% as the maximum by which the payment to the funder can go up by in any one financial year.
 - Local Housing Allowance – the model assumes that LHA will increase by inflation each year in line with the increase in the cost of financing. There is a risk that, over time, the increases will be less than inflation. This is mitigated in the short term by government announcements that LHA will increase by CPI +1% for the next four years and, in the longer, by the option the Council will have, via the lease, to flip the homes to an alternative form of affordable or market rent to support the financial model if required.
 - Reduced need for affordable accommodation – although there is a very high level of need for affordable homes at the current time, this could reduce in the future.

In that event, the Council, via the lease, has the option to vary the use of the homes to be let at an alternative form or affordable or market rent.

- Higher management and/or maintenance costs – the costs incorporated in to the financial model are based on the experience of the Council's own stock and that acquired in recent years. It is possible that the homes purchased could prove to be more expensive to operate in the future, though this would be expected to be identified in any surveys conducted prior to acquisition. Additionally, should a particular property subsequently be identified as more expensive to retain and the additional operational cost cannot be contained, there will be scope to adjust the agreements for that home.

10. Health, Wellbeing and Community Safety Implications

- 10.1 The effects of living in unsuitable or poor housing on a person's health and well-being are well documented. Increasing the supply of affordable housing will contribute towards meeting local housing needs and improving the housing conditions of households in Colchester. Households will benefit from a secure affordable home which is in good condition and well managed. Tenants will have the support of Colchester Borough Homes housing management and tenancy support services. The 100 Homes project will also contribute to making neighbourhoods safe places to live. Colchester Borough Homes, who will manage the properties, are well placed to contribute to positive community safety outcomes for residents and already participate in local partnerships to achieve this.

11. Standard References

- 11.1 There are no particular references to consultation; or health and safety implications.

12. Risk Management Implications

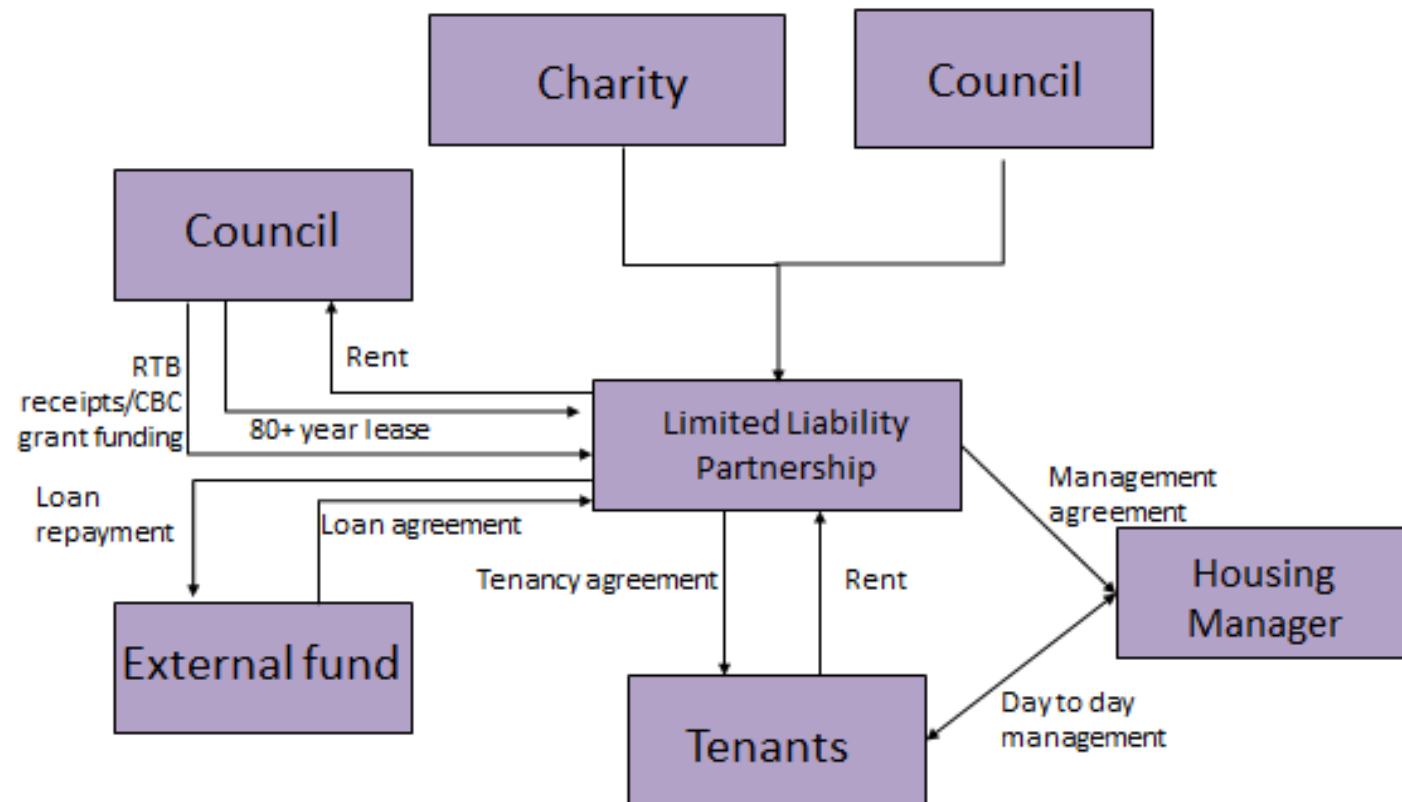
- 12.1 The key financial risks are covered in section 10 above.
- 12.2 The additional, non-financial risks are:
- Not acquiring the required level of homes and not improving the outcomes for approximately 100 households. This is mitigated by including provision to ensure the programme is adequately resourced with suitable project and property staff. There is already proven success at acquiring homes through previous acquisition projects and a robust process has been established.
 - Lower than anticipated levels of homelessness leaving the LLP with more homes than the Council can nominate to from its Housing Register. With the numbers currently on the register, this is an exceptionally low risk but, should it materialise in the future, the LLP will have the flexibility to let the homes at an alternative affordable or market rent.

13. Environmental and Sustainability Implications

- 13.1 The 100 Homes project will have a positive impact on the environment and sustainability. In particular, across the three sustainability and environmental themes, the 100 homes project will have a positive impact on:
- a) the economic objective – affordable housing will be made available in the right places and at the right time and at a cost that those on low incomes can afford;
 - b) the social objective – the 100 Homes project will support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations;
 - and c) the environmental objective – the 100 Homes project will see improvement works carried out to properties which improve the fabric of the home and improve energy

efficiency therefore assisting with mitigating and adapting to climate change, including moving to a low carbon economy.

100 homes project



Report of	Assistant Director for Place and Client Services	Author	Darren Brown ☎ 282891
Title	Housing Revenue Account Estimates 2020/21		
Wards affected	All		

1. Executive Summary

- 1.1 This report sets out the Housing Revenue Account budget for 2020/21, including proposals for changes to tenants rents for the coming financial year, and the management fee payable to Colchester Borough Homes. It includes at Appendix C a forecast of the potential expenditure requirements and income projections for the HRA for the next 5 years, and the updated 30 year HRA financial model at Appendix E.

2. Recommended Decision

- 2.1 To approve the 2020/21 HRA revenue estimates as set out in Appendix A.
- 2.2 To approve dwelling rents as calculated in accordance with central Governments rent policy (set out in paragraph 5.8).
- 2.3 To approve the HRA revenue funded element of £6,962,500 included within the total management fee for Colchester Borough Homes (CBH) (set out in paragraph 5.15).
- 2.4 To note a revenue contribution of £2,716,000 to the Housing Investment Programme is included in the budget (paragraph 5.31).
- 2.5 To note the HRA balances position in Appendix B.
- 2.6 To note the Medium Term Financial Forecast (MTFF) set out at Appendix C and the 30 Year HRA financial position set out at Appendix E.

3. Reasons for Decision

- 3.1 Financial Procedures require the Assistant Director for Place and Client Services to prepare detailed HRA estimates for approval by the Cabinet, setting the new rent levels for the new financial year.

4. Supporting Information

Key Issues for 2020/21

4.1 There are a number of key issues relating to the HRA budget for 2020/21, with further details being included within the main body of the report. However, in summary they are as follows;

- This is the first year when rent increases will return to the Government's formulaic increase of Consumer Price Index (CPI) + 1%, following the imposed rent reduction of 1% from 2016/17 to 2019/20.
- A revised Asset Management Strategy was produced as a result of the Housing Futures Programme, and the outputs have been included in this report and the Housing Investment Programme report elsewhere on the agenda. The Council will review its Asset Management Strategy in 2020 following the end of the Governments 4 year rent reduction policy.
- This is the seventh HRA budget to be set under the terms of the new management agreement with CBH. The management fee consequently contains a larger range of budgets, and the budget is set with an emphasis on the medium term, to provide more stability and meet the governance arrangements within the new management agreement.
- This is the seventh HRA budget to be set in the context of the new 30 year HRA Business Plan, which was approved by Cabinet at its meeting on the 27th November 2013. The budget therefore reflects the strategic priorities identified within the HRA business plan.
- This is the ninth year of HRA Self-Financing, which radically altered the funding of Council Housing, and the investment in the housing stock and other projects is reflected in this report and the Housing Investment Programme report included elsewhere on the agenda.
- The project to replace the current Housing Management IT system is underway, with the majority of the investment required in 2020/21.

Prudence

4.1.1 This report and the 2020/21 Housing Investment Programme included elsewhere on the agenda reflect significant capital spending plans over the next 5 years, reflecting the clear signal and expectation from Government that Councils will increase the supply of Council housing through new build etc, following the abolition of the HRA debt cap. For information, the Councils housing stock at 1st April 2019 totalled 5,900 dwellings, with a balance sheet value of £371.4million.

4.1.2 In April 2012, the Council took on circa £75million of debt, determined as affordable by the Government under the HRA Self-Financing settlement. In the years thereafter, any new investment and its affordability has been assessed as part of the update of the 30 year HRA Business Plan. As set out in this report, the current and further planned investment and associated borrowing cost continues to be affordable, as demonstrated by the interest cover ratio in paragraph 5.29.

Housing Rents

4.2.1 The Governments 4 year rent reduction period ended in 2019/20, and the Government has already announced that rents will revert to the previous formulaic increase for a period of 5 years. Therefore, rents will increase by Consumer Price Index (CPI) + 1% from 2020/21 to 2024/25, which means we are continuing to set **dwelling rents within Communities and Local Government (CLG) guidelines and so the annual increases in rents paid by tenants are set by reference to national Government policy.** The Government expects local authorities to apply rent restructuring to all their HRA properties, and is the assumption the Government made when establishing the amount of debt we would take on under HRA Reform. As a reminder, the aim is that social rents reflect the condition and location of properties, local earnings and property size. Each

property continues to have a target rent calculated using the Government's formula, and this increases annually by the September CPI figure + 1.0%. Rents are able to be moved to target rent when the property becomes empty, and there are caps in place to protect tenants from very large increases.

4.2.2 There is no information to suggest what will happen to rents after 2024/25, but the assumption within the MTFF and 30 year Business Plan is that rents will continue to increase in line with the Consumer Price Index (CPI) + 1%.

4.3 As part of the process for setting the 2020/21 HRA budget, it is necessary to revisit the 2019/20 position to forecast the predicted level of HRA balances along with identifying any risk areas or cost pressures which could have an impact in future years.

2019/20 Revised Housing Revenue Account

4.4 Appendix A shows the Revised Housing Revenue Account (HRA) estimates for 2019/20. There have been some amendments to the original budget for 2019/20 during the course of the current financial year. A reconciliation is therefore provided in the following table between the Original and Revised budget for 2019/20:-

Reconciliation between Original and Revised 2019/20 HRA Budget

	Budget 19/20	Commentary
	£'000	
Original Budget Deficit	-	Agreed 30 th January 2019
2018/19 Budgets c/fwd	191	Agreed by Assistant Director of Policy and Corporate
Revised Budget Deficit	191	

2019/20 Forecast Outturn Position

4.5 When considering the financial position of the HRA, in addition to the adjustments to the 2019/20 original budget shown in the above table, it is important to note the 2019/20 forecast outturn position. It is currently predicted that the HRA will be on budget at the year-end. The table below provides a breakdown of this net position. In addition, commentary is provided on the major variations;

	Outturn 19/20
	£'000
Employee costs	(14)
Net Rental & Tenants Service Charge Income	283
<i>One-off/Technical Items</i>	
Revenue Contribution to Capital (RCCO)	(269)
Forecast 2019/20 Outturn Variance	-

- It is forecast that we will receive less rental and tenants service charge income of £283k. This primarily reflects the net impact of rental & service charge income being lost from dwellings and garages than assumed within the budget, through a combination of voids and the level of Right to Buy sales, along with the timing of acquisition and additions to our housing stock. The net impact of the HEYLO scheme no longer going ahead is also reflected in this forecast.
- As a result of the income forecast this financial year, a reduced Revenue Contribution to Capital of £269k to fund the Housing Capital Programme in 2019/20 is forecast.

- 4.6 To provide a further explanation of the forecast outturn position, the funding of the Housing Investment Programme considered elsewhere on the agenda is derived from a number of sources. After firstly taking into account depreciation, grants and capital receipts etc, the remaining sources of funding are revenue resources from the HRA as detailed in this report, then finally borrowing in the form of new loans. Any opportunity to forego new borrowing so that interest costs can be minimised should be taken.

HRA Reform

- 4.7 Members will be aware of the implementation of the national reform of the Housing Revenue Account from April 2012. The 2020/21 budget therefore reflects the ninth year of operating within this financial regime for the HRA, with commentary included on the medium and long-term outlook in this report.
- 4.8 Appendix E summarises the 30 year financial modelling for Colchester's HRA. This is set out using the standard approach, which is to show each of the first 5 years individually, then group the remainder of the model in 5-year bands. Further information is provided at paragraph 7, including some of the underlying principles and assumptions that are included. Given the long time-span this modelling covers, it will clearly change as time progresses as both internal and external influences have an impact. However, what it does provide is an indication of the long-term viability of the Council's HRA, given the assumptions made and the plans the Council has already identified and committed to.

5. 2020/21 Housing Revenue Account Budget

- 5.1 Appendix A shows the Housing Revenue Account (HRA) estimates for 2020/21. This shows a predicted HRA deficit of £500k, which represents a planned use of HRA balances.
- 5.2 It should be noted that the MTFE included within the 2019/20 HRA budget cycle and considered by Cabinet on 30th January 2019 estimated a break-even budget for 2020/21. Although this is now showing as a deficit, this simply reflects that we are planning to use HRA balances that have been specifically earmarked to fund the replacement of the Housing Management system.

Balances

- 5.3 The prudent level of uncommitted balances for the HRA is currently £1,600k. This recognises the transfer of risk from Central to Local Government resulting from HRA Reform, as well as providing for any adverse effects of inflation, interest rates, or Right To Buy sales on the HRA. Whilst there is certainty around interest rates given we have secured long-term fixed rates on our HRA Reform settlement debt, the abolition of the debt cap and our plans to borrow does bring a risk relating to increasing interest rates. The risk surrounding welfare reform continues to be recognised in our assessment of HRA balances.
- 5.4 A risk assessment has been undertaken to review the minimum prudent level of HRA uncommitted balance the Council should maintain. The results of this review are set out

at Appendix D and show that it would be reasonable to retain the uncommitted balance at £1,600k. This will continue to be reviewed annually.

- 5.5 The estimated balances for the HRA are set out in Appendix B. The anticipated level of the uncommitted HRA balance as at 31st March 2021 is £1,600k, which is equal to the recommended prudent level. This means we are now running the HRA at the minimum prudent level of revenue balances, and any additional cost or saving that might arise could impact on the amount of any new borrowing undertaken.
- 5.6 The budget at Appendix A shows that we are using as much of our revenue balances as possible to make a Revenue Contribution to fund the Housing Investment Programme. This is because it is deemed to be a more economical use of resources, rather than fund the capital programme by undertaking additional borrowing and thus incurring additional borrowing costs. This fits with the prioritising of resources indicated in this report and in the Housing Investment Programme elsewhere on the agenda. From 2020/21 thereafter, the assumption is that where required, revenue contributions to the capital programme will be made up to the point that the minimum recommended level of balance is reached.
- 5.7 Members will be aware that we are replacing our Housing Management system, which means a significant level of investment is required in 2020/21. This includes the cost of purchasing and implementing the system, as well as the cost of running the project, which is being undertaken jointly by officers from the Council and CBH. We have been earmarking resources for this purpose in recent years, therefore it is intended to use £500k of HRA balances to partially support the one-off investment required in 2020/21 for this project.

Income

Housing Rents

- 5.8 By following the rent increase formula, we are continuing to set **dwelling rents within Communities and Local Government (CLG) guidelines and so the annual changes in rents paid by tenants are set by reference to national Government policy**. The average rent proposed for 2020/21 is £87.43 per week compared to a current average of £85.13, an increase of £2.30 (2.7%) per week. It is difficult to anticipate future rent increases after 2020/21, given the potential for the rate of inflation to vary in the short to medium term and also for any further changes in Government rent policy. However, modelling within the MTFF and 30 year financial modelling has been undertaken using reasonable estimates of inflation rates.
- 5.9 Sales of council houses under the Right to Buy (RTB) scheme could reach 30 this year (29 sold in 2018/19 and 46 sold in 2017/18), which is in-line with the number included in the 2019/20 HRA budget. The level of sales has levelled out in recent years, therefore the 2020/21 budget has been set assuming the sale of 30 properties, being broadly in line with the current year. The MTFF and longer term modelling does not assume a reduction in the number of sales until 2023/24. However, these assumptions will be reviewed annually as part of our future budget setting.
- 5.10 The budget for 2020/21 has been set using the assumption that there will be a loss of rental income of 1.50% resulting from empty properties. This is consistent with the 2019/20 budget and is intended to provide for any additional void loss that may arise as a result of the various changes being undertaken within the housing stock.
- 5.11 Given the abolition of the debt cap, Cabinet has already agreed plans to increase our Council Housing stock, through a combination of new build and acquisitions. The 2020/21 budget includes an estimate for the additional rental income these measures will generate.

Other Income

- 5.12 The rents for garages are included in the fees and charges report agreed by the Portfolio Holder for Housing and Communities, and continues the policy that reflects a pricing strategy based on market forces.
- 5.13 There are a range of other fees and charges for services which are made to Tenants and Leaseholders, which are agreed by the Portfolio Holder. The budget for 2020/21 assumes that the demand for these services will remain the same as the current financial year, unless mentioned otherwise.
- 5.14 The de-pooling of service charges to individual tenants was implemented in 2008/09. There have not been any new service charges introduced for 2020/21, only an update of existing charges to reflect the actual cost of the services provided.

Expenditure

Colchester Borough Homes Management Fee

- 5.15 As part of the new management agreement which commenced in August 2013 between the Council and CBH, the management fee has been expanded to reflect the wider range of services CBH now provides on behalf of the Council. The fee incorporates the day to day repairs and maintenance budgets and associated overheads, along with the fee for managing the capital programme, as a result of the new housing arrangements. The management fee is funded from several sources within the Council's accounts, namely the Housing Revenue Account, the Housing Investment Programme, as well as the Council's General Fund. The following table analyses the total CBH management fee, and provides details of where the funding is shown in the Council's overall budget:

Breakdown of 2020/21 CBH Management Fee

	<i>Budget 20/21</i>	<i>Funding Source</i>
	£	
CBH Management costs	3,652,500	CBH Ltd Management Fee at Appendix A
R&M Management Fee	528,000	Included in Repairs & Maintenance at Appendix A
R&M Works	2,782,000	Included in Repairs & Maintenance at Appendix A
Sub-Total: HRA	6,962,500	
Capital Fee	1,371,700	Included within the 2020/21 Housing Investment Programme
Sub-Total: HIP	1,371,700	
Anti-Social Behaviour Team	49,500	Included within the 2020/21 General Fund Budget
Professional Support Unit	126,000	Included within the 2020/21 General Fund Budget
Housing Options Team	648,600	Included within the 2020/21 General Fund Budget
Facilities Management/ Engineering Team	520,200	Included within the 2020/21 General Fund Budget
Housing Systems Team	85,600	Included within the 2020/21 General Fund Budget
Sub-Total: General Fund	1,429,900	
Total Management Fee	9,764,100	

- 5.16 The base management fee for 2020/21 includes an allowance for pay inflation, along with an increased provision following a review of the cost of services CBH buys-in from the Council.
- 5.17 Members will be aware that at its meeting on the 27th November 2013, Cabinet approved the Council's 30 year HRA Business Plan. The 2020/21 budget and management fee include the continuation of a number of service enhancements, which reflect the strategic priorities identified by Cabinet and which are included within the business plan. The majority of these are incorporated within the existing CBH Management Fee and Council budgets, with additional resources being directed in particular to supporting tenants.

Management Costs

- 5.18 The 2020/21 HRA budget includes £7,262,900 for management costs, an increase from 2019/20 (£5,993,300). Management costs form a substantial part of the HRA annual expenditure, and they consist of budgets managed directly by the Council, as well as those which are managed on behalf of the Council by CBH. Further information along with an explanation for any material changes from the 2019/20 budget is given in the following paragraphs;
- 5.19 The budget for Premises costs has decreased by £48,500 for 2020/21. The provision for the revenue costs of the HEYLO Housing scheme has been removed, as the scheme is no longer going ahead. There has been an increase in the budgets for utilities, reflecting an update on usage and pricing, as well as increases for budgets relating to Grounds Maintenance budgets and Cleaning contracts.
- 5.20 The budget for Supplies and Service costs has increased by £748,200. The provision in the 2019/20 budget to replace our Housing Management system has been increased by £650,000 for 2020/21, to meet project and implementation costs. These costs will fall-out in the 2021/22 budget. The new system provides us with a solution that meets the Councils ICT strategy, is fully supplier hosted and also meets the current and future business needs of CBH and our customers. Investment is also being made in replacing existing IT kit, and office 365 licence costs.
- 5.21 The budget for Removal and Disturbance payments has been increased by £50,000 as a provision for the refurbishment programme at Elfreda House.
- 5.22 The HRA receives a significant level of recharges from other Council services, along with a proportion of central support costs, such as Corporate and Democratic Core and Pension costs associated with the back-funding of the scheme. The total budget for 2020/21 has increased by £525,700 from 2019/20. This primarily relates to an additional cost of £495,000, which reflects the continued approach of paying 3 years pension deficit funding contributions "up-front", which results in an overall saving over 3 years. This is the same approach adopted within the Councils General Fund budget for 2020/21, which is considered elsewhere on the agenda. The budget will reduce back down for 2021/22 & 2023/23.

Repairs and Maintenance

- 5.23 The 2020/21 Housing Investment Programme has been drafted and is included elsewhere on the agenda for approval. In respect of revenue works £5,334,400 has been included in the budget for repairs and maintenance (compared to £5,156,400 in 2019/20), of which £3,310,000 is specifically for works and associated overheads included within the CBH Management Fee. A provision of £1,795,000 is included in the budget for those works which are managed by CBH on behalf of CBC, such as external decorating and gas servicing, but where CBC still hold the contract. The balance of the budget is for works to sewage pumping stations, temporary accommodation and other CBH delegated areas. The revenue budget provides for repairs that are undertaken on a

responsive basis, as well as works to void properties, and maintenance which is carried out under a planned programme such as external decorating and gas servicing.

Capital Financing Costs

- 5.24 The budget includes the statutory charges to the HRA for the interest costs of the Councils borrowing in respect of the housing stock. This represents a significant proportion of the Councils HRA expenditure each year. It is worth noting that any new borrowing to fund the overall Housing Investment Programme next year may be borrowed internally from the Councils General Fund, subject to the levels of borrowing required and funding available, which is at a lower rate than would be payable were we to borrow externally. This also delivers a benefit to the General Fund, as it would be receiving more interest than it would attract were it to invest externally. This approach has been considered and agreed as part of the Council's treasury management strategy.
- 5.25 No provision has been made at this point in time for the annual repayment of any HRA debt, as there is no statutory duty to provide for it. The Council though is statutorily responsible for self-managing its long-term indebtedness. The Council now has circa £130million of housing debt, and it would be prudent to start to consider providing for some repayment in the future. The Treasury Management Strategy Statement approved by Cabinet on 25th January 2012 stated "That the Council plans to make Voluntary Revenue Provisions (VRP) for the repayment of HRA debt to enable maturing debt to be repaid, whilst ensuring that this does not create an adverse impact on the business case". However, this also needs to be considered alongside the investment requirements of the housing stock, and the clear message from Government that local authorities are expected to increase their Council housing stock to help address the housing crisis.
- 5.26 Given the need to undertake additional HRA borrowing to support the Housing Investment Programme over the next 5 years, it would currently seem impractical to set-aside revenue resources for debt redemption over this period of time, which as a result would leave a funding gap which would need to be met by further borrowing (and hence incur additional revenue interest costs). However, this should be considered each year as part of the Councils annual budget setting process and review of the 30 year HRA financial model. Given the medium term investment needs currently identified and priorities agreed by Cabinet, it is proposed that no voluntary provision for debt repayment is included in the 2020/21 budget or MTFF at this point in time.
- 5.27 The 2020/21 Housing Investment Programme report included elsewhere on the agenda contains significant capital spending plans over the next 5 years, directly as a result of the Governments abolition of the HRA debt cap and the clear signal and expectation that Councils will increase the supply of Council housing through new build etc. This expenditure will be funded through a combination of using our retained 1-4-1 Right To Buy receipts, and prudential borrowing. The Councils General Fund is already able to borrow using prudential borrowing, so the HRA is simply now being treated consistently.
- 5.28 The Councils Treasury Management Strategy is included elsewhere on the agenda, and contains prudential indicators which assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances, and include the HRA. It is also proposed to continue using the following indicator within this report, which is a measure also adopted by Registered Providers to demonstrate how easily they can pay their interest costs:

- 5.29 **Interest Cover Ratio.** This indicator identifies the ability of the net operating surplus in the HRA to meet the interest costs of HRA debt. It would be reasonable to expect this indicator to be in the region of 1.50 or above.

18/19 Actual	19/20 Estimate	20/21 Estimate	21/22 Estimate	22/23 Estimate	23/24 Estimate	24/25 Estimate
1.63	1.46	1.49	1.63	1.54	1.51	1.53

Revenue Contributions to Capital Outlay (RCCO)

- 5.30 The Council has continuously made revenue contributions to capital spending recognising the significance of targeting resources to invest in our Housing Investment Programme. Given the regime of HRA self-financing and the additional revenue resources subsequently generated, the Council is able to make significant revenue contributions to support the capital investment included within the Housing Investment Programme.
- 5.31 The revenue contribution included in the estimates is £2,716,000. The majority of this budget is to support the capital work programmes to the housing stock in 2020/21, which are included within the Housing Investment Programme report elsewhere on the agenda. However a provision of £140,000 has been included for ICT, which is intended to support various projects, most notably the replacement of the existing Housing Management system.

Risk areas and budget review process

- 5.32 Some of the key variables that may impact during the year are shown in the table below:-

Area	Comment
Rental Income	The budget makes assumptions on the future level of Right To Buy sales and void levels. These are to a certain extent demand led and due to the significance of Rental Income within the HRA, can have a significant effect on the level of the HRA balance. Furthermore, the risk exists that the Government could change rent policy unexpectedly, as demonstrated by the rent reduction announcement in 2015.
Governments Welfare Reform	The budget includes an estimate of the impact of Welfare Reform. As well as providing for transaction costs etc, the budget also includes an estimate of the potential impact upon rent arrears and consequently the level of bad debts provision we would need to maintain.
New Build	The budget makes assumptions on the numbers of new properties being built, the amount and timing of expenditure, and the amount of borrowing required. These factors can all change as schemes progress.
Revenue Contributions to Capital (RCCO) / Prudential Borrowing	Capital Resources have been provisionally allocated for 2020/21 within the Housing Investment Programme report contained elsewhere on the agenda. If these resources prove insufficient, then options exist to either finance capital expenditure from revenue, or undertake additional HRA borrowing. Clearly, if one of these options was pursued, then there will be a requirement to find additional resources from the HRA.
Repairs and Maintenance	Historically, this is an area where pressure has existed on budgets such as Responsive and Void repairs, given that they are demand-led. However, in recent years this has become less of a risk. These budgets now form part of the CBH Management Fee, and the terms of the management agreement specify that CBH will be liable for any overspend

Area	Comment
	up to a maximum of £200k per year, but also that they may retain any underspend up to £100k per year. Therefore, there could be a reduced impact on the HRA of variations in expenditure.
Utility costs	The budget makes assumptions on future prices for Gas and Electricity that are consumed within the Council's housing stock, such as Sheltered Schemes, Temporary Accommodation and Communal entrances in blocks of flats. Given the volatility of utility prices in recent years, there is a risk that prices could rise, the cost of which would have to be funded from existing resources or HRA balances.
2019/20 Outturn	An overspend of £269k is currently predicted for this year, which means a greater proportion of our Housing Capital Programme will be funded from new borrowing. Any variance on the forecast will result in a higher or lower RCCO, which will have a knock-on impact on the amount of any new borrowing undertaken.

- 5.33 As shown in paragraph 5.32 above several key variables have been identified. It is therefore essential that a programme of formal reviews of the HRA be set out to provide an opportunity to make changes to resource allocations during the year. The following schedule therefore sets out a suggested framework for these reviews.

Review	Comment
March 2020	Updated outturn forecast.
July 2020	Provisional pre-audit outturn / current year issues etc.
September 2020/ October 2020	Mid-year review.
December 2020 / January 2021	Outturn review / Budget 2021/22.

6. Supporting Information - Medium Term Financial Forecast (MTFF)

- 6.1 As part of the budget process for 2020/21 a MTFF has been produced for the HRA. This sets out the indicative budget position for the period 2020/21 to 2024/25. Although we are operating under the HRA Self-Financing regime, and more certainty is now in place, assumptions still have to be made around inflation rates, void levels, bad debts and increases in costs etc, which can of course change. To that extent, the MTFF should still be viewed as indicative.
- 6.2 Appendix C sets out the MTFF for the period analysed by the main areas of expenditure and income. This shows that the level of uncommitted HRA balance is able to be maintained at prudent levels throughout the MTFF. This is after meeting all the running costs of managing & maintaining the housing stock, along with servicing the borrowing costs on all HRA debt. It is also after substantial revenue contributions have been made to support the Housing Investment Programme. Planning to run the HRA balance at the minimum prudent level fits with the principle that it is more cost effective to minimise/reduce borrowing costs where possible, rather than hold a higher revenue balance than is prudently required, whilst also providing reassurance to tenants and residents that the Council is wisely managing its finances and its housing stock. This approach fits with the principle referred to in paragraph 5.6 above. The recommended level of uncommitted balance on a risk based approach is £1,600k. There are several factors which can affect the forecast position, namely:-

➤ **Capital financing**

Given the treasury management strategy relating to our HRA Reform debt settlement was to borrow at fixed interest rates, this means we are able to plan with certainty into the long-term surrounding the financing costs of this debt. The MTFF includes assumptions on the interest rate we will have to pay on the further HRA borrowing that would need to be undertaken to support the Housing Investment Programme, included elsewhere on the agenda. Given that any future additional borrowing would be undertaken at the prevailing interest rates at the time, for the purposes of the MTFF a reasonable assumption has been made on what those rates might be. This will be reviewed as part of the annual budget setting process.

➤ **Debt Repayment**

As a result of the Governments “Re-invigorating the Right To Buy” policy in 2012, Councils are selling more properties than Government assumed as part of the original HRA Reform debt settlement in April 2012. The Government therefore introduced a system which shares capital receipts. Part of this sharing enables Councils to re-invest capital receipts in the replacement of these additional sales (namely 1-4-1 RTB receipts). It also allows Councils to retain a proportion of capital receipts to reduce HRA debt, which are held in a separate reserve. The logic being that each property in the HRA supports the overall level of HRA debt through its net rental income (excess of rental income over running costs). Therefore, if we didn’t reduce debt, it would mean our HRA Business Plan would have debt but without the necessary number of dwellings to service that debt as a result of their sale. Therefore by reducing debt, we would reduce our interest costs payable and be able to maintain existing levels of services to tenants and leaseholders. Put another way, if we did not reduce our debt, an increasing proportion of tenants rental income would be spent on interest costs, with a decreasing proportion being spent on existing services.

The next opportunity to repay debt is in May 2020, when a £17.6million loan matures. It has been forecast that there will be circa £6million in the debt repayment reserve at that point in time. Therefore, at the time of maturity, it is assumed that we will re-finance and use the resources in the reserve so we can borrow a lower figure. Using these figures, it would mean we would take out a new loan of £11.6million. Hence our overall level of debt would reduce by £6million and there would be a saving to the HRA as interest costs payable would be lower, due to the lower level of debt and the projected borrowing rate being considerably lower than that of the current loan.

➤ **Rental income**

From 2020/21, the MTFF reflects the Governments announcement that rent increases will return to the previous formula of CPI + 1% up until 2024/25. There has been no indication from Government what rent policy would be after that year. The assumptions on the number of Right To Buy sales and the level of anticipated rent lost through void properties have been updated to reflect recent activity, but once again these are areas which can significantly alter the forecast of Rental Income and are to a certain extent demand led.

➤ **Welfare Reform**

Continued provision has been made within the MTFF for the estimated potential effect on levels of rent arrears and bad debts, resulting from the introduction of Welfare Reform by the Government. The contribution to the provision for bad debts has been broadly maintained at the level for 2019/20 going forwards, with the level of provision being reviewed annually as part of the budget setting process.

- 6.3 The MTFF therefore provides a baseline position against which to make decisions as to the allocation of HRA resources and to determine the budget strategy over the next 5 years. The MTFF will be updated on a regular basis.

7. Supporting Information – 30 Year Financial Modelling

- 7.1 The implementation of HRA Reform in 2012 brought the expectation that Councils will take a greater business planning role when managing their Housing Revenue Account. Cabinet approved the Councils 30 year HRA Business Plan at its meeting on 27th November 2013. This included a 30 year financial model which set out the long-term position of the Councils HRA, using 2013/14 as the base year. As part of the 2020/21 budget setting process, this model has been refreshed and updated. This is summarised at Appendix E. This is set out using a standard approach, which is to show each of the first 5 years individually, then group the remainder of the model in 5-year bands. It incorporates expenditure & income for both revenue and capital, along with the HRA balances and debt position.
- 7.2 The information provided by the model for future years should be viewed as indicative. This is because a number of assumptions have to be made when projecting into the future, and the following paragraphs give some further details on these. Given the potential for these to vary, the impact upon the modelling could result in an improvement or decline in the position shown, dependant on the size of change and the degree of impact upon the plan. However, prudent assumptions are made wherever possible to protect the Councils financial position and to ensure the ongoing viability of the HRA.
- 7.3 Officers have undertaken sensitivity analysis on the 30 year model to evaluate the impact any change or combination of changes in the assumptions could have. Further information on the work undertaken is provided at paragraph 7.24.

Income Assumptions

- 7.4 One of the key drivers within the financial model is inflation. This is the factor which determines future annual rent increases for tenants, and it is this income which we are able to retain in the future to meet the increased stock investment and additional borrowing costs resulting from our increased debt arising from HRA Reform.
- 7.5 The Government announced that when the 4 year period of rent reductions ends, rents would revert to the previous formulaic increase for a period of 5 years. Therefore, rents will increase by Consumer Price Index (CPI) + 1% from 2020/21 to 2024/25. For the purposes of Business Planning, it has been assumed this formulaic increase will continue from 2024/25 for the remaining duration of the 30 year model. There is currently no indication to suggest that this is going to alter. As a reminder to members, a change in rent policy is the example the Government at the time quoted within the HRA Reform debt settlement that would possibly re-open the original debt settlement. However, this did not occur. Therefore, Colchester along with all other housing authorities nationally, entered into the new self-financing HRA arrangements at the time on the basis that the Government was providing certainty on national rent policy, which clearly changed.
- 7.6 Assumptions have been made within the model for changes in stock numbers, primarily from Right to Buy sales and from the additional stock that will be delivered as part of our new build and acquisition plans. These assumptions are consistent with those made in the budget and MTFF. The Council has entered into agreement with DCLG to retain additional RTB receipts to deliver new affordable housing, and the proposals already approved by Cabinet should minimise the amount that has to be repaid to Government.
- 7.7 Assumptions have been made regarding rent lost from void properties and bad debts. An allowance has been made for ongoing operational voids, as well as an ongoing increase to the level of bad debts provision we may need to hold following the introduction of the Governments welfare reforms.
- 7.8 It has been assumed that income from garages will increase in line with CPI. There is the potential for this to increase, with the improvement to the financial model coming through a combination of reduced void levels as well as an increase in annual charges.

- 7.9 All other income budgets are assumed to increase in line with inflation.

Expenditure Assumptions

- 7.10 Similarly to income, inflation can have a significant impact upon expenditure levels within the 30 year financial model. It has been assumed that the Retail Price Index (RPI) will be 1% higher than the Consumer Price Index (CPI), although the assumption that rents will increase by CPI + 1% means inflation on expenditure will be at the same rate as assumed for income.
- 7.11 Management costs have been assumed to remain at the current base level throughout the life of the 30 year model, subject to inflationary increases. The exception to this is where it is known they will alter, for example tri-annual reviews of the pension scheme by Essex County Council, or where one-off sums have been included within the base budget.
- 7.12 Maintenance costs have been extracted from the Councils 30 year Asset Management Strategy. Assumptions have been made around future increases in line with general inflation, but these costs are also subject to changes to the BCIS (Building Cost Inflation) and market conditions that impact as contracts are re-tendered.

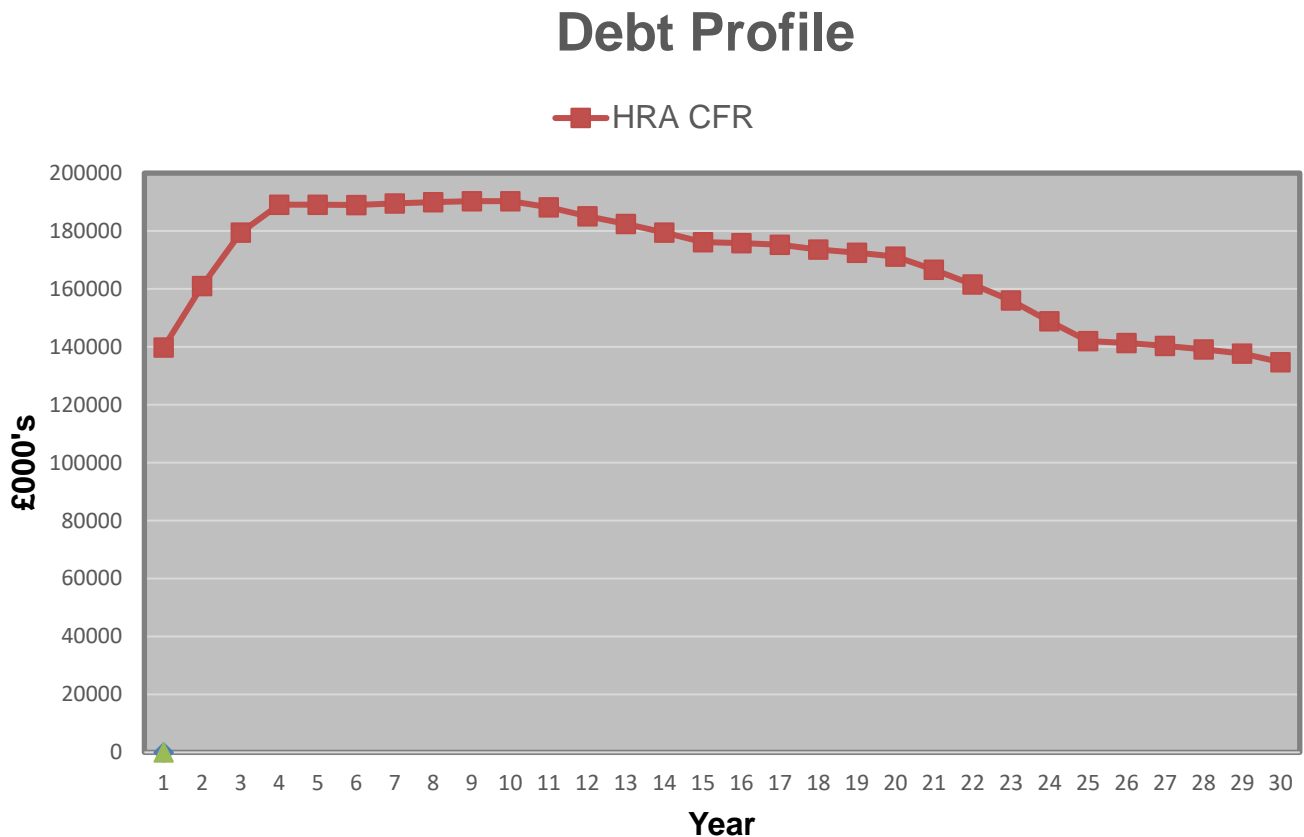
Funding & Financing Assumptions

- 7.13 The Council's Asset Management Strategy includes the expenditure requirements of our housing stock over the next 30 years. This has been reflected in the 30 year financial model. The day to day repairs and maintenance costs are funded from the revenue account, whilst the capital expenditure requirements are funded from a variety of sources which is considered within the Housing Investment Programme (HIP) report elsewhere on the agenda
- 7.14 The priority of how resources are used to fund the HIP is contained within that report for 2020/21, which in summary is aimed at using specific grants and capital receipts first, then reserves, with the intention of preserving revenue resources as far as possible as they offer the greatest funding flexibility. Should there be no or insufficient revenue resources available, then additional borrowing would be the final approach. This is because borrowing carries a cost of doing so; therefore it is treated as the last option to gain the maximum use of revenue resources available.
- 7.15 Under HRA Reform, the primary source of funding the Housing Capital Programme, especially in the early years, is a charge to the HRA which reflects the cost of depreciation to the housing stock. This is calculated locally, with reference to our actual stock condition and asset management strategy.
- 7.16 We are able to plan with certainty for the borrowing costs relating to the HRA Reform debt settlement, given that we entered into a number of long-term fixed rate loans. We are currently assuming a rate of 3.5% on any future borrowing undertaken to support the Housing Capital Programme, which will be reviewed annually as part of the budget cycle. However, it should be noted that the impact of interest rates can be significant, given any 1% change in interest rates would result in an annual cost of circa £150k (based on current levels of borrowing).

Debt

- 7.17 The measure of an authority's debt under self-financing is the HRA Capital Financing Requirement (HRA CFR). Our opening HRA debt on 1st April 2019 is expected to be £130.933million. As the HRA debt cap has been abolished by Government, the only constraint on borrowing now is that it is affordable under the prudential borrowing code.

- 7.18 The following graph shows our current debt profile that is being generated by the 30 year financial model. This works on the principle that once all of the costs of managing & maintaining our housing stock have been met, and the interest costs of our HRA borrowing have been paid, any residual income can be used to repay debt. It is important to state that this is an indication of the ability to repay debt, as what actually dictates whether debt is reduced is where the Council actually repay loans as they mature.



- 7.19 The above debt curve is consistent with a business plan for the HRA where a significant level of new build/stock acquisitions etc are being undertaken. In the early years, debt increases and then levels out around mid-way through the plan, then starts to reduce in the second half of the plan as rents have increased sufficiently to enable repayment of debt.
- 7.20 Given the abolition of the HRA debt cap, the Council is planning to undertake additional prudential borrowing to deliver the plans agreed by Cabinet. The following table shows the predicted level of debt over the first 10 years of the current financial model, taking into account the additional borrowing and any provision for the repayment of debt;

Year	Forecast HRA Debt £000's
2020/21	139,810
2021/22	161,069
2022/23	179,534
2023/24	189,058
2024/25	189,058
2025/26	188,996
2026/27	189,562
2027/28	189,994
2028/29	190,257
2029/30	190,319

- 7.21 The projection in the above table is derived from a number of assumptions in the financial model, many of which are out of our direct control, for example inflation, Right To Buy numbers etc. Therefore the figures in the table above should be viewed as indicative.

Outlook Summary

- 7.22 To remind Members, the main test adopted when determining the viability of an HRA business plan is whether the debt is able to be repaid by year 30. This mirrors the process that private funders adopt when considering a stock transfer proposal, as they want to be comfortable that their borrowing is capable of eventually being repaid. However, HRA Reform has put Councils firmly in control of their business plans and it is acknowledged that Councils may wish to retain debt, and in return use those resources which would otherwise have been used to repay debt to provide even greater investment locally, whether it be in relation to the existing housing stock, the provision of new affordable housing and/or improved services to tenants. Therefore, whilst the year by which all debt would be repaid is useful as a measure, it should be considered alongside the Councils overall position on repayment of HRA debt versus the desire to provide maximum investment locally. To this extent, the debt tables in this report reflect Cabinets decisions to deliver the proposals set out in the Housing Investment Programme and plans to increase the supply of Council housing.
- 7.23 The focus has now moved from managing within the debt cap, to managing our overall level of debt and ensure it is affordable in the long-term. The plans to increase our housing stock should be viewed as growth, and will last beyond the current 30 year modelling. As rents increase beyond year 30, then the ability to repay debt or invest further will increase.

Sensitivity Analysis

- 7.24 A key part of business planning is understanding the factors that can influence the outputs, and their potential impact. Therefore, a number of sensitivities can be modelled, to see how they affect the base position. The following table sets out some examples of the sensitivity analysis undertaken and their resultant impact upon the 30 year HRA model, compared to the base position shown at Appendix E;

		Variation to Base Position			
		Scenario 1	Scenario 2	Scenario 3	Scenario 4
	Base Position	Reduction in Inflation of 1% over 30 Years	Increase in Inflation of 1% over 30 Years	Decrease in Inflation of 1%, Increase in RTB's by 10, Decrease in Mgt Costs by £200k in every Year	Increase in Inflation of 1%, Increase in RTB's by 10, Increase in Mgt Costs by £200k in every Year
Peak Debt Year	Year 10	Year 10	Year 5	Year 10	Year 10
Debt at Year 30	£134.8million	£186.4million	£73.7million	£189.7million	£112.7million
Capital Investment affordable over 30 Years	£564.5million	£488.6million	£657.0million	£487.5million	£655.4million

Surplus HRA Balance at Year 30	£2.6million	£2.6million	£2.6million	£2.6million	£2.6million
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7.25 The sensitivity analysis in Scenarios 1 & 2 above demonstrates the impact that inflation can have on the long-term HRA model. If inflation increases, rental income (following the Governments rent policy) increases at a higher rate than expenditure. Also, a large proportion of our costs are not affected by inflation, such as the fixed rate interest costs on our borrowing. Consequently, rising inflation results in a net gain to the HRA. Conversely though, lower inflation results in a net loss to the HRA, as we receive less rental income than we save in lower costs.

7.26 The sensitivity analysis also demonstrates how a combination of variables can influence the modelling, such as changes in inflation rates, numbers of Right To Buy sales and variations in costs for example. Depending on the scale of these changes, they could either bring a significant benefit to/put pressure on the viability of the current plan, or could actually be broadly neutral. Finally, the analysis above assumes any change would exist for each of the 30 years in the HRA, which is highly unlikely given the long time-scale involved, and also assumes no corrective action would be taken if there were a negative impact, which clearly would not be the case. However, it aims to give an understanding of how changes could impact upon the current base 30 year HRA model.

8. Strategic Plan References

8.1 The revenue estimates presented here link to the following areas of the Councils strategic plan:

Growth

- Help make sure Colchester is a welcoming place for all residents and visitors.
- Ensure residents benefit from Colchester economic growth with skills, jobs and improving infrastructure.

Opportunity

- Promoting and improving Colchester and its environment
- Ensure a good supply of land available for new homes through our local plan.
- Promote initiatives to help residents live healthier lives.

Wellbeing

- Making Colchester an even better place to live and supporting those who need most help
- Encourage belonging, involvement and responsibility in all the boroughs communities.
- Create new social housing by building Council homes and supporting Registered Providers.
- Target support to the most disadvantaged residents and communities.

9. Consultation and Publicity

9.1 With the potential consideration of service improvements that would lead to new service charges for tenants, it is anticipated that an appropriate amount of consultation will be undertaken during the course of the financial year.

9.2 The Council conducted the bi-annual STAR survey through ARP Research in April 2018, and will be doing so again in 2020, with the specific aim of obtaining customer feedback through a survey of general needs tenants, all sheltered tenants and leaseholders. In 2018, there was an increased response rate from tenants and leaseholders on previous surveys. Questions were centred on Colchester Borough Homes performance, tenant satisfaction with their homes, neighbourhood and services. The survey also attempted to

identify tenants' priorities on where we focus the provision of non-statutory services. It is planned to repeat the STAR survey during 2020 and the report of the results will be made available to Cabinet and Members, to inform decision-making.

- 9.3 Consultation was previously undertaken as part of the process to review spending plans given the impact of the Governments previous rent reduction policy. A task and finish group was held with a number of tenants and leaseholders on the Asset Management investment plans of the Housing Futures Programme. One of the outcomes of this was that the views of tenants and leaseholders were generally in line with the proposed investment programme. Since that time, the Governments rent reduction policy has ended, and as a consequence, the Council will be reviewing its HRA Asset Management Strategy in 2020, and carrying out consultation as part of this work.

10. Financial Implications

- 10.1 Are set out in this report.

11. Equality, Diversity and Human Rights Implications

- 11.1 This report has no specific human rights implications. Consideration has been given to equality and diversity issues in respect of any budget changes proposed as part of the budget process. This has been done in line with agreed policies and procedures including production of Equality Impact Assessments where appropriate.

12. Community Safety Implications

- 12.1 Through the delivery of improvements to our housing assets and the built environment, the Council seeks to achieve improved outcomes for residents across the borough. This contributes to a reduction in the occurrence of anti-social behaviour, and the incidences of crime through investment in external elements of properties, e.g. UPVC windows and doors, and door entry systems.

13. Health and Safety Implications

- 13.1 This report has no significant Health and Safety implications

14. Risk Management Implications

- 14.1 These have been taken into account in the body of the report.

15. Environmental and Sustainability Implications

- 15.1 There are no direct implications included in this report, however the Housing Revenue Account will be used to deliver environmental and sustainable outcomes where possible, to fulfil the Councils ambitions for carbon neutrality.

Appendices

- Appendix A - Housing Revenue Account Estimates 2020/21
- Appendix B - HRA Balances Statement
- Appendix C - Medium Term Financial Forecast
- Appendix D - HRA Balances Risk Management Assessment
- Appendix E - 30 Year Financial Model

Background Papers

- None

COLCHESTER BOROUGH COUNCIL			
Revenue Estimates 2020/21			
Housing Revenue Account			
Summary			
2018/19		2019/20	2020/21
Actuals	Expenditure & Income Analysis	Revised	Original
		Budget	Budget
£000's		£000's	£000's
	INCOME		
(26,088)	Dwelling Rents (Gross)	(26,176)	(26,241)
(1,022)	Non-Dwelling Rents (Gross)	(1,124)	(1,135)
(2,743)	Charges for Services and Facilities	(2,611)	(2,648)
(81)	Contributions towards Expenditure	(55)	(57)
(29,934)	Total Income	(29,966)	(30,081)
	EXPENDITURE		
4,812	Repairs and Maintenance	5,216	5,334
3,472	CB Homes Ltd Management Fee	3,509	3,653
5,615	Management Costs	6,124	7,263
170	Rents, Rates and Other Charges	192	204
145	Increased provision for Bad or Doubtful Debts	250	250
5,637	Interest Payable	5,884	5,241
10,205	Depreciation and Impairments of Fixed Assets	6,500	6,000
53	Amortisation of Deferred Charges	52	32
70	Debt Management Costs	64	51
30,179	Gross Expenditure	27,791	28,028
245	Net Cost of Services	(2,175)	(2,053)
(3,634)	Net HRA Income from the Asset Management Account	(52)	(32)
(2,091)	Disposal of Fixed Assets	-	-
(113)	HRA Investment Income (including mortgage interest and interest on Notional Cash Balances)	(31)	(131)
(5,593)	Net Operating Expenditure	(2,258)	(2,216)
4,934	Revenue Contribution to Capital Expenditure	2,449	2,716
(659)	Deficit/(Surplus) for the Year	191	500
(3,905)	Deficit/(Surplus) at the Beginning of the Year	(4,564)	(4,373)
(659)	Deficit/(Surplus) for the Year	191	-
(4,564)	Deficit/(Surplus) at the End of the Year	(4,373)	(3,873)

Housing Revenue Account - Estimated Balances

	£'000
Balance as at 1 April 2019	(4,564)
Committed - Capital Spending in 2019/20 and onwards	2,273
Less budgeted deficit/use of balances in 2019/20	191
Plus Forecast underspend in 2019/20	-
<i>Unallocated balance at 31st March 2020</i>	(2,100)
Less Proposed Use of balances in 20/21 Budget	500
Estimated uncommitted balance at 31st March 2021	(1,600)
Recommended level of Balances	(1,600)
Forecast balances above prudent level at 31st March 2021	-

Note:

This forecast is on the basis that there are no further calls on balances during the remainder of the year.

Housing Revenue Account – Medium Term Financial Forecast

Area	Revised Budget 19/20	Budget 20/21	Budget 21/22	Budget 22/23	Budget 23/24	Budget 24/25
	£'000	£'000	£'000	£'000	£'000	£'000
Income						
Housing Rents	(26,176)	(26,247)	(27,228)	(28,414)	(29,629)	(30,713)
Other Income	(3,790)	(3,835)	(3,782)	(3,935)	(4,063)	(4,204)
	(29,966)	(30,082)	(31,010)	(32,349)	(33,692)	(34,917)
Expenditure						
Repairs & Maintenance	5,216	5,334	5,427	5,528	5,640	5,808
Running Costs	9,070	11,370	10,132	10,337	10,765	11,047
Interest Payable	5,884	5,241	5,975	6,849	7,412	7,698
Depreciation	6,500	6,000	6,193	6,411	6,598	6,814
Other Capital Financing	33	(79)	(31)	8	10	11
RCCO	3,454	2,716	3,314	3,216	3,267	3,539
Contribution to Balances	0	0	0	0	0	0
Other	0	0	0	0	0	0
	30,157	30,582	31,010	32,349	33,692	34,917
Budgeted (Surplus)/Deficit	0	500	0	0	0	0
Forecast 2019/20 underspend	0	0	0	0	0	0
Revised (Surplus)/Deficit	191	0	0	0	0	0

Opening Balance	(4,564)	(2,100)	(1,600)	(1,600)	(1,600)	(1,600)
Committed Balance	2,273	-	-	-	-	-
(Surplus)/Deficit	191	500	-	-	-	-
Uncommitted Closing Balance	(2,100)	(1,600)	(1,600)	(1,600)	(1,600)	(1,600)

* It should be noted that it is currently forecast the HRA will be overspent by £269k in 2019/20, which will result in a reduced RCCO in the year. Clearly, if this level of overspend is not achieved, then there will be a resultant impact upon the level of RCCO we are able to make, and thus a knock-on impact on the amount of any new borrowing required.

Review of Housing Revenue Account Balances 2020/21

Risk Management Assessment

Factor	Assessed Risk		
	High £'000	Medium £'000	Low £'000
Cash flow (1% of £54m)	540		
Interest Rate (1.5% on £62m)		930	
Inflation (Decrease of 1%)		250	
Emergencies		100	
Right To Buy Sales		200	
Litigation			50
Welfare Reform	300		
	840	1,480	50

	Minimum Provision £'000
High Risk – 100%	840
Medium – 50%	740
Low – 10%	5
Sub Total	1,585
Other - say	15
Recommended Prudent Level	1,600

Housing Revenue Account – 30 Year Financial Model

Appendix E

	<u>Year 1</u> <u>2020/21</u> <u>£000's</u>	<u>Year 2</u> <u>2021/22</u> <u>£000's</u>	<u>Year 3</u> <u>2022/23</u> <u>£000's</u>	<u>Year 4</u> <u>2023/24</u> <u>£000's</u>	<u>Year 5</u> <u>2024/25</u> <u>£000's</u>	<u>Year 1-5</u> <u>Total</u> <u>£000's</u>	<u>Year 6-10</u> <u>Total</u> <u>£000's</u>	<u>Year 11-15</u> <u>Total</u> <u>£000's</u>	<u>Year 16-20</u> <u>Total</u> <u>£000's</u>	<u>Year 21-25</u> <u>Total</u> <u>£000's</u>	<u>Year 26-30</u> <u>Total</u> <u>£000's</u>
Revenue Account											
Income	(30,082)	(31,010)	(32,349)	(33,692)	(34,917)		(189,868)	(218,393)	(251,281)	(289,111)	(333,395)
Expenditure	30,582	31,010	32,349	33,692	34,917		189,700	218,209	251,079	288,885	333,149
(Surplus)/Deficit	500	0	0	0	0		(168)	(184)	(202)	(226)	(246)
Opening HRA Balance (Surplus)	(2,100)	(1,600)	(1,600)	(1,600)	(1,600)		(1,600)	(1,768)	(1,952)	(2,154)	(2,380)
Closing HRA Balance (Surplus)	(1,600)	(1,600)	(1,600)	(1,600)	(1,600)		(1,768)	(1,952)	(2,154)	(2,380)	(2,626)
Capital Account											
<u>Investment:</u>											
Stock Investment Programme	9,473	8,088	9,331	12,227	10,167	49,286	60,951	61,441	90,125	89,370	138,705
Sheltered Accommodation Review	740	4,593	3,925	0	0	9,258	0	0	0	0	0
Property Acquisitions	6,500	6,600	6,151	6,214	0	25,465	0	0	0	0	0
New Build	9,950	16,068	10,982	2,875	0	39,875	0	0	0	0	0
Total	26,663	35,349	30,389	21,316	10,167	123,884	60,951	61,441	90,125	89,370	138,705
<u>Funded By (Resources):</u>											
Depreciation	(6,000)	(6,193)	(6,411)	(6,598)	(6,628)	(31,830)	(37,180)	(42,521)	(48,885)	(56,197)	(64,768)
Revenue Contribution	(2,716)	(3,314)	(3,216)	(3,267)	(3,539)	(16,052)	(22,448)	(18,921)	(41,240)	(33,173)	(73,937)
Capital Receipts	(250)	0	0	0	0	(250)	0	0	0	0	0
HRA Reserves	(2,820)	(4,583)	(2,297)	(1,927)	0	(11,627)	0	0	0	0	0
New Borrowing	(14,877)	(21,259)	(18,465)	(9,524)	0	(64,125)	(1,323)	0	0	0	0
Total	(26,663)	(35,349)	(30,389)	(21,316)	(10,167)	(123,884)	(60,951)	(61,441)	(90,125)	(89,370)	(138,705)
Debt:											
HRA Debt at Year End	139,810	161,069	179,534	189,058	189,058		190,319	176,116	171,171	142,057	134,762

Report of	Assistant Director for Place and Client Services	Authors: Darren Brown ☎ 282891 Clare Lawrance ☎ 282506
Title	Housing Investment Programme (HIP) 2020/21	
Wards affected	All	

This report concerns the Housing Investment Programme for 2020/21

1. Executive Summary

- 1.1 This report sets out a summary of the proposed allocation of **£26.663million** of new resources to the Housing Investment Programme for 2020/21, along with the sources of funding. It also includes at Appendix A an indication of the potential expenditure requirements and funding sources for the years 2021/22 to 2024/25.

2. Recommended Decision

- 2.1 To approve the Housing Investment Programme for 2020/21.
- 2.2 To note the Capital Medium Term Financial Forecast (CMTFF) set out at Appendix A.

3. Reasons for Decision

- 3.1 Each year as part of the process to agree the Council's revenue and capital estimates the Cabinet is required to agree the allocations to the Housing Stock Investment Programme. These allow for work to be undertaken to maintain, improve, and refurbish the housing stock and its environment.
- 3.2 Members annually agree to accept a proposed 5 year Housing Investment Programme (HIP) in principle as the framework for procuring housing related planned works, improvements, responsive and void works and cyclical maintenance.
- 3.3 The proposed investment programme is linked to the Asset Management Strategy (AMS) and reviewed annually in the light of available resources and for each annual allocation to be brought to Cabinet for approval as part of the overall HIP report.
- 3.4 The Colchester Borough Homes (CBH) Board have considered the content of the Cabinet report submitted and is now seeking approval for the 2020/21 Capital programme.
- 3.5 This report seeks the release of funds under grouped headings as described in the AMS and supported by the Management Agreement dated 9th August 2013, which governs the contractual relationship between Colchester Borough Council (CBC) and CBH.

4. Supporting Information

Key Issues for 2020/21

- 4.1 This is the ninth year of HRA Self-Financing, and the continued investment in the housing stock and other projects is reflected in this report.
- 4.2 This report is considered as part of agreeing the Housing Revenue Account (HRA) estimates as the funding for the HIP, which covers capital investment in the housing stock, is very much linked to the overall level of resources for housing.

5. Funding the Housing Investment Programme

- 5.1 2020/21 is the ninth year of the HRA self-financing regime. This fundamentally changed the way in which Council Housing is financed, and as a consequence a financial model for the HRA has been developed, which forecasts the HRA and HIP for each of the next 30 years, using a range of assumptions on areas such as inflation, stock numbers, future expenditure & income levels etc. This is considered further in the 2020/21 HRA Estimates report elsewhere on the agenda. The source of resources, and the priority order in which it is assumed they will be used to fund capital expenditure in the 2020/21 HIP budget and financial forecasts are as follows;

- Specific Areas of Finance (e.g. Grants),
- Capital Receipts,
- Major Repairs Reserve (Depreciation),
- Revenue contributions to capital (RCCO),
- New Additional Borrowing

- 5.2 The assumption made when prioritising resources to fund the HIP is that resources specifically designated to the programme will be used first, followed by capital receipts. This is so the receipts can be re-invested in affordable housing, and be retained locally and not be clawed back by Central Government under the capital receipts pooling arrangements. The next form of resource to be used is the Major Repairs Reserve, which is the reserve that is built up from the depreciation charge to the HRA. This is the resource that is set aside to maintain the housing stock in its current form & condition. If there are insufficient resources within the Major Repairs Reserve to fund all of the capital works in the year, then the next call on funding is revenue. The amount of this resource will depend on the level of balances within the HRA and the extent to which they are directed to the HIP, as opposed to other budget priorities.

- 5.3 Finally, should there be insufficient revenue resources to fund the overall programme the assumption is that the Council will undertake HRA borrowing to fully fund the HIP. This is assumed to be the lowest priority source of funding, to minimise the resultant additional interest costs that would be incurred by the HRA. Further borrowing will be undertaken following the prudential borrowing code, which states that it must be affordable. Should the Council decide it does not want to undertake additional HRA borrowing or use revenue resources etc, then the Council would need to re-consider the programme of works proposed and the corresponding budget provision. This could include foregoing works, or re-profiling the year in which they are undertaken.

6. 2020/21 Programme of Works

- 6.1 The requested budget allocation for the 2020/21 programme is £26.663million. A further breakdown of the areas of work that are planned to be undertaken is shown at paragraph 9.

- 6.2 As part of the management agreement which commenced in August 2013 between the Council and CBH, the management fee was expanded to reflect the wider range of services CBH now provides on behalf of the Council, so it incorporates the fee for managing the capital programme. Members are therefore asked to note that the requested budget allocation in paragraph 6.1, and the budget sums included in paragraph 9 and Appendix A all include the fee for managing the capital programme, which for 2020/21 totals £1,371,700. A further breakdown of the management fee is included in the HRA Revenue Estimates report elsewhere on the agenda.
- 6.3 Cabinet, at its meeting in January 2019, considered proposals for new projects using HRA borrowing, such as re-commencing new build plans and increasing Council housing stock through acquisitions. These proposals continue to be reflected in the Housing Investment Programme, with further information provided in the following paragraphs.

7. HRA Capital Medium Term Financial Forecast - 2020/21 to 2024/25

- 7.1 As previously stated, Cabinet agreed in principle to accept a proposed 5 year HIP subject to overall budget considerations. As a result, expenditure proposals have been included in the capital medium term financial forecast at Appendix A and updated to take account of previous years being completed and new updated year's being introduced.

New Build

- 7.2 The budget for 2020/21 includes a provision of £9.950million to commence works on Phase 2 of the re-development of garage sites, and undertake Phase 3 feasibility work. It also includes a provision of £0.4million to purchase properties developed by Colchester Amphora Homes for the Council, £1.6million for new build at Military Road, and £4.550million for the Airspace project. It should be noted that a number of assumptions have to be made on the timing and cost of these projects, but the budgets will be monitored and revised as part of the annual budget setting and capital monitoring processes. Further estimated provision has been made in subsequent years for these schemes in the CMTFF.

Acquisitions

- 7.3 A provision of £6.5million has been made to continue the programme of buying properties, through a combination of properties offered back to the Council through the Right to Buy legislation, and via the open market. Further estimated provision has been made in subsequent years for these schemes in the CMTFF.
- 7.4 A provision of £0.740million has been made for the cost of the refurbishment of Elfreda House in 2020/21. Further provision has been made in subsequent years in the CMTFF.
- 7.5 The estimated RCCO in 2020/21 is £2.716million, which is broadly in-line with the assumptions in the business plan. In the years prior to HRA Self-Financing, the RCCO has been used to fund non-works programmes, such as Housing ICT and the capitalisation of costs associated with the Housing Client team. However, as indicated in the HIP report agreed by Cabinet on 25th January 2012, RCCO's have been required to support the works element of the capital programme for 2013/14 onwards. These increased contributions have been affordable as under HRA Self-Financing the Council retains all rental income.
- 7.6 Members will be aware that the Council entered into agreement with DCLG in 2012 to retain additional RTB receipts to deliver new affordable housing. As a reminder, retained receipts can only be used on delivering new additional units of accommodation, not on refurbishing existing schemes. The proposals already approved by Cabinet and included in the CMTFF should minimise the amount that has to be repaid to Government.

8. Priorities for the Council

- 8.1 To implement the Colchester Housing AMS, that has been updated to reflect the revised investment plan, as the basis for long term planning, provision and sustainability of Colchester Borough Council's housing assets.
- 8.2 To allocate appropriate funding to CBH within the resources that are available to enable stock investment to proceed, improving housing conditions for our tenants.
- 8.3 To ensure that having achieved delivery of the decent homes' targets in December 2011 that the overall level of decency is maintained at the end of any one financial year but ensure compliance on a five yearly basis.
- 8.4 To build upon current monitoring arrangements and ensure programme delivery and the effective targeting of resources particularly in respect of maintaining the value of the asset and providing Adaptations for our customers with disabilities.

9. Proposals

- 9.1 The report sets out below a summary of the proposed allocation of new resources for 2020/21 as defined by the AMS, as well as those outlined in this report, with the following comments setting out the basis of the allocation.
- 9.2 **Capital Investment Programme - £6.159million –** This allocation supports the AMS and acknowledges the work required to allow the decency standard to be maintained, therefore this substantial proportion of the overall allocation is recommended.
- 9.3 **Aids & Adaptations - £0.696million -** This continues to support the budget at historic levels. The proposed allocation achieves the requirement to adapt Council dwellings to meet the special needs of our customers and also meet the high priority that Members place on this service.
- 9.4 **Emergency Failures (statutory obligation) and Voids - £0.754million –** This allocation supports the AMS and the experience gained through the management controls being exercised. It reflects the necessity to recognise capital works in the voids process along with emergency failures.
- 9.5 **Emergency failures structural works - £0.232million –** As with the previous allocation this reflects the AMS and the experience gained through the management controls being exercised. The work is generally associated with premature failure of structural elements.
- 9.6 **Environmental Works - £0.812million -** This allocation supports the AMS by continuing to address the improvements to the overall estate living environment. It will include door entry systems, block communal improvements, boundary works and PVC installations to continue to reduce the revenue reliance on painting programmes.
- 9.7 **Asbestos, Legionella, Fire Safety and Overall Contingency - £0.448million –** This allocation recognises the need to continue to proactively manage our statutory obligations in the defined areas and provides a general contingency to cover the whole of the programme together with survey work
- 9.8 **Garages - £0.232million –** This investment in the garage stock is intended to secure additional revenue income that will support the business plan in future years. We have seen a return on the investment made in previous financial years by increased garage tenancies and fewer empty garages on the sites that have been refurbished.
- 9.9 **Sheltered Accommodation Improvements - £0.740million –** This allocation supports the continuation of the overall refurbishment programme. Individual delivery contracts will be reported to Cabinet as tenders are returned.

- 9.10 **Non-Works Programmes - £0.140million** – This allocation is for capital costs linked to the further development of the Housing management system.
- 9.11 **Acquisitions - £6.500million** – As set out in the main body of the report, this allocation supports the potential to Buy Back properties offered back to the Council through the Right to Buy legislation, and purchasing properties on the open market. This allocation provides the opportunity to use funding through retained 1-4-1 Right To Buy receipts (up to 30% of total cost), with the balance of 70% coming from prudential borrowing.
- 9.12 **New Build - £9.950million** – As set out in the main body of the report, this allocation supports the plans previously considered by Cabinet.

10. Strategic Plan References

- 10.1 The HIP links to the following areas of the Councils strategic plan:

Growth

- Help make sure Colchester is a welcoming place for all residents and visitors.
- Ensure residents benefit from Colchester economic growth with skills, jobs and improving infrastructure.

Opportunity

- Promoting and improving Colchester and its environment
- Ensure a good supply of land available for new homes through our local plan.
- Promote initiatives to help residents live healthier lives.

Wellbeing

- Making Colchester an even better place to live and supporting those who need most help
- Encourage belonging, involvement and responsibility in all the boroughs communities.
- Create new social housing by building Council homes and supporting Registered Providers.
- Target support to the most disadvantaged residents and communities

11. Consultation

- 11.1 The Council conducted the bi-annual STAR survey through ARP Research in April 2018, and will be doing so again in 2020, with the specific aim of obtaining customer feedback through a survey of general needs tenants, all sheltered tenants and leaseholders. In 2018, there was an increased response rate from tenants and leaseholders on previous surveys. Questions were centred on Colchester Borough Homes performance, tenant satisfaction with their homes, neighbourhood and services. The survey also attempted to identify tenants' priorities on where we focus the provision of non-statutory services. It is planned to repeat the STAR survey during 2020 and the report of the results will be made available to Cabinet and Members, to inform decision-making.
- 11.2 Consultation was previously undertaken as part of the process to review spending plans given the impact of the Government's previous rent reduction policy. A task and finish group was held with a number of tenants and leaseholders on the Asset Management investment plans of the Housing Futures Programme. One of the outcomes of this was that the views of tenants and leaseholders were generally in line with the proposed investment programme. Since that time, the Government's rent reduction policy has ended, and as a consequence, the Council will be reviewing its HRA Asset Management Strategy in 2020, and carrying out consultation as part of this work.

- 11.3 It should also be noted that thorough consultation will be carried out with tenants and leaseholders affected by any works to properties or areas as a result of the works programmes proposed within this report.
- 12. Publicity Considerations**
- 12.1 Any housing investment has a significant impact on the quality of life for local people. As a consequence the targeting and effectiveness of the programme has huge interest for members and the public as a whole. It is recognised that ongoing publicity will need to be conducted particularly as existing programmes continue and new capital programmes are introduced. Updates will be publicised to the customers in the areas to receive work during the year.
- 13. Financial implications**
- 13.1 As set out in the report.
- 14. Equality, Diversity and Human Rights implications**
- 14.1 An impact assessment has been prepared and can be viewed through the following link
<http://www.colchester.gov.uk/article/12743/Commercial-Services>
- 15. Community Safety Implications**
- 15.1 Through the delivery of improvements to our housing assets and the built environment, the Council seeks to achieve improved outcomes for residents across the borough. This contributes to a reduction in the occurrence of anti-social behaviour, and the incidences of crime through investment in external elements of properties, e.g. UPVC windows and doors, and door entry systems.
- 16. Health and Safety Implications**
- 16.1 CBH will be responsible for implementing the delivery of this programme in a manner that reflects Health and Safety legislation, although the Council does retain the responsibility to ensure that all procedures are in place and being implemented.
- 17. Risk Management Implications**
- 17.1 Risk management will be considered as the programme is developed, particularly the issues around the introduction of new programmes of work.
- 18. Environmental and Sustainability Implications**
- 18.1 The environmental and sustainability implications of individual work programmes will be thoroughly assessed and considered through the procurement process for each contract.

HRA Capital Medium Term Financial Forecast – 2020/21 to 2024/25

Appendix A

Expenditure	Notes	2020/21 £'000	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
Stock Investment Programme etc		8,637	7,338	8,569	11,439	9,330
Sheltered Accommodation Review		740	4,593	3,925	-	-
Adaptations		696	689	700	724	771
Stock Investment Sub - Total		10,073	12,620	13,194	12,163	10,101
New Build		9,950	16,068	10,982	2,875	-
Acquisitions		6,500	6,600	6,151	6,214	-
ICT		140	61	62	64	66
Other Works Sub - Total		16,590	22,729	17,195	9,153	66
Total Programme		26,663	35,349	30,389	21,316	10,167

Resources	Notes	2020/21 £'000	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
Major Repairs Reserve		6,000	6,193	6,411	6,598	6,628
Revenue Contribution to Capital		2,716	3,314	3,216	3,267	3,539
Capital Receipts	Stock Rationalisation	250	-	-	-	-
Retained RTB Receipts Reserve		2,820	4,583	2,297	1,927	-
New Borrowing		14,877	21,259	18,465	9,524	-
Total Funding		26,663	35,349	30,389	21,316	10,167

29th January 2020

Report of	Assistant Director of Place & Client Services	Author	Clare Lawrance ☎ 282506
Title	Award of Housing Adaptatons Contract		
Wards affected	All wards		

1. Executive Summary

- 1.1 This report makes a recommendation for the award of a contract for disability-related property adaptations to the Council's housing stock. The current contract is expiring, and the new contract is anticipated to start in February 2020. The recommendation is to award to the incumbent contractor following an open procurement process.

2. Recommended Decision

- 2.1 To award a contract to Barron's Building Services to undertake Adaptations of the existing housing stock to meet specific needs for specific residents as set out in the report, for a duration of 2 years with an option to extend for up to 2 additional years in 12-month stages (2+1+1 years).
- 2.2 In the event that the recommended contractor cannot commence work then the contract will be awarded to the next contractor.

3. Reason for Recommended Decision

- 3.1 Under the Council's constitution contracts with a value of over £500,000 require cabinet approval unless otherwise delegated.
- 3.2 Following an invitation to tender and evaluation of the submitted bids against the published criteria Barron's Building Services submitted a tender, which passed the criteria for being able to deliver against the specification and offers the best financial position to the Council compared to other tenders.

4. Alternative Options

- 4.1 To award a contract to an alternative bidder, would almost certainly result in legal challenge as the tender results are from an open procurement process and would not provide the Council with the best tendered bid as judged against the defined criteria.
- 4.2 Re-tender the service, however the commencement of this contract is planned for February 2020 and repeating the procurement exercise would delay the start of this works provision.

5. Background Information

- 5.1 A Contract Notice was issued on 8 November 2019 through the Delta eSourcing portal and placed on Contract Finder website to invite interested parties to submit their bids by 12 noon on 9 December 2019.
- 5.2 Interest in the opportunity was expressed by fourteen (14) companies and of these, the following six (6) submitted bids; Arc Group Ltd, Besure Building, Foster Property Maintenance, Hawksmoor Construction, Barron's Building Services, and Re-Gen (UK) Construction
- 5.3 The bids were evaluated by a group of officers including the CBC Client Asset Manager, Procurement Business Partner and CBH Asset Management staff. Scoring was based on the criteria and scoring mechanism detailed in the Invitation to Tender (ITT).
- 5.4 One bidder was deemed non-compliant through failure to submit the correct documents and was not evaluated any further. The remaining five bidders submitted compliant tenders against the Council's stated Essential Requirements that were evaluated on a pass/fail basis. The Evaluation Method Statements were evaluated in accordance with the ITT. Appendix A contains a summary of the weighted criteria with the scores awarded to each bidder.
- 5.5 The breakdown of submitted prices for each bidder was checked for completeness. The lowest priced bid was reviewed, and a mathematical error was identified by the Evaluation Team. The total bid price was recalculated to correct the error and after confirmation of the increase by the bidder, was accepted for evaluation. The tender prices are shown in Appendix A, showing a like for like analysis, which is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (financial / business affairs of a particular person, including the authority holding information)

6. Equality, Diversity and Human Rights implications

- 6.1 An Equality Impact Assessment was completed in 2017 for the Council's Adaptations Policy and this can be found [here](#). There have been no changes made to the policy as part of this procurement exercise and so the Equality Impact Assessment has not been reviewed at this time.
- 6.2 There are no Human Rights Implications in the award of this contract.

7. Standard References

- 7.1 There are no particular references in relation to consultation or publicity Considerations, financial; community safety; health and safety or risk management implications.

7. Strategic Plan References

- 7.1 Through the delivery of this contract the Council aims to achieve its Strategic Priority for Wellbeing to "target support to the most disadvantaged residents and communities".

8. Consultation

- 8.1 Adaptations to housing stock are responsive and based on residents needs on a case by case basis. Services are not provided on a continuing basis and so no particular consultation was carried out with affected residents.

9. Publicity Considerations

- 9.1 Once awarded, CBH will refresh/renew the advice given to residents about requesting an adaptation.

10. Financial implications

- 10.1 The budget for adaptations to HRA homes is contained within the Housing Investment Plan 2020/21 which is being considered for approval by Cabinet today (29th January 2020).

11. Health, Wellbeing and Community Safety Implications

- 11.1 The purpose of the housing adaptations service is to meet the needs of tenants who become disabled and ensure they can continue to access and enjoy their home. Therefore this contract has only positive outcomes for tenants Health and Wellbeing.

12. Health and Safety Implications

- 12.1 There are no Health and Safety Implication in the award of this contract.

13. Risk Management Implications

- 13.1 There are no Risk Management Implications in the award of this contract.

14. Environmental and Sustainability Implications

- 14.1 Awarding the contract to a Local SME based within the Borough ensures the Council's investment remains local. The company's travel times from their head office base are limited.

Appendices

Appendix A shows the comparative scoring of all the returned tenders.

Background Papers

There are no background papers.

Report of	Assistant Director of Place and Client Services	Author	Steven Eke / Andrew Tyrrell
			☎ 508795 / 282930
Title	Use of the Council's "HRA Estate" to Facilitate Significant Inward Investment in Broadband Infrastructure		
Wards Affected	All		

1. Executive Summary

- 1.1 In 2017 the Cabinet adopted the Borough's Digital Strategy 2017-22. The main aim of the strategy was to make the Borough the best connected in the East of England by 2022. Work to date has seen the introduction of Ultrafast internet to the town centre and businesses across the borough.
- 1.2 In January 2019, the Department for Culture, Media, Sport and Digital (DCMS) confirmed to Colchester Amphora Trading Ltd (CATL) that it had been successful in bidding, on behalf of the Council, for £3.45m under the Government's Local Full Fibre Network Fund (LFFN); to finance the build of 3 major fibre infrastructure projects to improve Colchester's digital connectivity. Following negotiations over the details of this project, the Council then agreed the structure, scope and implementation of this project at Cabinet on 20 November 2019, ahead of the full launch at the beginning of March 2020.
- 1.3 Following on from this decision, the large Swedish fibre network operator, VX Fibre (further, "VX"), has formally proposed investing £10m in the Borough's communications infrastructure. In order to facilitate this investment in Colchester, VX has requested access to parts of the CBC-owned Housing Revenue Account (HRA) estate on commercial terms and to develop a cooperation agreement with CBC.
- 1.4 This paper sets out the scope of the VX request, the commercial and other benefits to the Council and Borough of cooperation with VX, as well as the key risks involved.

2. Recommended Decision

- 2.1 To agree to the Broadband deployment proposals outlined by VX on a commercial basis as described in this report.
- 2.2 To appoint Colchester Amphora Trading Ltd (CATL) to act on behalf of the Council, to draw up Heads of Terms for a cooperation agreement with VX which delivers the best commercial outcomes from a joint approach to infrastructure deployment, as part of the Borough's Local Full Fibre Network and wider Digital Strategy deployments.
- 2.3 To delegate authority to agree and enter into the lease arrangements with VX, with any necessary consents, for the placement of equipment on the Council's HRA property to the

Assistant Director for Place and Client Services, in consultation with the Portfolio Holder for Housing and Communities.

- 2.4 To delegate authority to agree any other resultant matters relating to the final details of the wider proposals, as described in this report, to the Assistant Director for Place and Client Services, in consultation with the Portfolio Holder(s) for Commercial Services, and/or Resources, as relevant to the specific matters that may arise, having regard to their respective portfolios.

3. Reason for Recommended Decision

- 3.1 VX, a Swedish technology company and digital infrastructure specialist, bring more than 20 years' experience building and operating full fibre FTTP (fibre-to-the-premises) open access networks globally. The company "mission" is "to create value in the community in which we live and work, to help individuals, businesses and the community as a whole to gain their digital freedom". VX's key differentiator is a partnership approach with local authorities in deploying FTTP networks that serves the entire community.
- 3.2 Building on their existing operations across Europe, South Africa and South-East Asia, VX is entering the UK market and is already building a large fibre optic network together with Stoke City Council across the Potteries. It wishes to target Colchester as its second UK deployment, ahead of Bristol and later, up to 7 more cities. The opportunities presented to the Council by the VX proposals are unique and unlikely to be repeated from any other commercial fibre operator. They will deliver both commercial and practical benefits, serving the Council's and residents' interests for many years to come.
- 3.3 Taken together with the core network built using the LFFN funding, the VX investment will greatly enhance the availability and take-up of future-proof, full-fibre broadband in the Borough and will solve one of the most significant challenges inherent in fibre deployments (how to extend a core network to reach end users – the so-called "final drop" connections).

4. Alternative Options

- 4.1 The Council could decide not to enter into an agreement at all, or not to enter into an agreement to use the properties within the HRA estate; however, this would delay or obstruct the social and economic benefits set out in the main report and would not deliver the significant inwards investment proposed at this time.
- 4.2 Some areas that will benefit from the use of HRA properties are more disadvantaged areas, and places where the faster broadband connections would otherwise not be available to residents for some time, including some of our social housing tenants. Aside from the social value, it is also counterproductive to the aim that the infrastructure deployed using LFFN funding is commercialised as quickly as possible to start generating growing revenues for the Council; where the VX proposals will enable this.
- 4.2 CATL has engaged over the past two years with the major telecoms operators, including the builders of urban fibre optic networks, such as City Fibre, Hyperoptic and Gigaclear. Colchester does not offer the scale required for their deployments, although Gigaclear will be working to deliver ultrafast connectivity in the rural parts and is already connecting a small number of customers in them.
- 4.2 The Council could continue to use the Government's gigabit voucher scheme to carry out "final drop" connections (connecting from the curtilage of a property to the end customer). While this has worked successfully on a small scale, it does not provide the

level of revenue needed for the mass densification of the network and its commercial transformation into a major revenue stream for the Council over the longer-term.

5. Background Information

5.1 The technical proposals – what will be deployed and how?

- 5.1.1 The proposals are that Colchester Amphora Trading Ltd (CATL) will manage the backhaul and core distribution of infrastructure at cost to VX, while the lease agreements on commercial space for the VX hardware will be simplified as annual rolling agreements. This principle needs to be further worked-up and finalised in due course, but as part of this, the Council will permit the use of its assets for a rental income.
- 5.1.2 This is good for our social housing tenants (if they choose to take up the service once it is on offer) because:
 - (a) the social housing tenants will be offered the chance to secure pure-fibre services ahead of anyone else, and
 - (b) they should be cheaper than anything currently available
- 5.1.3 For VX, their market entry strategy is based on early deployment to social housing estates for two reasons:
 - (1) Their radial or grid geography lends itself to simplified road works and network design;
 - (2) They are a market segment generally ignored by the companies now deploying full-fibre to more affluent sections of the market.
- 5.1.4 VX wishes to build a local layer network across the entire CBC/HRA estate, beginning in Q2 2020, integrating their network closely with the CBC build financed by DCMS under the Local Full Fibre Networks programme (which was approved at Cabinet on 20 November 2019). VX's initial "road to market" plan, the intention is to prioritise Greenstead, Wivenhoe and West Mersea by the end of this year, as connectivity here is currently very poor (and we have suitably located property).
- 5.1.5 Essentially, the Council is providing the core skeleton network in connecting the town centre, northern gateway and eastern side of town through the LFFN project; VX will then build out wider local connections from that network to the communities stretching further afield by locating network server equipment in secure locations, from which the network will expand outwards to customers.
- 5.1.6 The project envisages using the sheltered housing developments primarily, paying market rates for the rental of space and electricity. These installations will simultaneously provide gigabit broadband for residents and operational purposes alike, with an initial network build focussed on Enoch House in Greenstead, growing to include Heathfields House, Plum Hall, Grymes Dyke Court, Elfreda House (to site only, to facilitate future connection after the planned rebuild currently taking place as part of the Council's £75m new housebuilding programme), Worsnop House, Fairfield Gardens, Harrison Court and Stuart Pawsey Court.
- 5.1.7 All 9 of these sites will be connected by point-to-point fibre optic links to the server room at the Town Hall, which will also co-locate the core VX network equipment on a commercially leased basis. In this way, a far larger part of the Borough will benefit from gigabit connectivity than would otherwise be made possible by the LFFN deployment alone. No major geographical part of urban Colchester will be left without the huge opportunities afforded by ultrafast broadband.

5.1.8 The immediate project does not increase coverage to the rural areas, where we have no suitable housing stock. However, there is a significant element of national planning on broadband infrastructure in the UK with other existing projects such as Gigaclear, Essex Superfast Phase 4 (Openreach) and County Broadband all having official allocations for the rural two-thirds of Colchester. Rural roll-out will therefore take place (but is inevitably slower because of the more sporadic nature of settlements and the resultant distances between properties; and the scale of works involved). The roll-out of rural broadband should also accelerate this year as the rural voucher scheme will help (£3,500 per property towards the installation costs), though that is not part of the proposals herein.

5.2 How the infrastructure will be commercialised (and social value)

5.2.1 In terms of the subsequent ways in which people can take up the access to any future broadband service, VX will not be selling directly to end users; they function as a wholesale operator whereby their portal integrates service providers virtually at their network centre. That is under a commercial relationship between VX and each individual internet service provider (SP). As with any current internet service, each SP will set their own retail prices to attract customers.

5.2.2 The expectation for our social housing tenants, and other residents who could benefit from this project, is that prices will therefore be kept lower through natural market competition and genuine (wider) choice in a pure-fibre product. There will be no pressure on any individuals, including the residents of our own estate, to take VX-facilitated services, and the Council plays no role in sales; but VX have confidence that they will get the market share/transition they want (with the SPs pricing competitively).

5.2.3 A commercially matched leasing fee will be paid by VX for leasing of space and the Council-owned fibre optic infrastructure it requires access to. The rates for leasing fibre optic infrastructure are largely governed by Ofcom and details of the predicted income are contained further on in the section on finance. The income is not known at this stage and would need to be part of further discussions as the project details are finalised.

5.2.4 Wherever possible, VX uses local resources to carry out works. VX have offered, as one option, that they may pay to upskill CBC/CBH staff (as CBH manage the Council's HRA estate) to carry out the "final drop" works, i.e. connecting from the curtilage of a property to the end customer, and subsequently pay the going commercial rate for the carrying out of these works. This detail would need to be agreed following negotiations if the project is agreed.

6. **Equality, Diversity and Human Rights implications**

6.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.2 The recommendations will have no negative or disproportionate impact on any protected group, in some cases they may have positive impacts. No potential breaches of human rights have been identified. A comprehensive EQIA assessment has been undertaken in preparing this paper and the full EQIA will be made available on the Council website

imminently. There were no issues identified as the fibre infrastructure will aim to deliver benefits to the widest possible user groups and target markets in the borough, including residents and businesses of all size alike, as well as the whole of the CBC/CBH social housing stock and sheltered housing developments.

- 6.3 The deployment will facilitate ultrafast connectivity to affordable housing tenants in Council-owned properties (at affordable prices). The option to take out these connectivity packages will be offered alongside any existing operators/providers; no one will be compelled to purchase them. They will be priced highly competitively and affordably in comparison to other providers.
- 6.4 This deployment will allow the Council, CATL and SPs, rapid access to a large market of broadband and other digital service customers. The upgrading of core site networking required for “smart” devices will also provide potential for enhanced digital care solutions for the vulnerable and elderly. This may also open up other future opportunities to add social value for local residents.

7. Strategic Plan References

- 7.1 The proposals align closely with a number of key strands of the Strategic Plan 2018-21. In particular, they further the aims of:

Growth: Ensure residents benefit from Colchester’s economic growth with skills, jobs and improving infrastructure; promote inward investment to the borough; develop jobs, homes, infrastructure.

Opportunity: Promote green technologies through initiatives such as SMART cities; help business flourish by supporting infrastructure.

Wellbeing: Making Colchester an even better place to live and supporting those who need most help by targeting support to the most disadvantaged residents and communities

9. Consultation

- 9.1 Extensive consultation has taken place with a very wide range of internal and external stakeholders during the engagement with DCMS and VX. The stakeholder mapping has been one of the key elements in our submission for funding and has described in detail the ways in which we have explained the benefits of the project and the desired outcomes/uplifts expressed by the various stakeholders.
- 9.2 As well as the Council Client team, who retain officer responsibility for the HRA (in addition to the clienting of the Council companies), the CBH leadership team has been periodically updated on progress with the VX discussions and has expressed its support for the proposals from the Council’s ALMO.
- 9.3 If approved, consultation and notification to residents will need to be planned and implemented. This would be tailored to the specifics of each site, timings, etc. It is understood that General Consent for this type of agreement exists within the provisions of the Housing Act 1985 but, as details become finalised, and prior to implementation any relevant consents be required from the SoS or tenants then these would be sought as such a requirement is identified, in agreement with the Portfolio Holder for Housing.

10. Publicity Considerations

- 10.1 The VX business case is based on securing a 40% share of the available market within 5 years. This equates to some 25,000 properties connected to the gigabit-enabling networks. This will represent a transformation of the Borough's connectivity landscape, where fewer than 2% of connections are currently gigabit-capable. This is an extremely good example of a Local Authority successfully implementing an infrastructure-first approach to its overall development policies.
- 10.2 The deployment will involve a very large programme of road, street and pavement works to install the infrastructure. These will be protracted and, in some cases, disruptive and unpopular. This will need to be carefully managed as part of the overall communications strategy in explaining to the public and key stakeholders the benefits of the deployment. Notification, and explanation, to residents of each property should be considered if the project is to proceed, and prior to works commencing adjacent to their homes.

11. Financial implications

- 11.1 No capital funding beyond that agreed by CBC for the LFFN deployment is required. The £3.5m agreed previously for this purpose includes the cost of the core fibre optic infrastructure that will be used by, among others, VX.
- 11.2 The financial appraisal of the project has been subject to external audit and analysis by AnalysysMason, in order to confirm that they are compliant with both State Aid principles and the Market Economy Operator Principle, as part of the bidding process. This confirmed that the project meets all requirements and demonstrates that no unfair market advantage is being conferred by the granting of Government funding. In order to maintain this, CBC cannot offer VX any preferential or exclusivity conditions. VX accepts this.
- 11.3 All revenue streams generated by the LFFN-associated infrastructure must be returned to CBC in full; Amphora cannot use public funding to create revenue-generating businesses. CBC has the right, however, to determine appropriate market-matched rates to pay Amphora for any work or subsequent system management carried out on its behalf. These must be paid from revenue, not grant funding.
- 11.4 The revenues modelled with DCMS and VX arising from the full deployment are significant. These grow to £680,000 per year against operating costs of £220,000 per year from steady state year 5 models. Achieving this requires a customer base of between 20,000 and 25,000 customers and is ambitious but realistic. These figures have undergone extensive testing by the DCMS Value for Money team, including sensitivity analysis.
- 11.5 The main economic cashflow of the existing LFFN network is front loaded through the General Fund, then recouped from grant funding (as agreed by Cabinet in November 2019); however, this specific project will be funded through private investment and as these properties are HRA-owned a rent should be paid to the HRA for accommodating the equipment to be housed at each site, as has been secured for solar panels previously. It is proposed that this rent is calculated as an annual fee paid on "a per square metre" basis (commercial accommodation). The same would apply to general fund property areas.
- 11.6 There are very large intangible economic uplifts from a fibre deployment of this scale for the Borough. An external report commissioned from Adroit Economics, a leading telecoms economic consultancy, predicted a GVA uplift of 6%, £185m in monetary terms,

to the value of the Borough's economy, if the project is implemented in full over a 5-to-10 year period.

12. Health, Wellbeing and Community Safety Implications

- 12.1 No potential, negative impacts of the deployment on health and wellbeing have been identified. Indeed, the impacts are likely to be positive, in that attention has been paid to the upgrading of connectivity to sheltered housing, public buildings and the disadvantaged communities who may be ignored by the major incumbent telecoms operators.
- 12.2 The new fibre optic layer to be deployed across a large area will facilitate the cost-effective and far more rapid deployment of new or upgraded, digital CCTV systems. The current, analogue system is obsolete and unfit for purpose; it cannot be adapted to connect new cameras, including in those areas blighted by incidents of crime or ASB, and none outside the town centre. The deployment of the new fibre layer and associated electronics in the Town Hall means that a new system will be deployable at a far lower cost than would otherwise be the case, and that there is effectively no restriction on where cameras can be located.

13. Health and Safety Implications

- 13.1 H&S implications arising from a large programme of street and road works will be the direct responsibility of the appointed contractor(s) during the build phases but will be closely monitored by the CATL project team. Comprehensive Risk and Methodology Statements will be required for the phases of works and will be approved in consultation with the Project Team and, where appropriate, Essex Highways.

14. Risk Management Implications

- 14.1 To maintain State Aid compliance, CBC-CBH cannot offer VX exclusive access to the network assets built using public funding (existing network or LFFN-funded). This should not be a problem, given that no other investors currently plan to deploy at such large scale in Colchester (this may change in future, however, meaning access on equal and equivalent commercial terms would need to be granted). Full transparency and Open Book accounting will be required to minimise any potential State Aid challenge.

15. Environmental and Sustainability Implications

- 15.1 The Council has declared a Climate Emergency and committed to being carbon neutral by 2030. The installation of Broadband does not conflict with this objective.

29 January 2020

Report of	Assistant Director of Place & Client Services	Author	Andrew Tyrrell ☎ 282390
Title	Digitalisation of the CCTV Network		
Wards affected	Castle, Mile End, New Town & Christ Church. Old Heath & Hythe, Rural North		

1. Executive Summary

- 1.1 This report sets out proposals to replace the existing analogue Closed-Circuit Television (CCTV) system with a modern digital monitoring system. The main objective of the CCTV service is to prevent and detect crime and Anti-Social Behaviour (ASB). It is also in place to support vulnerable individuals, such as those that go missing.
- 1.2 The provision of the CCTV service is currently managed and operated by Colchester Amphora Trading Ltd (CATL), the Council's wholly-owned company, using a team working across both CCTV and the Helpline services. A network of cameras is located across the Town Centre that are monitored day and night by this team of Monitoring Centre Operators.
- 1.3 In their Business Plan (agreed at Cabinet in March 2019), CATL identified that during 2019 they would be actively pursuing opportunities to enhance the CCTV service for the Council and would be developing "a business case to upgrade the CCTV system to a digital platform which will provide additional capability and capacity to monitor areas outside of the Town Centre".

2. Recommended Decision

- 2.1 To approve the upgrading of the CCTV system as set out in the Report and instruct Colchester Amphora Trading Ltd to deliver this project for the Council.
- 2.2 To agree that an additional financial provision be made available in the CCTV capital budget, during 2020/2021, of up to £250,000.
- 2.3 To delegate further decisions related to any related contractual arrangements, legal agreement, financial management, procurement processes, or contract award to the Assistant Director Place & Client Services in consultation with the Portfolio Holder for Commercial Services.

3. Reason for Recommended Decision

- 3.1 The Council supports initiatives that will make our Town Centre cleaner, safer and more welcoming to visitors and residents alike. The investment will provide the Town Centre with a legacy that will provide long term benefits. The new CCTV system will help prevent and detect crime, provide quality evidence to the police for prosecutions and manage emergencies and major incidents.
- 3.2 Colchester's existing CCTV system is an old analogue system that will not remain fit for purpose. The system is experiencing regular breakdowns with repairs proving to be

uneconomic and unsustainable in terms of availability of parts. The analogue system is burdened with the cost of a significant annual service agreement, repairs and replacement of old technology and a significant energy bill all of which can be reduced to partly repay the investment in this much needed upgrade.

4. Alternative Options

- 4.1 Not to upgrade the CCTV system; however, this would miss a once only opportunity to maximised efficiencies in delivery alongside the LFFN Broadband project; it would also mean that the system would not be as good, coverage would not be increased, and the CCTV would remain more expensive to maintain, and would be increasingly prone to failure. This would not realise the economic and social benefits of upgrading the system at this time.
- 4.2 Decommissioning the CCTV system entirely would provide a saving in terms of operational costs and maintenance, but this would be dwarfed by increased costs in other Council services, partner agencies and businesses from removal of this deterrent to crime and ASB. Removal of the service would be likely to have a significant negative impact on Community Safety in the borough and the Council's strategic relationship with key partners, both in terms of loss of coverage in the areas covered by the existing system and the opportunity cost of failing to improve and increase coverage as proposed in this report.

5. Background Information

- 5.1 There is no Statutory Duty to deliver CCTV; however, Section 17 of the Crime and Disorder Act 1998 places an obligation on local authorities to consider the crime, disorder and environmental issues affecting the local area and ensure their activities do all they reasonably can to prevent them. The implementation and monitoring of CCTV is one such activity delivered by Colchester Borough Council that ensures this obligation is met.
- 5.2 CCTV was installed in Colchester based on the needs of the Town Centre at that time and since then we have seen significant development changes. As the requirements have evolved, increasingly that cannot be met by the current system. As it nears “end of life”, the analogue system is burdened with the cost of a significant annual service agreement, repairs and replacement of old technology and a significant energy bill all of which can be reduced to help repay the investment in this much needed upgrade. Picture quality, energy efficiency, and technology generally has moved on.
- 5.3 There are also increasing requests to increase the coverage of CCTV to monitor other areas of the borough, such as Greenstead, Hythe and the emerging Northern Gateway developments on both sides of the A12. Equally, at the heart of the Town Centre there have been requests to provide coverage to Dutch Quarter, Castle Park, Car Park amenity areas as well as connect CCTV at Leisure World to a central monitoring centre. None of the above can be achieved presently, as the current system has no capacity to add additional cameras.
- 5.4 Modern CCTV systems connect cameras to the control room suite using the Internet, rather than by using direct, sometimes lengthy cables (as in the case of the existing assets). The modern IP (internet protocol) cameras can be located in any location where there is internet access (WIFI, copper or fibre access infrastructure). IP cameras could be used to provide coverage of the areas listed in paragraph 5.3.
- 5.5 The deployment of a digital system also means that new areas could have CCTV deployed with a minimum of infrastructure engineering and disruption. Currently, the only way these areas could be connected back to the Town Hall would be by digging the entire distance between them to lay cables.
- 5.6 Modern IP cameras can incorporate PZT (pan, zoom and tilt) functionality, meaning that a single camera can often be used in place of two or more of the older, fixed cameras that did not have this function. Some control room systems also come with the ability to interlink with the Police National Computer for automatic facial recognition of known criminals or sought individuals. In this way, they form an important part of the armoury of dealing with ASB. Equally ANPR can be enabled and send a strong deterrent message to unwanted visitors as well as potentially assisting with future traffic monitoring and management.
- 5.7 The upgrade of CCTV will align to the roll-out of the Local Full Fibre Network (LFFN) programme funded by a grant from DCMS. The LFFN programme, approved by Cabinet on 20 November 2019, will commence in early 2020 with the design of a new fibre network across the town centre and to parts of North Colchester, Greenstead and the Hythe. Installation will take up to a year, with projected completion by the end of 2020. The wider LFFN programme must be completed by March 2021.

- 5.8 Aligning to the LFFN programme will deliver significant cost efficiencies for the CCTV upgrade and without this the upgrade could prove financially unviable. The approach to the upgrade if approved will be as follows:
- Full condition survey – (completed), has highlighted the full scope and condition of the ducting, the need to replace the cabinets and secure safe electrical connections
 - Network and system design
 - Tender, evaluation and appointment of contractors
 - Upgrade of monitoring centre to include working environment and operating system
 - Roll out of LFFN including the installation of new digital cameras on a location-by-location basis making the installation cost effective with one contractor completing all works at each location first time
- 5.9 This approach will enable the system to be operational for longer and the programming of it will be aligned to funding sources from Section 106 (funds from which will go to the purchase of cameras and those works connected with their installation). It is proposed to take the following approach to the phases of the upgrade:
- Upgrade existing system and coverage that covers the Town Centre only
 - Extend coverage across the Town Centre
 - Extend coverage to Northern Gateway to monitor the Sports Park
 - Extend Coverage to Castle Park
 - Connect Leisure World to central monitoring
 - Agree extension to neighbourhoods where there is justification under POFA
- 5.10 There is strict guidance on surveillance system, and this must be considered for the location and use of CCTV cameras. More information is provided in section 6, but examples include the Data Protection Act 1998, the Regulation of Investigatory Powers Act 2000 and the Protection of Freedoms Act 2012 to name but three pieces of relevant legislation.
- 5.11 As the LFFN programme rolls out this will enable the upgrade to become affordable. This upgrade has been estimated by our current service provider at a maximum £449,000. This estimate will be market tested via approaching other suppliers to design and cost a solution and, ultimately, the actual cost would be managed through the approved tender processes.
- 5.11 CATL have agreed “in principle” to provide coverage links with some of the town centre retail areas. They have identified 145 multipurpose locations in the Town Centre that could be used for Broadband, CCTV and potentially 5G in the future. There are 30 additional camera locations currently proposed across the Town Centre, extending coverage to some of the areas highlighted as problem areas. CCTV then helps people feel more protected, whether residents, visitors or business owners.
- 5.12 The cost of CCTV, compared to additional police officer patrols, is also good value for money, especially over the lifetime of the systems. Nationally, councils spend approximately £250m a year on publicly-owned CCTV systems, compared with the national police budget for England and Wales of more than £10bn a year (e.g. CCTV being 2.5% of the budget). However, it is a vital source of evidence and real-time assistance and this year to date, in Colchester town centre, the CCTV has helped in over 1,000 incidents and assisted in the arrest of 113 persons. This is not to say that Colchester is not a safe place, but all towns have crime, and this shows the added social value that CCTV already offers.

6. Equality, Diversity and Human Rights implications

- 6.1 No specific implications on groups with protected characteristics have been identified. The decision will not harm the promotion of equality and has no discrimination in relation to gender, gender reassignment, disability, sexual orientation, religion or belief, age and race/ethnicity.
- 6.2 The use of a surveillance camera system must always be for a specific purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need. Section 33(1) of the Public Freedom Act 2012 states that “A relevant authority must have regard to the surveillance camera code when exercising any functions to which the code relates”. It must consider its effect on individuals and their privacy with regular reviews to ensure its use remains justified. This will be an ongoing consideration for each specific location of cameras as a standard part of the delivery of the project, as work continues.
- 6.3 An increase in CCTV capability has the potential to increase the likelihood of intrusion into an individual’s privacy. This is why each specific location will be considered and reviewed continually. The Human Rights Act 1998 gives effect in UK law to the rights set out in the European Convention on Human Rights (ECHR). Some of these rights are absolute, whilst others are qualified, meaning that it is permissible for the state to interfere with the right provided that the interference is in pursuit of a legitimate aim and the interference is proportionate. Amongst the qualified rights is a person’s right to respect for their private and family life, home and correspondence, as provided for by Article 8 of the ECHR. Therefore, each site will need to be carefully considered on its individual circumstances during the improvement works to ensure compliance. This has also been considered in the work undertaken to date.

7. Strategic Plan References

- 7.1 “GROWTH... Ensuring all residents benefit from the growth of the borough”
- Help make sure Colchester is a welcoming place for all residents and visitors
 - Ensure residents benefit from Colchester’s economic growth with skills, jobs and improving infrastructure
 - Work with partners to create a shared vision for a vibrant town centre.
- 7.2 “RESPONSIBILITY... Encouraging everyone to do their bit to making our borough even better”
- Educate those residents who behave anti-socially about the impact of their behaviour
- 7.3 “WELLBEING... Making Colchester an even better place to live and supporting those who need most help”
- Work with Essex Police and partners in the Safer Colchester Partnership to make Colchester an even safer place

8. Consultation

- 8.1 CATL have engaged Safer Colchester Partnership, BID and Council Services.

9. Publicity Considerations

- 9.1 No specific publicity is required in relation to this Report.

10. Financial implications

- 10.1 The project would be significantly more expensive if not carried out at the same time as the LFFN Broadband project. That project will commence shortly, and be completed by March 2021; therefore, the CCTV project cannot wait for more funding to come forwards before starting. A budget provision should be set aside in the capital budget should the current budget gap not reduce during the course of the project delivery stages. If alternative sources of funding are forthcoming then these would be used prior to the use of that “reserve” capital budget provision.
- 10.2 The following funding was previously agreed and therefore “secure”:
- £62,100 assigned for digitalisation of CCTV in the capital allocations
 - £40,000 allocated within the spending priorities
 - s.106 Planning Obligation contributions (see below)
- 10.3 There are then Section 106 contributions that have been agreed, but that fall into two categories at present, based on known information to date regarding funds and trigger points/progress with construction, and can be classified as follows:
- Received and available £18,436 (These are “secure”)
 - Agreed and due within 2020 £70,000 (Estimated to be triggered in time)
 - Total expected to be available £88,436 (not all “secure”)
- 10.4 The estimate budget requirement is then based on a current estimate prior to an open tender process that should give competitive pricing from contractors, which should see bids returned within estimated budgets. It also includes a 10% contingency within the £449k estimates that may not be required to be spent, includes some fees that may be recoverable and includes some assumptions on timings.
- 10.5 CATL’s fee for carrying out this work on behalf of the Council would be in line with Management Agreement and would be confirmed upon tender completion as it is a prescribed percentage of the project costs and would be payable upon successful delivery of the agreed project. Therefore, a figure has been included but this figure should also reduce proportionately to any budgetary savings from the tender process.
- 10.6 To date CATL have not received any indication of financial support to the Council, from partners, on funding (capital or revenue). In particular, the extent to which the Council should upgrade the system to support the Police is to be agreed. Essex Police have indicated that they would like to be involved in scoping the new system and have also requested that the replacement of equipment in the Police Station is factored into the overall cost plans. However, there is no definitive agreement as to any financial contribution and therefore no provision has currently been included in the assumptions. Conversations with the Police, and also the BID, in particular, as beneficiaries of CCTV, should continue throughout the year and may also result in assistance.
- 10.7 On the basis of the above assumptions, whilst the current estimates show a “worst-case scenario” budget gap of £258k, it is thought, prudently, that a request of £250k as an additional capital investment would be sufficient at this time.
- 10.8 For completeness, modern digital systems have increased capability such as fire alarm and intruder alarm monitoring and if the upgrade is approved these contracts should be reviewed to see if additional savings could be realised. The modern technology should also be more energy efficient, and an increase in capability does not translate into a need for additional resources to monitor the system. Any future funding would be outside the scope of this project and need to be found from s.106 obligations, or other alternative sources covering later expansion.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Health and wellbeing is influenced by a number of factors, many of which fall under the responsibility of the council. The council must do all it reasonably can to promote positive health benefits to our residents whilst reducing, removing or minimising any unintended consequences to health that may arise from services or decisions. CCTV can relieve perceived fear of crime and associated anxieties. CCTV service seeks to create safer communities; not only in a sense of feeling safer, but also by reducing the risk of injury and protecting vulnerable members of the community. The new CCTV system will help prevent and detect crime, provide quality evidence to the police for prosecutions and manage emergencies and major incidents
- 11.2 Community safety considerations have been considered and consideration has been given on how the decision will impact upon crime and disorder. CCTV reduces crime and the fear of crime and therefore the decision would have positive impact.

12. Health and Safety Implications

- 12.1 As a result of the decision, there would be positive implications for the health and safety of the general public and would be likely to encourage active travel choices (see also 14.1).

13. Risk Management Implications

- 13.1 As mentioned in 11.1, CCTV service seeks to create safer communities; not only in a sense of feeling safer, but also by reducing the risk of injury and protecting vulnerable members of the community.

14. Environmental and Sustainability Implications

- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. This decision has no significant implications for this objective, but perceived safety would encourage greater walking and cycling and with modern technologies, power usage should be more energy efficient.

29 January 2020

Report of	Assistant Director of Place & Client Services	Author	Andrew Tyrrell ☎ 2982390
Title	Updates to the Events Policy		
Wards affected	All		

1. Executive Summary

- 1.1 This report proposes updates to the Council's adopted Events Policy. The current Events Policy was agreed by Cabinet in October 2016 and is now over 3 years old. The Policy applies to all Council-owned venues, as well as other venues that are not operated by the Council (where relevant regulatory controls apply).

2. Recommended Decision

- 2.1 To approve and adopt the revised Colchester Borough Council Events Policy in Appendix A.
- 2.2 To agree that any future updates to the Events Policy be delegated to be agreed by the relevant Portfolio Holder (as set out in the Scheme of Delegation to Councillors at such a time as they may be necessary).

3. Reason for Recommended Decision

- 3.1 To ensure that the Council has an up to date Events Policy that sets out adopted guidance for events held in Colchester. To help ensure that all events at Council venues, or where the Council can control them, are operated in a satisfactory and consistent manner.

4. Alternative Options

- 4.1 Not to adopt an updated Events Policy; but this would mean that the Council would continue to operate a Policy that is already over 3 years old.
- 4.2 Not to delegate further updates to the Events Policy to a Portfolio Holder; but this would mean that all changes to the Policy, no matter how small, would continue to need a Cabinet decision (which may be disproportionate in many practical examples).

5. Background Information

- 5.1 The Council agreed to centralise the majority of its events operations after a decision on 2 September 2015, in accordance with recommendations made by the Council's Trading Board. An Events Policy was then introduced in October 2016, following the commencement of these centralised events within the new Colchester Events Company. This 2016 version of the Policy remains the current adopted Colchester Borough Council Events Policy.
- 5.2 During the intervening time, Colchester Events Company (CEC) have continued operated, but since April 2018 they have been operating within Colchester Amphora Trading Ltd (CATL), after the Council created several wholly-owned companies. Whilst the management of events now takes place through CEC, as part of CATL, the Events Policy remains a Council policy that sets out how the Council expects events to be operated. It remains with the Council as the Council has statutory duties to regulate events, across the borough. The Policy is applied when the Council's companies operate events at Council venues, but it also applicable to anyone using our venues, or anyone holding events that require Council regulations or controls (e.g. licensable events) regardless of the venue ownership.
- 5.3 For our own events, CATL delivers the Council's aspiration to put Colchester firmly on the events map; with a number of place-making events having been successfully promoted, managed and established over the last 2 years. The growth of events is part of the Business Plan for the Council's companies that Cabinet agreed (most recently in March 2019), with the resulting financial return to the Council to reinvest (through a dividend) in valuable public services.
- 5.4 Having an Events Policy gives transparency to the expectations of events management for all concerned. It also helps promote safe and enjoyable events. Whilst applicable to all venues and events, this is especially important for larger events, such as concerts in Castle Park. Approximately 211,000 visitors came to Council-owned venues in 2018/19 and concerts by artists such as Steps, Simple Minds, Tears for Fears, and Craig David helped establish the Park as a regular summer concert venue.
- 5.5 Over 28,000 people attended events in Castle Park this year. Sir Tom Jones attracted 12,000 fans to the most recent event and demonstrates the potential for continued growth, with the significant economic boost that this brings to the town. For Sir Tom Jones over 6,000 attendees came from outside of CO postcodes, some experiencing Colchester for the first time.
- 5.6 Attracting audiences from across the country (evidenced by the ticket sales and visitor data), helps to showcase the town and its other cultural and historic attractions. This also increase secondary economic benefit to the town on event days, e.g. hotels, shops, restaurants and bars, as well as other tourist attractions have all benefitted.
- 5.7 Indeed, research from the Association of Independent Festivals shows that a 5,000-capacity event can generate approximately £800,000 in net gain to the local economy. As well as economic benefits from these events there are also social and cultural benefits through bringing communities together and developing a sense of pride in the borough for our local residents.

6. Equality, Diversity and Human Rights implications

- 6.1 The Events Policy allows for the promotion of equality and does not discriminate in relation to gender, gender reassignment, disability, sexual orientation, religion or belief, age and/or race/ethnicity. Events are planned with inclusivity in mind, and safety plans cater for vulnerable participants as set out in section 12 below.
- 6.2 An Equality Impact Assessment (EQIA) already exists for the Events Policy and can be viewed on the Council website [here](#).

7. Strategic Plan References

- 7.1 The following elements of the Council's Strategic Plan are relevant:

“GROWTH... Ensuring all residents benefit from the growth of the borough”

- Help make sure Colchester is a welcoming place for all residents and visitors
- Ensure residents benefit from Colchester's economic growth with skills, jobs and improving infrastructure
- Promote inward investment to the borough
- Work with partners to create a shared vision for a vibrant town centre.

“OPPORTUNITY... Promoting and improving Colchester and its environment”

- Promote and enhance Colchester borough's heritage and visitor attractions to increase visitor numbers and to support job creation
- Promote initiatives to help residents live healthier lives.

“WELLBEING... Making Colchester an even better place to live and supporting those who need most help”

- Encourage belonging, involvement and responsibility in all the borough's communities
- Work with Essex Police and partners in the Safer Colchester Partnership to make Colchester an even safer place

8. Consultation

- 8.1 The update to the Council's Events Policy has been drafted in consultation with a number of Council Services, and the Council's wholly-owned companies. Services that have fed into the Policy include Communities, Neighbourhoods, and Policy & Corporate Services; including representation from the Parks Team, Environmental Protection and Licensing.

9. Publicity Considerations

- 9.1 The Events Policy will be published in the Council website and will be communicated to persons wanting to hold events in Colchester, including (but not exclusive to) anyone wanting to use Council venues. Individual events have their own bespoke publicity and marketing plans.

10. Financial implications

- 10.1 The financial advantages of holding events are set out, generally, in the main report section. The Council company CATL manages events for the Council and makes a commercial profit from these. The profits contribute to the Council-received dividend, returned from CATL (and others) through Colchester Commercial Holdings Ltd (CCHL),

to the Council at the end of each financial year. The Council also charges CATL a fee for the use of its venues.

- 10.2 In addition to the direct financial gains for the Council, the main report also indicates that the events in the borough also generate inward investment and economic boosts for other sectors. The town centre, in particular, benefits from increased footfall and secondary spend on event days.
- 10.3 The Council's companies have financial targets, and growth targets set with their Business Plans. The existence of an up to date Events Policy will help them understand how they can plan to operate in accordance with the Council policy, aims and objectives.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Health and wellbeing is influenced by a number of factors, many of which fall under the responsibility of the council. These include access to green space, licensing, environmental health protection and economic development and many more. The events that are managed in Council venues, by the Council's companies, include a number of events aimed at promoting health and wellbeing. There are a number of activities such as charity runs, etc, where events focus on exercise and physical fitness. More generally, other events contribute to the opportunities for social wellbeing and encourage good mental health.

12. Health and Safety Implications

- 12.1 Individual events are subject to various scales of safety planning. All Council venues have safety plans for emergency situations such as fire. For larger events, a Safety Management Plan would be necessary, proportionate to the event, and would be submitted to the Council's Safety Advisory Group (SAG). This includes consultation with third parties such as the Police and Fire services.
- 12.2 Matters such as emergency evacuations, roles and responsibilities, communication to the public, and escape routes are usually consulted upon and agreed with safety-related partners. The Fire Service, amongst others, requires this as part of their safety role, but they would usually expect an acceptable event-specific plan should include planning for vulnerable people with additional needs in emergency scenarios. Individual plans would provide for additional assistance to people with a disability, people with learning difficulties, those with limited mobility and children.

13. Risk Management Implications

- 13.1 A risk register is created for events and risk is carefully managed through mitigation methods.

14. Environmental and Sustainability Implications

- 14.1 The Council declared a Climate Emergency and committed to being carbon neutral by 2030. Events are being planned in response to this, with discussions about single use plastics, travel planning and other measures being included as part of the booking procedures in order to help promote sustainability.

Appendices

Appendix A: "Colchester Borough Council Events Policy 2020".



Colchester Borough Council Events Policy



Updated January 2020

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Introduction and Context

Approximately 211,000 visitors came to Council-owned venues in 2018/19. Colchester Borough Council is committed to enabling events and operates a variety of venues across the borough. All of these venues are able to host a wide range of events, from charitable through to full commercial events. A diverse, well-managed, programme of events can provide many benefits to the town, promoting Colchester as a vibrant place for business, culture and community and ensuring the safe enjoyment of both residents and visitors attracted to the borough.

A well-managed and appropriate events policy helps bring these positive benefits to the borough. Many of the events held in the Council's venues are managed by the Council's wholly-owned commercial company, Colchester Amphora Trading Limited (CATL) and specifically by their Colchester Events Company team. However, even where its company hires out the venue or manages an event, the Council retains a role as a regulating authority; with responsibility for matters such as licensing, environmental protection and planning.

This Events Policy therefore sets out the Council's policy on events, across all of its venues, regardless of who the event organiser is. It promotes the aims of the Strategic Plan, including:

GROWTH

- Help make sure Colchester is a welcoming place for all residents and visitors
- Promote inward investment to the borough
- Work with partners to create a shared vision for a vibrant town centre.

RESPONSIBILITY

- Encourage re-use and recycling to reduce waste to landfill

OPPORTUNITY

- Promote Colchester's heritage and visitor attractions to increase visitor numbers and to support job creation

WELLBEING

- Encourage belonging, involvement and responsibility in all the borough's communities
- Work with Essex Police and partners in the Safer Colchester Partnership to make Colchester an even safer place

For the purposes of this Policy, an event is defined as:

"A planned activity in a specific Council owned location, either indoors or outdoors, lasting for a limited period of time that will be attended by members of the public (whether paid or unpaid "admission") where the activity can reasonably be expected to attract a gathering of people that would not otherwise be expected as part of the normal course of daily business in that location at that time".

Aims and Objectives

The aim of this Policy is to provide a clear framework for considering the programming of a variety of commercial and community events across Council venues. The Policy aims to enable a wide range of sporting, recreational, cultural, social and educational activities in line with the Council's strategic aims.

The Council's objectives are to:

- Support and enable cultural, educational and leisure activities which widen access and increase participation from all sectors of the community.
- Encourage activities that enhance the quality of life for visitors, encourage healthy living and promote diversity.
- Enable the Council to offer its venues for suitable commercial purposes to generate revenue from events which can be reinvested into venue maintenance and other service provision.
- Use local products, services and people where possible to encourage active citizenship and promote a positive image of Colchester regionally, nationally and, where appropriate, internationally.
- Attract visitors and events to Colchester to bring investment, jobs and prosperity to the local economy
- Promote Colchester as a destination with a strong heritage complemented by a vibrant contemporary culture
- Maximise the safety of event attendees and workforce to ensure that safety is placed as a priority in decision making
- Minimise disruption to residents and businesses
- Manage events so as to protect, preserve and enhance the historic nature of the Council's venues.

To meet these aims and objectives, events will fall into five broad categories:

1. Commercial events of local, national or international importance or significance that support the aims and objectives of the Events Policy and promote the borough to a wider audience and encourage visitors to the town and bring revenue to the Council and the local economy.
2. Local commercial events that generate revenue for the Council, including weddings, parties, meetings, receptions and other suitable private bookings.
3. Events organised by registered charities and/or voluntary groups for the purpose of raising money for local and national charities and/or community groups.
4. Events and activities that aim to enhance the environment of the parks, open space or borough venues that educate users, encourage participation and promote the leisure activities or opportunities available.
5. Civic events.

Events Programme

The Council/CATL will seek to ensure a balanced programme of commercial, community and civic events as part of any approved programme. The majority of the planned programme will usually be confirmed at the start of each year but will evolve and change as necessary.

The Town Hall, Charter Hall, the Castle and Castle Park will be promoted for events of Civic importance and events which promote Colchester regionally, nationally or internationally, or are of wide-ranging interest.

Other venues, such as Old Heath Recreation Ground and St Botolph's Priory have been used this year and will continue to be used if considered appropriate to the diversity, scale and type of events. The Council will also consider using other sites it has not yet used, should they be considered suitable for different types of events.

As Colchester's principal venue for largescale outdoor concerts, Castle Park will host a programme of up to 6 place-making events each year. These events may use amplified music and produce sound levels up to 65dB(A) measured at the nearest noise sensitive properties. Other venues may hold up to 3 events per year (subject to licences).

The Council/CATL will give priority to those events that have a record of being well-promoted and well-managed with a safe and high-quality visitor experience.

Regular annual or bi-annual events will normally be given priority, but the Council/CATL will not guarantee the provision of any site to any particular event or organising body based on previous use alone; and can refuse events based on income, payment and performance history.

Organisers of "niche" or "political" events that may be aimed at a narrower or specific audience, and activities with minority or local interest, will be encouraged to utilise Colchester's other venues with more appropriate considerations such as size, location, purpose, activities; for example, being closer to their community/audience.

The Council reserves the right to priority use of its own venues and facilities above all others. For example, civic events including the Queen's Birthday Gun Salute and Remembrance Sunday will take precedent over all other events. Whilst these events are usually known far in advance, in exceptional circumstances this may include short notice changes that are beyond the Council's control, such as an unexpected General Election. The Council accepts no liability in such circumstances.

Permitted Events

Examples of these would generally include:

- Civic events
- Arts and cultural events
- Musical concerts
- Firework Displays
- Fairs
- Drama events
- Historic re-enactment
- Military festivals
- Religious events
- Political activities
- Exhibitions
- Sporting and recreational events
- Children's activities
- Entertainment events
- Shows, exhibitions and craft fairs
- Bona fide Animal Breed Exhibitions or Shows
- Circuses (see Programme Exclusions)
- Guided and Sponsored Walking Tours
- Environmental and horticultural demonstrations
- Private events (weddings, parties etc.)
- Business and corporate events
- Other events not included here as approved by the Council.

Excluded Events

These would generally include:

- Any event likely to provoke public disorder
- Any event that includes the use of performing animals, except those which are normally regarded as domesticated in the United Kingdom (eg horses, dogs, cats, birds used in falconry demonstrations, caged birds and rabbits) which may be used as an ancillary part of a performance
- Any event that includes animals as prizes, including goldfish at a funfair
- Any event that would cast doubt on the integrity of the Council or that the Council believes may be of questionable public morality
- Any event that includes balloon releases and Chinese lantern

The relevant Council Portfolio Holder will have the discretion and ultimate decision on determining whether a proposed event falls within the programme exclusions.

Private Events

These will include weddings, parties, meetings and similar. These will all be available on a full commercial basis in competition with other local providers.

Council/CATL officers will use their experience to programme a full calendar of private events each year which will bring in revenue to the Council. All private events will meet all the necessary requirements for licences, insurance and health and safety and where relevant, consultation with the Borough Safety Advisory Group, as with all Council / CATL events.

Operation

Event organisers must comply with completion of relevant documentation.-All events at Council locations are subject to specific terms and conditions which need to be agreed and signed prior to the event.

Operating hours for outdoor events will generally be between 9am to 11pm (excluding set-up and set-down). In exceptional circumstances an extension of these hours may be sought from the licensing authority for celebrations on festival days such as New Year's Eve and Bonfire Night, civic occasions, or where celebration of a significant local, regional or national event is required.

Although not always practical, whenever possible existing facilities such as the boating lake, café, and putting green should be accommodated throughout events and disruption be minimised (in consultation with the operators).

Firework displays and other pyrotechnics will only be permitted where they are an integral part of an event such as New Year's Eve and Bonfire Night celebrations, civic events, military festivals, historical re-enactments, certain musical concerts and private functions (by prior agreement).

Organisers of larger events will be encouraged to liaise directly with local residents to the venue to minimise any disruption or disturbance and limit the impact that their event might have on local communities.

Event Costs

All events, regardless of size, have a cost to the Council (and its companies). The Council is unable to subsidise costs, for example; staff time, hiring of equipment and services, organisation, set-up and clear-down. These costs will be passed on to all event organisers where incurred.

While registered charities and non-profit making community groups may be offered a "charitable hire rate", costs will still be passed to the event organiser to ensure no additional burden on the Council (or CATL), although these costs will be kept as low as possible.

Flexibility to alter standard hire fees is delegated to the Councils events operator (CATL) or the Council's relevant Assistant Director, as per the needs of the business.

For certain events, usually by exception, the Council/CATL may enter into a commercial agreement whereby some or all of the advance payments may be waived (in instances such as profit share). This will be determined on a case by case basis by the Councils events operator (CATL) or the Council's relevant Assistant Director.

Damage to Venues and Severe Weather

For all events, the Council/CATL will secure a bond from the organiser in advance for repairs and re-instatements following events.

The cost of any repair and reinstatement by the Council's approved contractors will be charged to the event organisers.

For outdoor events, the protection of the environment, wildlife and features will need to be considered when planning events and, in the event of wet ground conditions, the Council will require the event organiser to introduce additional ground protection measures to avoid excessive damage; which may include the use of protective matting and running boards, close supervision of vehicle movements or changes to event layouts.

In such circumstances, the Council/CATL may also require the event organiser to increase the value of the reinstatement bond prior to the event.

The Council will require evidence that the organiser has considered sufficient measures to protect the public in the event of dangerous weather conditions. In the case of severe winds creating dangerous conditions associated with trees on site or temporary structures – including but not limited to Inflatables and Marquees – the Council reserves the right to cancel the event if it is considered that public may be at risk. Such requirements will be at the events organiser's expense.

In the case of severe weather creating dangerous (or potentially damaging) wet ground conditions the Council reserves the right to cancel the event. If severe weather makes it necessary to cancel an event, the Council will not be liable for any costs. The decision to cancel an event due to severe weather is taken by a Council Assistant Director or Director, whose decision is final.

Insurance

Organisers are required to obtain and provide evidence to the Council of Public and Employers Liability Insurance to a minimum value of £5million in line with national guidance (unless an alternative provision has been agreed by exception).

This minimum figure is subject to review and may be updated at any time on the advice of the Council's insurers. For some events, the Council may request a higher minimum value

Event promoters and organisers will be responsible for ensuring that all third-party suppliers and contractors are adequately insured.

Regulation of Events

The Council (and CATL) look to provide a range of great events and activities in our venues and spaces, as per the aims set out in this Policy. We recognise the need to balance these aims with the environment (both within and around the event venues); as such the Council will require all event organisers to adhere to relevant guidance and procedures when holding events, including Licensing requirements, Environmental Protection guidance, Planning laws, as well as having event management plans and prioritisation of public safety.

Organisers of events are encouraged to work with residents and relevant authorities to minimise the impact of events on the community. Where considered appropriate by the Council/CATL, organisers will be required to inform local residents in advance of major events that may cause local disruption.

Advertisement Control

Event promoters and organisers are required to comply with any legislation, including advertisement controls; as it is a criminal offence to display certain advertisements without the correct consents from the local planning authority. Illegal flyposting or other failures to comply with advertising restrictions could result in a 'Fixed Penalty Notice' or other legal/enforcement action by the Council, including court actions.

All materials displayed at the venue must be approved by the Council in advance and meet the required specification with regard to size, materials used and content. Approved advertising may then only be placed at the venue, at the locations and time period approved by the Council or other authorised persons.

Food Safety

All food businesses (however big or small) at an event must provide evidence of food registration with the relevant local authority and food hygiene ratings for all temporary catering outlets.

Waste and Recycling

The event organiser must provide a waste management plan which is approved by the Council. The waste management plan should show how the organiser will manage, recover and recycle or dispose of waste and street litter safely, and meet all environmental regulations and statutory requirements. Waste should be minimised and recycled as much as possible.

Licensing

Organisers, during all licensable activities, shall be required to detail how they will meet the four licensing objectives:

1. The Prevention of Crime and Disorder
2. Public Safety
3. The Prevention of Public Nuisance
4. The Protection of Children from Harm

Organisers are required to understand and put into practice Policies relating to Noise Control, the Sale of Alcohol, Proof of Age, Safeguarding Child and Adults, Registered Security and Drugs. Hire agreements will stipulate requirements and the Council and Safety Advisory Group will advise where relevant.

In accordance with the Licensing Act 2003, event organisers will be required to obtain all appropriate licenses and permissions from the relevant authorities, e.g. Temporary Events Notices, where these are not already provided for under the terms of a Premises Licence.

The event organiser is responsible for ensuring that all required licences are obtained in sufficient time and all conditions specified in these licences are adhered to. The costs for any licence shall be incurred by the event organiser.

The event organisers will be responsible for ensuring that their event complies with the relevant Temporary Events Notice or Premises Licence. Compliance will be strictly monitored by the Council's authorised officer, Designated Premises Supervisor or appointed deputy.

Environmental Protection

Noise levels generated from an event need to be agreed in advance and kept at a reasonable level. Noise should not create an unreasonable impact on any business or residential premises in the vicinity of the event site. Events must also comply with The Control of Noise at Work Regulations 2005 for staff and contractors on site.

Consideration should be given to the suitability of events to meet our requirements at each venue. Each event is different and the Hire Agreement with the organiser will specify what is required. However, when entering into a Hire Agreement with an event organiser where loud amplified music (or another significant impact to residents or the environment) is expected then such Agreements will be discussed between CATL and the Council's regulatory service areas prior to confirmation.

For such events as may then be agreed, a plan for managing and monitoring sound levels (within permitted levels) for events will be required from the event organiser a minimum of 12 weeks in advance of each event. The event organiser will then be responsible for monitoring and recording levels during the event and for making adjustments (as required) to ensure compliance with the premises licence or noise regulations.

The organiser is expected to reduce sound levels on the day if conditions require it. Where appropriate a noise record shall be kept, for example, in the event of complaints. Following the event, if requested by the Council, the monitoring data collected by event organisers must be provided to the Environmental Protection Team.

Local residents in direct proximity to "large-scale events" (see definition below) including those with outdoors amplified music shall be notified of those events not less than 4 weeks before the event. The residents to be notified shall be indicated on a plan, which is to be agreed by the Council, before they are notified.

Safety Advisory Group (SAG)

The first priority of any event should be human safety. Responsibility for safety rests with the organiser, but the Council and its partners have a duty to ensure all relevant health and safety guidance is followed. This is undertaken through the Safety Advisory Group (SAG).

The role of the SAG is to consider “large-scale” public events regardless of who owns the venue or land and advise organisers on the requirements, SAG is a multi-partner group including Police, Council, Fire and Highways. In general, “large-scale” public events will be considered as those where more than 500 people are expected to attend, although smaller events may require the involvement of the SAG depending on the event. The SAG remit also includes outdoor events which require a premises licence under the Licensing Act 2003, firework displays, carnivals, parades, music festivals and other large-scale events of a similar nature.

As the remit of the SAG is to advise on how to ensure public safety is maintained by event organisers, members of the SAG will expect to review a safety plan before any events. For the SAGs consideration, the premises license holder or event organiser must risk assess each event and produce a plan proportionate to the size and nature of the event being held. For “large-scale events” a written Event Management Plan (EMP) must be submitted (by the premises licence holder or event organiser) to the SAG.

Event organisers will be expected to actively participate in the SAG process as relevant. This includes adhering to event plans and/or details agreed with the SAG. Similarly, event organisers should comply with any instructions given by the Council’s Environmental Protection Team or other designated Council Officer. Failure to do so may result in the event being stopped or cancelled.

Every event should have a designated safety officer and event organisers will be required to provide evidence (where required by the Council) that they are complying with:

- All relevant Health and Safety Legislation, and
- The Council’s own Health and Safety Policy and procedures.
- If deemed necessary using predefined criteria, presentation of Event Safety Documentation may be required at a Safety Advisory Meeting.

When planning an event involving more than 10,000 people a minimum of 6 months’ notice should be sought. For an event involving between 500-10,000 people a minimum of 3 months’ notice should be sought. The final draft of the EMP should then be agreed no later than 6 weeks prior to the first day of the event.

The SAG may also co-ordinate safety debrief meetings post events so that future events may be improved. All issues will be discussed with the event organisers so that the safety risk can be resolved, as cancellation of an event is the last resort.

Traffic Management

Events can involve increased levels of traffic. The Safety Advisory Group includes Essex County Council Highways representatives who can advise event organisers of traffic requirements that may need to be put into place. Organisers have a responsibility to notify and discuss traffic considerations with ECC highways for any large event.

Safeguarding Children and Adults

Event organisers, their employees and contractors will be required to comply with the Council's Safeguarding Children and Adults Policy.

All organisers and promoters will be required to provide evidence of procedures for dealing with lost children.

The content of each event shall be considered by the Council and an age limit agreed with the Organiser. These limits will be monitored by the Council and failure to comply with them may result in the closure of the event.

Monitoring of Standards and Customer Satisfaction

The Council/CATL will also monitor standards and customer satisfaction and will liaise with organisers to instigate improvements where appropriate.

Organisers and promoters of recurring events are required to carry out reviews of their events to learn from their experiences, to improve on the product being provided and the impact on local residents. The Council may require a clear Action Plan setting out the lessons learnt and the improvements to be incorporated in future years before approving subsequent events.

Review of the Events Policy


Events are unique, therefore the challenges posed by each event are different. As events evolve and develop it may be necessary for the Events Policy to evolve and develop accordingly. All the partner agencies recognise the importance of events to Colchester and will work together to provide a programme of safe and well-managed events for the benefit of residents and visitors.

This Events Policy consequently will be reviewed by the Council every 3 – 5 years, minor changes will be considered by the relevant Assistant Director in consultation with the Portfolio Holder and where major changes are considered necessary the policy will be referred to a formal decision-making process.

Cabinet

29th January 2020

Item
12(i)

Report of	Assistant Director Communities	Author	Sonia Carr
Title	Safeguarding Policy & Suicide Protocol		01206 282978
Wards affected	Not applicable		

1. Executive Summary

- 1.1 The Council's Safeguarding Policy was approved by Cabinet in March 2013 and was referred to Council for adoption into the Policy Framework which took place on 20 March 2013.
- 1.2 The policy was reviewed by the Governance and Audit Committee in November 2016, where revisions to the policy were put forward. However, the Committee simply noted the revisions and the revised policy was not put forward to Council for adoption.
- 1.3 This report introduces a revised version of the Safeguarding Policy (Version 7) for review and approval.
- 1.4 Following the publication of the 2012 'Preventing Suicide in England' strategy, Councils were given the responsibility of developing local suicide action plans through their work with health and wellbeing boards (HWBs). A deadline of 2017 was set.
- 1.5 The Council's Suicide Protocol was developed during 2017-18 and implemented in July 2018.
- 1.6 This report introduces a revised version of the Suicide Protocol (Version 2) for review and approval.

2. Recommended Decision

- 2.1 Cabinet is asked to review and approve the revised Safeguarding Policy (Version 7) and recommend that Full Council adopt into the Council's Policy Framework.
- 2.2 Cabinet is asked to recommend to Full Council that the Safeguarding Policy is reviewed formally every 5 years (unless there is a major change to legislation or

approach) and that minor amendments be delegated to Assistant Director in consultation with Portfolio Holder.

- 2.3 Cabinet is asked to review and approve the revised Suicide Protocol (Version 2) and recommend that Full Council adopt into the Council's Policy Framework.
- 2.4 Cabinet is asked to recommend to Full Council that the Suicide Protocol is reviewed formally every 5 years (unless there is a major change to legislation or approach) and that minor amendments be delegated to Assistant Director in consultation with Portfolio Holder.

3. Reason for Recommended Decision

- 3.1 By reviewing and approving the revised Safeguarding Policy and Suicide Protocol, Cabinet will assist the Council in meeting its legal duties.

The following appendices have been included at the end of this report to assist Cabinet in its task:

- Appendix A – Safeguarding Policy (Version 7)
- Appendix B – Suicide Policy (Version 2)

4. Alternative Options

- 4.1 No alternative is available as this is a statutory requirement.

5. Background Information

- 5.1 Safeguarding Policy:
The Council's Safeguarding Policy was approved by Cabinet in March 2013 and was referred to Council for adoption into the Policy Framework which took place on 20 March 2013.
- 5.2 This Policy replaced previous separate safeguarding policies for children and for vulnerable adults. This step was both logical and practical; it brought greater clarity and ease of access for officers, councillors and the public. It also provided up-to-date information on key people and processes and was updated in line with legislation and guidance.
- 5.3 As a Borough Council, our key role is to share information with, and make referrals to, the investigating authority which is Essex County Council. We also have a duty to work in partnership with other key agencies such as the local Safeguarding Boards (Adults and Children) and to participate in audits and key reviews, whose recommendations we adopt to embed best practice.
- 5.4 The Policy was *reviewed* by the Governance and Audit Committee in November 2016, where revisions to the policy were put forward. However, the Committee simply noted the revisions and the revised policy was not put forward to Council for adoption.
- 5.5 A revised version of the Safeguarding Policy (Version 7) has therefore been drafted for review and approval. This version contains up-to-date information on key people, processes, legislation and guidance.
- 5.6 Suicide Protocol:
Following the publication of the 2012 'Preventing Suicide in England' strategy, Councils were given the responsibility of developing local suicide action plans through their work with health and wellbeing boards (HWBs) or equivalent groups and a deadline of 2017 to start this work was set.
- 5.7 Colchester Borough Council wished to play its full part in working with others to reduce these unnecessary deaths, raise awareness and tackle stigma; hence the Council's Suicide Protocol was developed during 2017-18 and implemented in July 2018.
- 5.8 A revised version of the Suicide Protocol (Version 2) has been drafted for review and approval. This staff protocol provides practical guidance on responding to, and managing, threats or ideation of suicide or self-harm.

6. Equality, Diversity and Human Rights implications

- 6.1 This report has no significant equality, diversity and human rights implications.

This report is covered by the Safeguarding Policy Equality Impact Assessment, which can be viewed on the CBC website here: [EQIA - Communities](#)

7. Strategic Plan References

- 7.1 The Council's Strategic Plan 2018-21 is a key mechanism through which the Council monitors how it is meeting its safeguarding responsibilities. It is an integral part of the Plan under its Wellbeing theme; specifically, the action to 'Target support to the most disadvantaged residents and communities' (W4)

8. Consultation

- 8.1 The Council's strategic approach in these areas is underpinned by its Strategic Plan for which extensive consultation took place. CBC's People and Performance team led a review of the Strategic Plan Action Plan in February 2019, to ensure the organisation is on plan to deliver the key priorities.

9. Publicity Considerations

- 9.1 The Council's approach to Safeguarding has the potential to affect everyone who lives, works or visits the borough. It can play a key role in the daily lives of individuals and communities by helping to safeguard vulnerable groups from harm, as well as tackling prejudice and advancing equality of opportunity.
- 9.2 The Council's website includes a section dedicated to Safeguarding children and 'adults with needs for care and support' which contains key information for residents along with links for further information.

10. Financial implications

- 10.1 There are no specific financial implications in relation to Safeguarding; it is mainstreamed into Council business, and resources are in place to ensure that the Council continues to meet its responsibilities in this area in full.
- 10.2 There may be a requirement to source external funding to deliver Suicide Awareness sessions, to support the Protocol. However, this is considered business as usual and will be supported by the Safer Colchester Partnership.

11. Health, Wellbeing and Community Safety Implications

- 11.1 The approaches and activities that are encompassed around the Policy and Protocol are designed to safeguard children and 'adults with needs for care and support' and the severe health and wellbeing impact on those involved, particularly the victim.

- 11.2 The Policy and Protocol demonstrates how the Council meets its legal duty to “safeguard and promote the welfare of children”, and to discharge its legal obligations towards adults with needs for care and support.

12. Health and Safety Implications

- 12.1 The Policy and Protocol demonstrates how the Council meets its legal duty to “safeguard and promote the welfare of children”, and to discharge its legal obligations towards adults with needs for care and support. This will in turn create a safer working environment, and one which is consistent with the Council’s Health and Safety policies.

13. Risk Management Implications

- 13.1 This report supports and facilitates the approval of, and adoption into, the Council’s Policy Framework which is a statutory requirement. The Council could suffer significant reputational damage should its staff or councillors fail to comply with their Safeguarding responsibilities; the Policy and Protocol detail the Council’s strategic and operational approach in this area.

14. Environmental and Sustainability Implications

- 14.1 There are no specific Environmental and Sustainability implications.

Appendices

Appendix A: Safeguarding Policy Version 7 (pages 7 – 42)

Appendix B: Suicide Protocol Version 2 (pages 43 - 49)

APPENDIX A



Safeguarding Policy

Colchester Borough Council

Version 7 January 2020)

See end of this document for "Version Control"

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INTRODUCTION

Children, and adults with needs for care and support, have the right to participate and be safe in accessing services provided for them. Colchester Borough Council is committed to carrying out its responsibilities by ensuring that their needs and interests are considered by councillors, employees and contractors in the provision of services and in its decision-making.

POLICY STATEMENT

The purpose of the policy is to help the Council meet its legal duty to “safeguard and promote the welfare of children”, and to discharge its legal obligations towards adults with needs for care and support. Colchester Borough Council performs various functions and delivers a wide range of services. This Policy aims to ensure that all of its activities take place within this context.

The Council will safeguard and promote the welfare of children and adults with needs for care and support by:

- Respecting the rights, wishes, feelings and privacy of children and adults
- Ensuring that all staff understand the different forms abuse can take and how to identify them
- Responding appropriately and promptly to concerns reported
- Ensuring that employees understand the Council’s Safeguarding Policy
- Ensuring that employees know how to record and report safeguarding concerns, Incidents or allegations
- Taking any concern made by a councillor, employee, contractor, child or adult seriously and sensitively
- Ensuring that contracted/commissioned and grant-funded services have safeguarding policies and procedures consistent with the Council’s commitment to the protection of children and adults.
- Please see Appendix 4 for the ‘Policy statement and procedure template’ which organisations are free to use and must comply with as a minimum to receive funding from the Council.
- Ensuring that training appropriate to the level of involvement with children and adults with needs for care and support is available for all employees.
- Responding to any allegations appropriately and implementing the appropriate disciplinary and appeals procedures.
- Implementing effective procedures for recording and reporting to the Council any allegations, incidents or suspicions of abuse.
- Ensuring that all councillors and employees adhere to all appropriate safe working practices when working with children and adults with needs for care and support (see Appendix 7).
- Encouraging safeguarding best practice both within the Council and within the borough of Colchester
- Not tolerating harassment of any councillor, employee, contractor or child or adult with needs for care and support who raises concerns of abuse

- Ensuring that unsuitable people are prevented from working with children and ‘adults with needs for care and support’ through its ‘Safer Recruitment Procedure.’

This policy applies to all services within the scope of Colchester Borough Council. In addition to all internal provision of services, it also applies to: Outside hirers; Outside organisations delivering services involving children or adults with needs for care and support on behalf of the Council; Contractors and Grant-funded organisations.

DEFINITIONS

- A “child” refers to the legal definition in UK law being anyone under the age of 18 years.
- An “adult with needs for care and support” largely replaces the pre-Care Act 2014 term ‘vulnerable adult’.

This reflects the local authority’s safeguarding duties that apply in relation to an adult who:

- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
 - (b) is experiencing, or is at risk of, abuse or neglect, and.
 - (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it..
- In this document the term “Member” is interchangeable with “councillor”.

This policy is inclusive of all children and adults with needs for care and support, irrespective of their age, race or ethnicity, religion, disability, sex or sexual orientation.

MONITORING AND REVIEW MECHANISMS

Monitoring mechanisms include: External (Section 11) audit (ESCB); External Staff Safeguarding Survey (ESAB), internal audits; recording of staff training at different levels; reporting to the Council’s Senior Management Team and Leadership Team; Special Case Reviews, Serious Case Reviews, Domestic Homicide Reviews and Serious Adult Reviews; and positive engagement with Essex Safeguarding Boards, including the sharing of best practice and membership of communication and strategic groups within their structures. The policy will be substantially reviewed every five years although it may be subject to minor corrections or operational updates in the interim.

Colchester Borough Council is committed to safeguarding in the supervision process. The Council’s SMART performance management system, with year-end appraisals of staff performance objectives, helps to ensure safer supervision.

ROLE OF THE ESSEX SAFEGUARDING BOARDS

Essex Safeguarding Children's Board (ESCB) is a multi-agency organisation that brings together agencies which work to safeguard and promote the welfare of children. Under Section 13 of The Children Act 2004, each children's services authority in England must establish a Local Safeguarding Children's Board (LSCB). The objective of the LSCB is to co-ordinate what is done by each person or body represented on the board for the purposes of safeguarding and promoting the welfare of children in the area of the authority by which it is established. Colchester Borough Council is committed to maintaining an effective working relationship with the ESCB to help achieve its mutual aims in respect of child safeguarding.

Essex Safeguarding Adults Board (ESAB) is an Inter-agency forum for agreeing how the different services and professional groups should cooperate to safeguard adults across Essex and for making sure that arrangements work effectively to identify abuse or inadequate care, help vulnerable people and plan and implement joint preventative strategies.

The ESAB was placed on a statutory footing by the Care Act 2014. The ESAB aims to raise awareness and promote the welfare of adults with needs for care and support by the development of an effective cooperative involving people from a wide range of public and voluntary services and other organisations. Colchester Borough Council is committed to maintaining an effective working relationship with the ECAB to help achieve its mutual aims in respect of the safeguarding of adults with needs for care and support.

SAFEGUARDING RESPONSIBILITIES

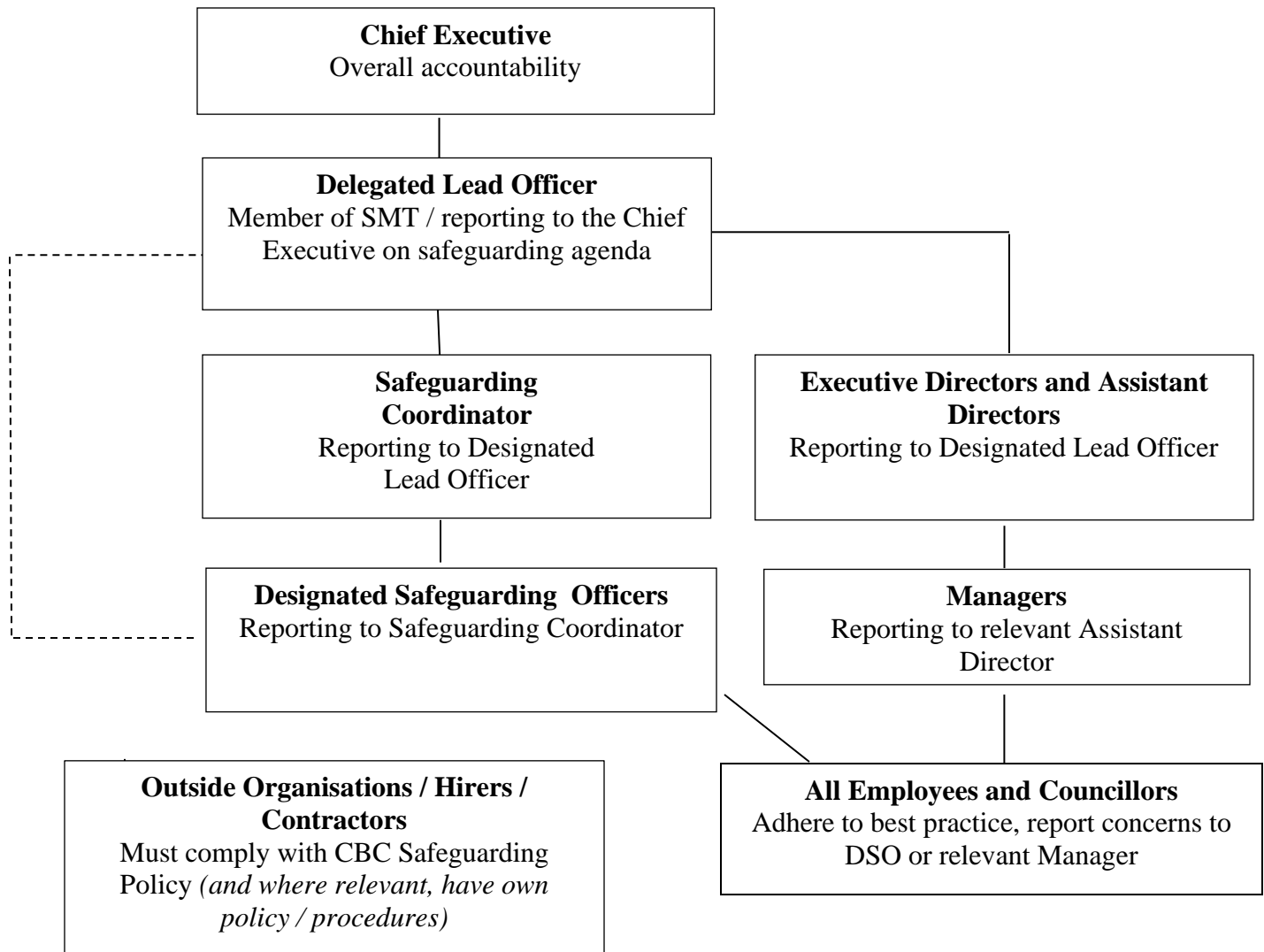
Whilst safeguarding is everyone's responsibility, there are a number of specific safeguarding roles that individuals hold within Colchester Borough Council. The following is a guide as to the safeguarding roles within the Council:

- **Chief Executive:** Overall accountability regarding safeguarding.
- **Delegated Safeguarding Lead:** Senior Officer providing a lead on safeguarding within Colchester Borough Council.
- **Safeguarding Coordinator:** Works with the Delegated Lead to ensure the effective implementation of the Safeguarding Policy throughout Colchester Borough Council; works to: assess and reduce risks in relation to safeguarding; raise awareness of safeguarding issues amongst staff; establish and maintain effective multi-agency working; works to Identify and provide for staff training needs.
- **Strategic People and Performance Manager:** Works to ensure that stringent recruitment procedures are in place and that appropriate checks are made on staff working with children and vulnerable adults. This includes administering Disclosure and Barring Service (DBS) checks and ensuring that

DBS referrals are made if appropriate. Also acts as the first point of call for staff reporting safeguarding allegations made against employees.

- **Managers:** Ensure that 'safe' recruitment is in place for all job roles that involve working with children; Carry out the correct safeguarding induction process for all new staff including booking the appropriate training; Ensure that all staff within their remit are made aware of this policy and have the appropriate ongoing training.
- **Designated Safeguarding Officers:** Follow correct reporting procedures with lead agencies when a report is made to them by a member of staff within their remit, and then reporting to the Safeguarding Coordinator in all cases other than allegations against a member of staff or volunteer (in which case the matter should be reported to the Strategic People and Performance Manager or Designated Safeguarding Lead).
- **All employees and councillors:** Adhering to best practice, participating in relevant training and reporting any disclosure, concern, incident or allegation to the appropriate Designated Officer.
- **Outside organisations:** When delivering services involving children on behalf of Colchester Borough Council outside organisations must comply with Colchester Borough Council's Safeguarding Policy and, where relevant, to have their own policy and procedures in place.
- **Outside hirers:** Agreement to comply with Colchester Borough Council's Safeguarding Policy.
Contractors: Must agree to comply with the Council's Safeguarding Policy and where relevant have own policy and procedures in place.
- **Contractors:** Must agree to comply with the Council's Safeguarding Policy and where relevant have own policy and procedures in place.
- **Councillors/Members:** Councillors are required to adhere to the Policy. If they do not, there may be grounds for reporting their behaviour to the Government Committee, which may require an investigation under the Councillor Code of Conduct. If a safeguarding issue occurs relating to a Councillor, the Designated Officer informed of the breach should contact the Monitoring Officer immediately. Where there is evidence of illegal activity, the councillor will be reported to the relevant authorities and may face criminal investigation. Annual awareness training will be offered to councillors.

LINE OF ACCOUNTABILITY FOR SAFEGUARDING



RECOGNISING POTENTIAL ABUSE

Even though many councillors, employees and contractors have limited contact with children and with adults with needs for care and support as part of their duties and responsibilities for Colchester Borough Council, everyone should be aware of the potential indicators of abuse and be clear about what to do if they have concerns. There are ten main types of abuse: Physical; Psychological or Emotional; Sexual; Neglect; Self-neglect; Organisational; Discriminatory; Financial or Material; Modern Slavery; and Domestic Abuse. It is not the responsibility of any councillor, employee or contractor to determine *whether* abuse is taking place. Concerns, incidents or allegations must be reported. The role of the councillor or employee is to refer the case to the appropriate person, *not* to investigate or make a judgement.

RESPONDING TO A CONCERN ABOUT ABUSE OR NEGLECT

In an Emergency

Where a member of staff is concerned about the person's **immediate safety**, (s)he should:

- Call the Police on **999**
- Call an Ambulance on **999** if the person needs urgent medical assistance.

Alert a Designated Officer

Where a member of staff has a concern that a child or 'adult with needs for care and support' is being harmed or neglected, or is at risk of this, he should:

- Alert the Designated Officer; a complete list is available on Colin here: [Safeguarding](#). Should the individual team/service Designated Officer(s) be unavailable an alternative Designated Officer should be contacted.

A Child Referral

- If a child is at immediate risk of significant harm, the Designated Officer should call the Children and Families Hub on **0345 603 7627** and request the **Priority Line**. If out of office hours, the Emergency Duty Service should be called on **0345 606 1212**. The Designated Officer should also access the ECC [Request for Support Portal here](#) and select "written confirmation of a verbal safeguarding referral".

Where a child is at immediate risk (as above), consent is not required to raise an alert although it should still be sought (unless this could place the child at risk of significant harm).

If the child is *not* considered to be at immediate risk of significant harm, the Designated Officer (or the member of staff being supported) should access the ECC [Request for Support Portal here](#) in order to complete a request for support online. In this case, consent is always required to give the personal information necessary to complete a request for support.

NB: Consent can be verbal; A parent or guardian is required to provide consent to share information in regard to a child under 16; A child over 16 may provide consent him/herself.

- See page 10 for Effective Support and 'Early Help' – or [click here](#).
- Where a child needs immediate protection, the Police should also be contacted on **999**
- Where *advice* is required around a referral the Children and Families Hub should be contacted on the number **0345 603 7627** (as above), and the '**Consultation Line**' should be requested.

An Adult Referral

- The Designated Officer should call **0345 603 7630** (Adult Social Care) to raise the concern. Unless directed otherwise, a formal referral should also be made by completing the SETSAF form on this page of the ESAB website, which should be securely emailed to Socialcaredirect@essex.gov.uk. The emergency duty out-of-hours service for statutory agencies can be contacted on **0300 123 0778**.
- Where the adult needs immediate protection, the Police should also be contacted, on **999**

The adult's consent should be sought before sharing personal information or data with Adult Social Care unless this could place the adult at risk of significant harm. Where the referral relates to self-neglect in an adult who has capacity, however, consent should always be obtained before sharing information or data.

The Safeguarding Coordinator should always be made aware of all contacts or formal referrals.

WHEN THE CHILD OR ADULT LIVES OUTSIDE ESSEX

Where the usual place of residence of the child or adult with needs for care and support is outside Essex, then the local authority with responsibility for Social Care in that area should be contacted. All child and adult safeguarding boards for local authorities within the UK have websites which include the relevant contact details for Social Care services. Where the usual place of residence is outside the UK or unknown, the Police should be contacted.

Suffolk

In the case of concerns about a child or adult with needs for care and support is usually resident in Suffolk, please contact Customer First on 0808 800 4005 or to discuss whether a referral is required, contact a MASH Social Worker via the Consultation Line (for professionals) on 03456 061 499 (for both Children and Adults)

WHEN A MEMBER OF STAFF OR VOLUNTEER IS IMPLICATED IN ABUSE

- If the conduct of a member of staff is implicated in the abuse of a child or 'adult with needs for care and support', details should be passed to the CBC Delegated Lead or Strategic People and Performance Manager (see Appendix 1, below).
- The CBC Delegated Lead or Strategic People and Performance Manager should telephone the Essex LADO (Local Authority Designated Officer) on **03330 139797** (in regard to a child) or **03330 131000 / 131008 / 134446** (in the case of an 'adult with needs for care and support').
- The member of staff may be suspended from all duties or relevant duties with immediate effect pending investigations.

- These allegations could potentially result in any of the following types of investigation: Criminal; Child protection; and Disciplinary or misconduct.

Outside normal office hours

Where a member of staff is implicated it may not always be possible to contact the Delegated Lead or Strategic People and Performance Manager. In such cases, it may be necessary for the relevant service/duty manager to suspend the member of staff and advise the LADO (via the telephone number above) where this is necessary to guarantee appropriate levels of protection. If the Duty Manager is unsure about the correct course of action after receiving the allegation then (s)he may call the CBC Monitoring Centre via the switchboard **01206 282222** and ask to speak to the acting 'First Call Officer'. This officer will then be able to clarify the best course of action. The recommended actions should be followed and the details of the discussion documented for future reference.

EFFECTIVE SUPPORT AND 'EARLY HELP'

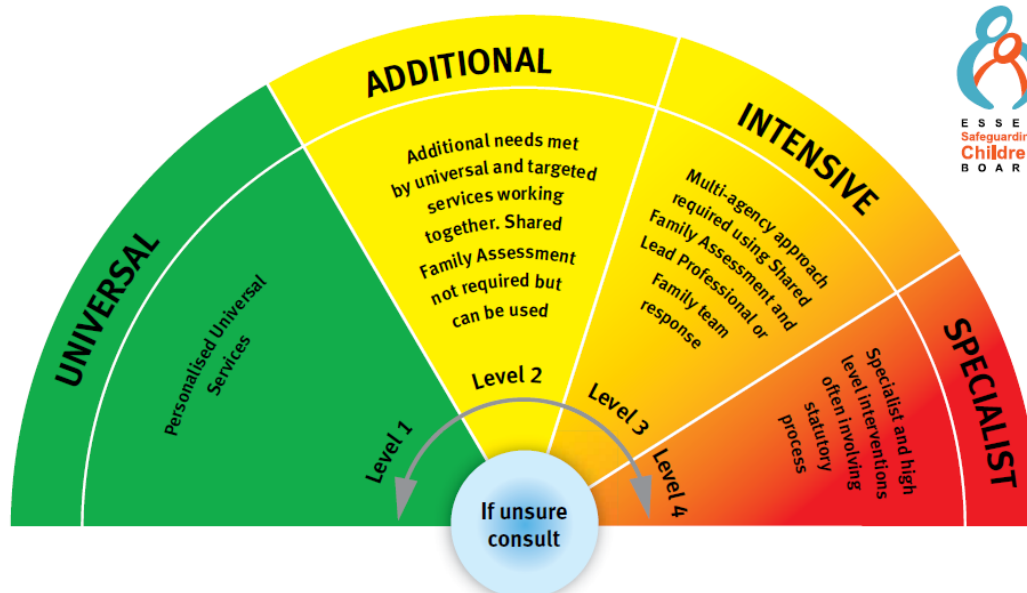
The Council recognises that safeguarding children is not only about preventing abuse and neglect: It is also about promoting children's health and development in order to help provide optimum life chances. Providing effective support to help find solutions at an early stage can prevent problems escalating.

The publication 'Effective Support for Children and Families in Essex' includes guidance that applies to Council staff working with children and families to provide Early Help, targeted and specialist support.

The Council is required to work with others to support children and families in order to prevent their needs escalating to a higher level. The document includes the conceptual model and "windscreen" reproduced on the following page as a way of developing a shared understanding and approach across all services and partnerships, and in order to ensure a consistent approach.

The Essex Effective Support Windscreen

Multi Agency Guidance: Working in partnership to help children and families improve their lives



All partners working with children, young people and their families will offer support as soon as we are aware of any additional needs. We will always seek to work together to provide support to children, young people and their families at the lowest level possible in accordance with their needs.

Further information on the Essex Effective Support for Children and Families can be accessed here: [Essex Effective Support](#), which includes information on 'Early Help' (support): [Early Help](#) and Request for Support [Request Support](#).

A copy of any forms or requests should be emailed to the Designated Safeguarding Officer representing the member of staff's service area, who will save a copy to the Safeguarding area for monitoring purposes.

CONFIDENTIALITY

Employees have a duty to share information relating to suspected abuse with Essex Social Care and Essex Police. Employees must not:

- Discuss any allegations of abuse or bullying, substantiated or not, with anyone from Colchester Borough Council other than with their line manager, a Designated Officer, the Safeguarding Coordinator, the Safeguarding Lead or the Strategic People and Performance Manager.
- Discuss any allegations of abuse or bullying, substantiated or not, with any member of an external agency (excluding Essex Social Care and Essex Police), other than as part of a referral or investigation,
- Discuss any allegations of abuse or bullying, substantiated or not, with any other interested party, including parents, carers and relatives of the child,

without the express permission of the person with overall responsibility for the investigation.

This does not exclude the employee from the need or right to consult with a solicitor, trade union representative or other bona fide legal adviser.

CONSENT

Consent is not required to breach confidentiality and make a safeguarding referral where:

- a serious crime has been committed
- the alleged perpetrator may go on to abuse others
- the child is deemed to be at serious risk of harm
- the adult with needs for care and support is deemed to be at serious risk of harm (unless the individual has capacity and the concern is around 'self-neglect')
- there is a statutory requirement such as Children's Act 1989, Mental Health Act 1983, Care Standards Act 2000
- the public interest overrides the interest of the individual
- a member of staff or volunteer is the person accused of abuse

DATA PROTECTION

All copies of Referral Forms to the Children and Families Hub and Essex Social Care should be retained by the Safeguarding Coordinator in a secure location to ensure confidentiality. This information will be retained in accordance with data protection periods. No other copies should be kept.

HOMELESSNESS

Colchester Borough Council owes a legal duty to provide temporary accommodation to individuals whose status and circumstances meet certain criteria as defined by statute. This function is delegated to Colchester Borough Homes which is an ALMO (Arms-length Management Organisation) owned by the Council. Its officers may need to refer families or individuals to Essex Social Care outside of the safeguarding processes outlined on page 8.

Persons affected	Reason for contacting Essex Social Care
Homeless 16-17 year olds	A 16 or 17 year old may be referred to Essex Social Care for assessment to determine if they are a child in need with a duty owed to them by Essex Social Care.
Intentionally homeless household with children	If a household with children is found to be intentionally homeless, Essex Social Care Direct should be advised in writing so that they can ascertain whether a duty is owed under the Children Act 1989.

Colchester Borough Homes only places children or adults with needs for care and support into 'Bed and Breakfast' or temporary accommodation in an emergency and as a last resort. Officers complete a detailed Housing Options form with applicants. This helps to identify needs and vulnerabilities, and assists in the process of safeguarding both children and adults with needs for care and support.

USE OF CONTRACTORS

Colchester Borough Council will take reasonable care that contractors doing work on its behalf are monitored appropriately. Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into regular contact with children or 'adults with needs for care and support' should have its own equivalent safeguarding children and adults at risk policies, or failing this, must comply with the terms of this policy. This requirement will be written into the contract.

Where contact with children and adults with needs for care and support is a necessary part of the contracted service, it is the responsibility of the manager who is using the services of the contractor to ensure that satisfactory Disclosure and Barring Service (DBS) checks have been completed where appropriate.

GRANT APPLICATIONS

Safeguarding policies and procedures are required from all grant funded organisations. In addition, satisfactory DBS checks may be required from appropriate individuals working with children and vulnerable adults which seek funding from the Council. (Such requirements are subject to relevant legislation including the 'regulated activity' criteria contained within the Protection of Freedoms Act 2012). This information will be requested at the application stage and applications will not be processed without the relevant documentation. As a minimum, any organisation receiving funding from the Council will be expected to have a statement of policy and procedure regarding safeguarding, in place and understood by employees and volunteers, and available to service users. This applies to all organisations the Council awards grants to, irrespective of how the grant has been awarded. An example policy to use is included in Appendix 4. Commissioned/contracted or grant-funded organisations with minimal contact with children, young people, adults with needs for care and support or 'vulnerable adults' (for DBS purposes) may wish to adopt the Council's policy if deemed suitable.

LICENSING

The Council is responsible for carrying out certain licensing functions. Protection of children from harm is a licensing objective that the Council is legally obliged to consider as part of its licensing function, in particular when licensing premises under the Licensing Act 2003 or the Gambling Act 2005.

HEALTH AND SAFETY

Where the Council inspects premises to discharge its legal responsibilities in this area, employers may be obliged to carry out risk assessments, including for the employment of young people. As part of the inspection process, officers may examine such risk assessments to determine their suitability. If evidence is gained that young people are working without relevant permits in place, or in 'unsuitable workplaces', the Council will report this to Essex Social Care Direct.

PHOTOGRAPHY AND PORNOGRAPHY

It is an unfortunate fact that some people have used children's events as opportunities to take inappropriate photographs or footage of children and young people. Councillors, employees and contractors should be vigilant at all times. Anyone using cameras or film recorders for or on behalf of the Council must have either completed media consent forms from the parents of children being photographed or filmed, or have checked with the parent or guardian, before the activity commences. When commissioning professional photographers or inviting the press to cover the organisation's services, events and activities, the Council will ensure that expectations are made clear in relation to child protection.

There are some easy steps to take:

- Check credentials of any photographers and organisations used.
- Ensure identification is worn at all times.
- Do not allow unsupervised access to children or adults with needs for care and support including through one-to-one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child's home.
- It is recommended that the names of children or adults with needs for care and support should not be used in photographs or footage, unless with the express permission of the parent/carer of the child, young person or adult.

Council employees should contact the Communications Team for advice and a copy of the Media Consent Form before the activity commences.

CHILD SEXUAL EXPLOITATION (CSE)

Sexual exploitation is a horrific form of sexual abuse that affects thousands of children and young people every year in the UK, when young people under 18 receive 'something' (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) in exchange for performing, and/or others performing on them, sexual activities. It can happen to any young person from any background and affects boys and young men as well as girls and young women.

CSE can occur through the use of technology without the child's immediate recognition, for example the persuasion to post sexual images on the internet/mobile phones with no immediate payment or gain. In all cases those

exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and /or economic or other resources. There are 3 important and recognisable elements of child sexual exploitation:

- Children are 'groomed' and there is power and control held by the perpetrator/s
- An 'exchange' (such as gift, food, money, drugs etc.) is present, this could be to a third party and not always to the child themselves
- Sexual acts or the exchange of sexual images is present

The sexual exploitation of children and young people can be seen in varied forms which can be described through understanding models of CSE. It is important to recognise that these models do not necessarily work in isolation and various models can be operating concurrently (*these models are an amalgamation of models reported by Barnardo's, Children's Society and Safe & Sound*).

- Inappropriate relationship model
- Organised network and trafficking model
- Gangs and Group model
- Peer on Peer
- Older Adult 'Boyfriend'/'Girlfriend' model
- Online Grooming model

The UN Convention on the Rights of the Child, article 34 states 'governments must protect children from sexual abuse and exploitation'. Section 11 of the Children Act 2004 places a duty on key organisations to ensure that they work together to improve the wellbeing of children.

The Council is committed to play its full part in tackling CSE which includes reporting concerns and increasing awareness. It endorses the ESCB statement that this problem "cannot be dealt with by individual organisations working alone and that a multi-disciplinary commitment is required to tackle and respond to CSE".

Staff responsibility

Staff with concerns about a specific child being at risk of CSE should speak to a Designated Safeguarding Officer for their service. He or she will assist the member of staff in taking the right steps summarised below as derived from Essex CSE & Missing Arrangements

Non person-specific Information about CSE activity should be included on the Essex Police Child Information Sharing Form available on the CSE Toolbox, or information can be emailed to OC.triage.team.essex@essex.pnn.police.uk.

Person-specific concerns should be detailed on the CSE Risk Vulnerabilities Assessment which can also be found on the CSE Toolbox.

If a child is at immediate risk of harm the Police should always be called on 999. Whenever information is shared, the Safeguarding Coordinator should be

made aware. Further information and guidance on CSE can be found here: [CSE guidance for Professionals](#) (ESCB),

Further information about CSE can be found on the [Essex Police](#) and [ESCB](#) websites and by referring to the SET Operating Procedures [SET Operating Procedures - May 2019](#)

DOMESTIC ABUSE

The Council adopts the [Government's definition](#) of domestic abuse as being: "Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality." Such abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional
- Controlling behaviour

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Survivors/victims may be affected by domestic abuse in a number of ways:

- Loss of opportunity
- Isolation from family/friends
- Loss of income or work
- Homelessness
- Emotional/psychological effects such as experiences of anxiety,
- Depression or lowered sense of self-worth
- Poor health
- Physical injury or ongoing impairment
- Death

The effects of domestic abuse on survivors/victims include the direct effects on them and their relationships with other people, particularly their children.

Domestic abuse or violence is a crime and should be reported to the Police. The duty to share information for the prevention, or detection, of a crime overrules the usual principles of Data Protection (as per s.29 of the Act)

What staff should do if they become aware of domestic abuse or violence:

- In an emergency call 999.
- In non-emergency cases and for general advice, please call 101

- Staff should contact a Designated Officer who will advise on making a referral to the Children and Families Hub (if the concern is about a child) or Adult Social Care (if the concern is about an adult) where relevant.
- The Safeguarding Coordinator should also be contacted.

Further information on this issue, and contact details for local and national agencies that support victims/ survivors of domestic abuse and violence are included on the Safer Colchester Partnership website here: [SCP](#)

HONOUR BASED ABUSE

Honour Based Abuse is an international term used by many cultures for justification of abuse and violence. It is a crime or incident committed in order to protect or defend the family or community 'honour'. Honour Based Abuse may sometimes be used as a collective term for Female Genital Mutilation and Forced Marriage.

Forced Marriage

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure.

There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice whether or not to accept the arrangement remains with the prospective spouses.

Female Genital Mutilation (FGM)

Female genital mutilation (FGM) includes procedures that intentionally alter or injure female genital organs for non-medical reasons. The procedure has no health benefits for girls and women. FGM is internationally recognised as a violation of the human rights of girls and women.

The [Female Genital Mutilation Act 2003](#):

- makes it illegal to practice FGM in the UK
- makes it illegal to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in that country
- makes it illegal to aid, abet, counsel or procure the carrying out of FGM abroad
- has a penalty of up to 14 years in prison and, or, a fine

Section 4 of the [Serious Crime Act \(2015\)](#) extends sections one to three to "extra-territorial acts" so that it is also an offence for a UK national or permanent UK resident to:

- perform FGM abroad
- assist a girl to perform FGM on herself outside the UK; and
- assist (from outside the UK) a non-UK national or resident to carry out FGM outside the UK on a UK national or permanent UK resident.

Suspensions may arise in a number of ways that a child is being prepared for FGM to take place abroad. These include knowing that the family belongs to a community in which FGM is practised and is making preparations for the child to take a holiday, arranging vaccinations or planning absence from school. The child may also talk about a 'special procedure/ceremony' that is going to take place. Girls are at particular risk of FGM during summer holidays. This is the time when families may take their children abroad for the procedure. Many girls may not be aware that they may be at risk of undergoing FGM. Further information and resources on FGM are available on this page: [ESCB - FGM](#) of the ESCB website.

Where staff have concerns that a child may be a possible or potential victim of Forced Marriage or FGM, this should be raised with a Designated Safeguarding Officer via the existing procedures outlined above in respect of 'Raising a safeguarding concern' involving contact with the Children and Families Hub or Adult Social Care. The Designated Safeguarding Officer will also ensure that the Police are contacted where a criminal offence is suspected.

MODERN SLAVERY

The [Modern Slavery Act 2015](#) is intended to provide law enforcement agencies with stronger legal tools to stamp out modern slavery, ensuring that the perpetrators receive suitably severe punishment, while enhancing the protection of, and support for, victims.

Modern Slavery is estimated to be one of the world's most profitable criminal activities. An assessment published in 2014 conducted by the [Home Office](#) estimates that there are between 10,000 and 13,000 victims in the UK. Sexual exploitation is the most common form of modern slavery currently reported by potential victims in the UK, followed by labour exploitation, forced criminal exploitation and domestic servitude.

Evidence of criminal behaviour should always be reported to the Police.

Where staff have concerns about a child or adult suffering abuse related to any form of modern slavery, this should be raised with a Designated Safeguarding Officer who should follow the procedures outlined above in respect of 'Raising a safeguarding concern' involving contact with the Children and Families Hub or Adult Social Care. The Children and Families Hub will pass concerns onto the NRM (National Referral Mechanism) to ensure that the child gets the appropriate protection and support.

Concerns should always be passed onto the Safeguarding Coordinator. In the case of an adult, the Safeguarding Coordinator should seek consent to make a referral direct to the NRM to secure appropriate protection and support as co-ordinated by the Modern Slavery Human Trafficking Unit (MSHTU). Information about the NRM, including guidance and the referral form, is available on the www.gov.uk website [here](#). Where no referral has been made, the Council has a duty to notify the Home Office of potential victims of Modern Slavery via the [MS1 form](#).

In accordance with section 43(1) of the Modern Slavery Act 2015, the Council is committed to co-operating with the Independent Anti-Slavery Commissioner whose role is to act in the interests of victims and potential victims by ensuring that the law enforcement response to modern slavery is coordinated. This includes annual publication of the Council's Modern Slavery Transparency which appears at the base of [this page](#) of the Council's website.

PREVENT

Section 26 of the [Counter Terrorism and Security Act 2015](#) placed a new duty upon local authorities including district councils to have “due regard to the need to prevent people from being drawn into terrorism”.

The PREVENT Strategy has three objectives, to:

- Respond to the ideological challenge of terrorism and the threat we face from those who promote it
- Prevent people from being drawn into terrorism and ensure they are given appropriate advice and support; and
- Work with sectors and institutions where there are risks of radicalisation that we need to address

It includes all forms of violent terrorism and non-violent extremism - including Islamist and far-right supremacist forms. ‘Extremism’ is defined as “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.”

Concerns about the possible radicalisation of an individual should be raised with a Designated Safeguarding Officer or with the Safeguarding Coordinator who is the operational lead.

Where there is an immediate risk of harm the Police should be contacted on 999. In order to protect an individual from radicalisation, a [Prevent Referral Form](#) should be completed and submitted to Essex Police (as detailed on the form) or you can call Essex Police Prevent Team for advice on 0800 789 321.

The Safeguarding Co-ordinator should always be made aware of a referral. Consent is normally required to make a referral, and further details on this and

other matters are dealt with in the document SET PREVENT Policy and Guidance.

Where the individual is at risk of abuse or neglect, standard safeguarding procedures apply as per 'Raising a Concern' (highlighted further above). Prevent should not involve covert activity against communities or individuals but should involve the sharing of personal information to ensure that a person at risk of radicalisation is given appropriate support. Following a referral as above, support may be co-ordinated by the local CHANNEL Panel. Working principles include the need for proportionality and the principle of consent (unless seeking this could put a person at risk). The Council's approach is consistent with existing safeguarding processes to include secure record keeping in accordance with the legislation around data protection.

Colchester Borough Council, working alongside the Safer Colchester Partnership, has agreed a Prevent Strategy and Action Plan and can be found here: Safeguarding - Prevent

SAFEGUARDING TRAINING

Whenever Colchester Borough Council recruits' employees it will ensure that they are well informed, trained, supervised and supported so that they are less likely to become involved in actions that may cause harm to children or 'adults with needs for care and support', or be misunderstood. The level to which individual employee training is required is determined in accordance with the training guidance issued by Essex Safeguarding Children Board and Essex Safeguarding Adults Board.

Level 1

Level 1 training refers to all new employees and councillors who are made familiar with their responsibilities in regard to the safeguarding of children and adults with needs for care and support. All staff (including volunteers and casuals) and councillors are required to complete a basic Safeguarding e-Learning package (access to this package can be arranged for volunteers and casual staff who do not have a CBC log-in). This package will explain what safeguarding is, why it is so important, how to recognise the signs of abuse, respond to a disclosure, report your concerns, and record information. This training should be refreshed at least every 3 years.

Level 2

Level 2 training refers to those staff who work "predominantly" with children, young people, adults with needs for care and support and/or their parents/carers (for example Sports Coaches, Customer Service Centre Staff and other 'frontline' staff) and who will subsequently require enhanced training to build on existing knowledge. This training can either be a face to face training session/workshop or eLearning.

Level 3

Level 3 training refers to the training of a Designated Safeguarding Officer, Coordinator or Delegated Lead Officer. This training will offer information on specific responsibilities for each role and is delivered via a face to face training session every 3 years.

Councillors are invited to attend annual safeguarding sessions to update their knowledge and provide an opportunity to review best practice, and their experiences.

SAFE RECRUITMENT

Colchester Borough Council is committed to taking all reasonable steps to prevent unsuitable people working with children and 'vulnerable adults' (The term 'vulnerable adult' has been retained post Care Act in respect to Disclosure and Barring only.) All job descriptions are risk assessed within the organisation to identify which jobs are likely to involve regular and/or substantial unsupervised contact with children and vulnerable adults. For all new employees, confirmation of employment will be dependent on satisfactory checks where appropriate.

Disclosure and Barring Service (DBS) checks are sought where employees and volunteers have substantial or regular or unsupervised contact with children, young people or vulnerable adults as part of their duties or responsibilities for or on behalf of the organisation. Checking activity will be consistent with relevant legislation, especially the 'regulated activity' criteria contained within the Protection of Freedoms Act 2012. DBS checks only guarantee that the person concerned does not have a relevant criminal conviction up to the date that the certificate is issued.

Please see Appendix 9 for a link to the Council's 'Manager's Guide to Recruitment'. Appendix 6 of the Manager's Guide includes a checklist which managers are required to adhere to as part of the process to ensure safe recruitment.

WORK EXPERIENCE / INTERNS

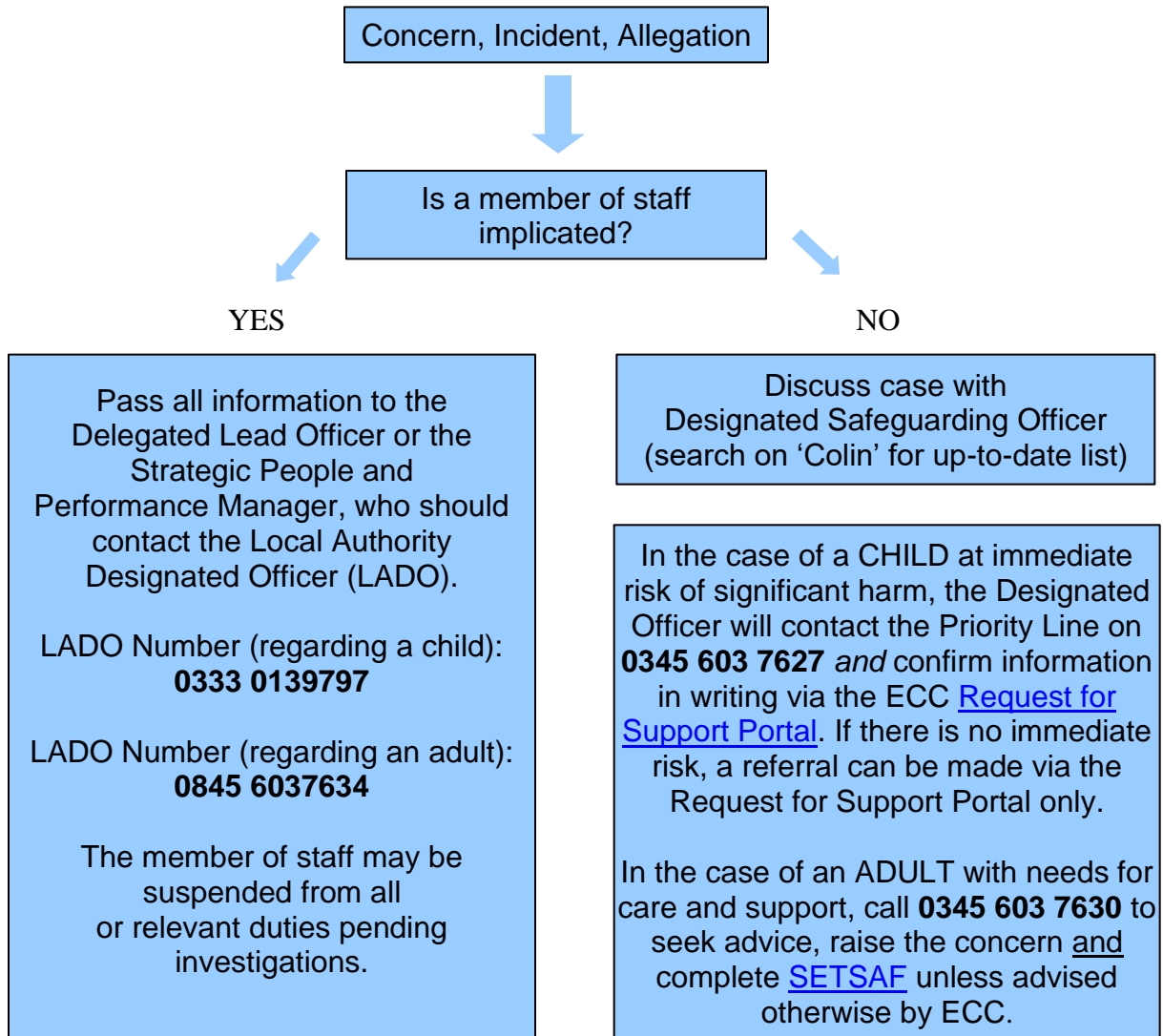
Colchester Borough Council may offer work experience placements across the organisation to a number of young people each year. This is beneficial to both the young person and to the Council. When the organisation offers a work experience placement, managers have a responsibility for their health, safety and welfare. Under health and safety law, these students will be regarded as employees.

APPENDIX 1: CURRENT ROLES AND PROCEDURES

Key CBC staff with Safeguarding responsibilities:

Role	Name	Email	Phone
Delegated Lead Officer	Lucie Breadman	lucie.breadman@colchester.gov.uk	01206 282726
Strategic People & Performance Manager	Jessica Douglas	jessica.douglas@colchester.gov.uk	01206 282239
Safeguarding Coordinator	Sonia Carr	sonia.carr@colchester.gov.uk	01206 282978
Designated Safeguarding Officers	A complete list is available on 'Colin' here: Safeguarding		

APPENDIX 2: PROCEDURE FLOWCHART



Police – **999**: Requiring an emergency response to anyone's immediate safety

Children and Families Hub - **0345 603 7627**: Request the Priority Line where a child is at immediate risk of significant harm. Request the Consultation Line for advice only.

Adult Social Care - **0345 603 7630**: To seek advice on an 'adult with needs for care and support'

- Emergency Out of Hours (Child) - **0345 606 1212**
- Emergency Out of Hours (Adult) - **0300 123 0778**
- Email address for SETSAF form: Socialcaredirect@essex.gov.uk

APPENDIX 3: TYPES OF ABUSE

There are ten main types of abuse. The table below includes key physical and behavioural indicators that staff should look out for:

Type of Abuse	Physical Indicator	Behaviour Indicator
Physical	Unexplained bruising, marks or injuries Bruises which reflect hand marks Cigarette burns Bite marks Broken bones Scalds	Fear of parent being contacted Aggressive or angry outburst Running away Fear of going home Flinching Depression Keeping arms/legs covered Reluctance to change clothes Withdrawn behaviour
Psychological	Developmentally delayed Sudden speech disorders Loss of appetite / loss of weight Disturbed Sleep	Neurotic behaviour e.g. hair twisting, rocking Unable to play/take part Fear of making mistakes Sudden speech disorders Self harm or mutilation Fear of parents being contacted
Neglect and Self Neglect	Constant hunger, stealing food Unkempt state Weight loss/underweight Inappropriate dress Untreated physical illnesses Constantly tired	Truancy/late for school Withholding of 'necessaries', eg nutrition, medication, healthcare, social stimulation Withholding assistance to use toilet, keep clean, warm and comfortable Disregarding one's personal hygiene, health or surroundings
Sexual	Pain/itching in the genital area Bruising/bleeding near genital area STIs Vaginal discharge/ infection Stomach pains Discomfort when walking/ sitting Pregnancy	Sudden change in behaviour Nightmares Unexplained sources of money Sexual drawings/ language Bedwetting Self-harming behaviours Secrets which cannot be told to anyone Behaving beyond their age
Financial or Material	Stealing money Prevention of necessary care options	Never having money for activities, snacks or treats Unexplained or sudden inability to pay bills

		<p>Personal possessions of value go missing from home without explanation</p> <p>Pressure or misappropriation of property, wills, bank accounts, benefits or assets</p>
Discriminatory	Ignoring dietary requirements	<p>Direct or indirect discrimination based on race, gender, culture, disability, sexuality, religion, belief or values</p> <p>Omitting services or activities based on preconceived ideas about someone's age or condition</p>
Organisational	<p>Poor care planning</p> <p>Inflexible routines</p> <p>Lack of privacy</p>	<p>The routine/ practice or management that is not responsive to or respectful to the individuals served</p> <p>Little opportunity for outside activities</p>
Domestic Abuse	<p>Signs of psychological, physical, sexual and financial abuse</p> <p>Female Genital Mutilation</p> <p>Forced marriage.</p>	<p>Being prevented from seeing family/friends or attending college/work/appointments</p> <p>Being followed or continually being asked where they are</p> <p>Feeling scared of others,</p> <p>Being threatened personally or threats against other family/friends</p> <p>Being prevented from leaving the home; withholding finances,</p> <p>Being forced to do something unwanted for their partner.</p>
Modern Slavery	<p>Signs of physical or psychological abuse</p> <p>May appear malnourished or unkempt, or appear withdrawn</p>	<p>Signs of isolation</p> <p>Being prevented from travelling freely or going out on their own</p> <p>Appearing to be under the control or influence of others</p> <p>Appearing to be unfamiliar with their neighbourhood or where they work</p>

APPENDIX 4: POLICY STATEMENT AND PROCEDURE TEMPLATE

(Name of organisation working with or on behalf of Colchester Borough Council) explicitly agrees to the following Statement of Policy and Procedures in regard to Safeguarding:

We are committed to safeguarding children (those under 18) and 'adults with needs for care and support', and protecting them from abuse when they are engaged in services organised and provided by us. We will act in the best interest of the child or adult at all times, and will proactively seek to promote their welfare and protection.

We confirm that we will follow Southend Essex Thurrock (SET) Safeguarding Guidelines.

We will ensure that unsuitable people are prevented from working with children and 'vulnerable adults' through using safe recruitment and selection processes. This will involve DBS (Disclosure and Barring Service) 'checks', where appropriate.

We will take any concern made by a service user, employee, volunteer or child/adult seriously and sensitively, and will not tolerate harassment of a person who raises concerns.

We confirm that we have at least one Designated Safeguarding Officer responsible for raising concerns about abuse or suspected abuse towards a child or 'adult with needs for care and support' with Essex County Council and the Police, as appropriate.

We acknowledge our responsibility to contact Essex County Council promptly if we become aware of concerns about a child or 'adult with needs for care and support'. We confirm that we will contact the Local Authority Designated Officer (LADO) in cases of concerns or allegations about a member of staff or volunteer.

We confirm that those raising a concern will be made aware that it will be shared with appropriate people only and that it will be treated in confidence as far as is possible. Staff and volunteers will not discuss the concern except with the Designated Safeguarding Officer, the Council's Safeguarding Co-ordinator, or an agent of the responsible authority investigating the concern (Essex County Council or Essex Police). We agree to make referrals, and retain records, securely and appropriately in accordance with relevant legislation.

We understand that it is our responsibility to access and monitor appropriate training for staff and volunteers in respect of safeguarding, details of which can be provided by the Local Safeguarding Boards.

APPENDIX 5: SAFEGUARDING LEGISLATION

The table below includes a selection of key safeguarding legislation that underpins the Council's legal responsibilities in this area.

KEY SAFEGUARDING LEGISLATION	
The United Nations Convention on the Rights of the Child 1989	The Convention on the Rights of the Child was adopted by the UK in full in 2008. It was the first legally binding international instrument to incorporate the full range of human rights. In 1989, world leaders decided that children needed a special convention because people under 18 years old often need special care and protection.
The Human Rights Act 1998	Sets out the rights of children and families to challenge what they perceive to be an infringement of their human rights.
Protection of Children Act 1999	Sets out the framework to enable employers to check on the suitability of employees to work with children. This act builds on the Police Act (1997) which set up the Criminal Records Bureau.
The Sexual Offences (Amendment) Act 2000	Introduces the concept of 'abuse of trust,' whereby adults could commit an offence in engaging in sexual activity with someone younger than them if they are seen to be in a position of trust, even if the younger person is above the age of consent (16-18 in the case of child protection).
Care Standards Act 2000	The Care Standards Act 2000 sets out a regulatory framework and standards for services people might receive. This applies to regulated services such as residential care, domiciliary care or adult placement schemes ('Shared Lives').
The Sexual Offences Act 2003	This replaced the Sex Offenders Act (1997). It incorporated 50 new offences, including a new 'Grooming' offence. Offences also include the use of the internet in child abuse and abuse of positions of trust. It also includes a new definition of rape.
Every Child Matters, the Government's vision for children's services (No longer in force)	This set out 5 key outcomes - be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic wellbeing. District councils contribute to these outcomes in a variety of ways including particularly housing, planning and environmental health.

KEY SAFEGUARDING LEGISLATION	
Female Genital Mutilation Act 2003	<p>The Female Genital Mutilation Act:</p> <ul style="list-style-type: none"> • Makes it illegal to practice FGM in the UK • Makes it illegal to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in that country • Makes it illegal to aid, abet, counsel or procure the carrying out of FGM abroad • has a penalty of up to 14 years in prison and, or, a fine
Children Act 2004	<p>Section 11 places a statutory duty on district councils to make arrangements to ensure that in discharging their functions they consider the need to safeguard and promote the welfare of children. Section 10 outlines the duty to promote inter-agency cooperation between named agencies (including district councils).</p>
Mental Capacity Act 2005	<p>Made it an offence to neglect or deliberately ill-treat a person who lacks capacity. It put arrangements in place for advocacy support and best-interest decision-making.</p>
Safeguarding Vulnerable Groups Act 2006	<p>Created the Independent Safeguarding Authority (ISA), whose aim was to prevent unsuitable people working with children and vulnerable adults. It includes social care services, as well as health, education, housing support and supporting people services.</p>
The Apprenticeships, Skills, Children and Learning Act 2009	<p>Section 9 makes amendments to the Children Act 2004, specifically regarding the establishment of Children's Trust Boards. The Children's Trust comprises:</p> <ul style="list-style-type: none"> • the local authority including all constituent services that impact on children and families • named statutory 'relevant partners' such as district councils • any other partners the local authority considers appropriate.
Protection of Freedoms Act 2012	<p>Part 5 of the Protection of Freedoms Act 2012 covers the reduction in scope of the definition of regulated activity, new services provided by the Disclosure and Barring Service (DBS), and disregarding convictions and cautions for consensual gay sex. The DBS helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). For the purposes of Disclosure and Barring, the term 'vulnerable adult' has been retained.</p>

KEY SAFEGUARDING LEGISLATION	
Care Act 2014	<p>The Act changes the definition of adult safeguarding. This reflects the local authority's new safeguarding duties that apply in relation to an adult who:</p> <ul style="list-style-type: none"> • has needs for care and support (whether or not the authority is meeting any of those needs), • is experiencing, or is at risk of, abuse or neglect, and. • as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it. <p>The Act also:</p> <ul style="list-style-type: none"> • Places the adult at risk at the centre of the decision-making process. • Places Local Safeguarding Adults Boards on a statutory footing
Serious Crime Act 2015	<p>Section 4 of the Serious Crime Act (2015) extends sections one to three of the Female Genital Mutilation Act 2003 to include "extra-territorial acts" so that it is also an offence for a UK national or permanent UK resident to:</p> <ul style="list-style-type: none"> • perform FGM abroad • assist a girl to perform FGM on herself outside the UK; and • assist (from outside the UK) a non-UK national or resident to carry out FGM outside the UK on a UK national or permanent UK resident.
Counter Terrorism and Security Act 2015	<p>Section 26 of the Counter Terrorism and Security Act 2015 placed a new duty upon local authorities including district councils to have "due regard to the need to prevent people from being drawn into terrorism".</p>

APPENDIX 6: SAFE WORKING PRACTICES

Guidelines for conduct when working/having contact with children and ‘adults with needs for care and support’

It is best practice for councillors, employees and contractors who have contact with children and adults with needs for care and support to follow these guidelines:

- When working with children and adults with needs for care and support, always be open to scrutiny and avoid situations where an employee, volunteer or service provider is alone and unobserved.
- Children and adults with needs for care and support have a right to privacy, respect and dignity. Respect the individual and be sure to provide a safe and positive environment.
- All children and adults with needs for care and support should be treated equally in the context of any activity.
- Councillors, employees and contractors must put the wellbeing and safety of the child or adult with needs for care and support before the development of performance.
- Always report incidents as soon as possible to a line manager and a Designated Safeguarding Officer (and make a written report) if a child or ‘adult with needs for care and support’:
 - is accidentally injured as the result of action taken
 - seems distressed in any way as a result of action taken
 - appears to be sexually aroused by, or misunderstands or misinterprets something you have done
- If a child or adult with needs for care and support arrives at an activity or service showing signs or symptoms that give you cause for concern, you must act appropriately following the procedures outlined above in the Safeguarding Policy.
- When administering first aid, employees should ensure that another adult is present where possible, or is aware of the action being taken. Parents/carers should always be informed when first aid is administered.

NEVER:

- Take children or adults with needs for care and support to your home where they will be alone with you.
- Engage in rough physical games including horseplay.
- Engage in sexually provocative games.
- Allow, encourage or engage in inappropriate touching of any form.
- Allow children or adults with needs for care and support to use language inappropriate to the circumstances, unchallenged, or use it yourself.
- Make sexually suggestive comments about, or to, a child or adult with needs for care and support, even in fun.

NEVER (CONTINUED)

- Allow an allegation about a child or an adult with needs for care and support to be ignored or go unrecorded.
- Do things of a personal nature for children or adults with needs for care and support *that they can do for themselves*, such as assisting with changing. Such tasks should only be carried out with the full understanding and consent of parents/carers. In an emergency situation that requires this type of help, you should endeavour to have someone else present and inform the parents/carers as soon as is reasonably possible. In such situations it is important that all employees treat the child or adult with the utmost discretion.
- Share a room with a child or adult with needs for care and support
- Enter areas designated only for the opposite sex.
- Use the internet or any other electronic or telephone device to access pornography sites.

APPENDIX 7: MISSING AND UNCOLLECTED CHILDREN

Missing children

- When a member of staff becomes aware that a child has gone missing, the supervisor and manager should be informed immediately.
- The manager will inform reception and all other operational staff. Reception staff will be responsible for watching the entrance and exits.
- The supervisor will begin a thorough search of the building, using all supernumerary staff. This will be carried out in a calm manner.
- If the child has not been found after five minutes, the child's parents will be informed (if they are not already aware)
- If the child has not been found after fifteen minutes, the police will be informed.
- The search will continue with as many staff as are available (whilst safety of other children is maintained) until the police arrive and advise further action accordingly.
- The manager should liaise with the Safeguarding Co-ordinator and/or the Safeguarding Lead in regard to communication with the police and the parents.
- When the situation has been resolved, a thorough risk assessment of the circumstances surrounding the incident should be carried out, with safeguards being implemented where possible or necessary to prevent the situation from occurring again.
- All relevant agencies will be informed and a comprehensive record of the incident will be kept confidentially.

Uncollected children

- Every effort will be made to contact a parent/carer using the details supplied on the booking form.
- The children will be supervised at all times whilst waiting for their parent/carer to arrive.
- Under no circumstances will a member of staff take the child home.
- If a child's parents/carers cannot be contacted by staff after one hour, the manager or Designated Safeguarding Officer will contact the Children and Families Hub for advice, which should be followed.
- The child will remain under the care of staff until the parent/carer arrives or until Essex Social Care takes over responsibility for the child.
- Staff must continue to try and contact the parent/carers throughout this process.
- All events must be clearly recorded by all relevant staff as well as the Safeguarding Co-ordinator and duty manager. This record will be kept confidentially by the Safeguarding Co-ordinator.

APPENDIX 8: CHILD TRAFFICKING SIGNS AND INDICATORS

Signs that a child may have been trafficked:

There are a number of circumstances that could indicate that a child may have been trafficked to the UK and may still be in the control of the trafficker or the receiving adults. These include situations in which the child:

- Does not appear to have money but does have a mobile phone
- Is driven around by an older male or 'boyfriend'
- Is withdrawn and refuses to talk
- Shows signs of sexual behaviour or language
- Shows signs of physical or sexual abuse and/or has contracted a sexually transmitted disease
- Has a history with missing links and unexplained moves
- Is required to earn a minimum amount of money every day
- Works in various locations
- Has limited freedom of movement
- Appears to be missing for periods.

Or situations where the child:

- Is known to beg for money
- Is being care for by adults who are not parents. The quality of the relationship between the child and the carers is not good
- The presentation of a trafficked child is usually very different from other children living in the same household
- Has not been registered with or attended a GP practice
- Has not been enrolled in school
- Has to pay off an exorbitant debt, perhaps for the travel costs, before being able to have control of earnings
- Hands over a large part of earnings to another person
- Is excessively afraid of being deported
- Has had their journey or visas arranged by someone other than family
- Does not have possession of their own travel documents
- Is unable to confirm who is going to have responsibility for her/him
- Has entered the country illegally.

APPENDIX 9: LINKS TO FURTHER INFORMATION

- [Essex Safeguarding Children Board](#) – A multi-agency organisation which works to bring together agencies who work to safeguard and promote the welfare of children
- [Essex Safeguarding Adults Board](#) – An inter-agency forum for agreeing how the different services and professional groups should cooperate to safeguard adults with needs for care and support across Essex.
- [Essex Effective Support](#) - includes guidance that applies to Council staff working with children and families to provide early help, targeted and specialist support.
- [Essex Police](#) - Non-emergency: 101; Emergency: 999.
- [NSPCC Child Protection Helpline](#) – Tel: 0808 800 5000
- [Disclosure and Barring Service](#) - The DBS merges the functions previously carried out by the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA). Tel: 0870 9090 811 (checks) or 01325 953795 (referrals/barring)
- [Child Protection in Sport Unit](#) - Offers advice on child protection issues.
- [ESCB Policies and Guidance](#)
- [ESAB Policies and Guidance](#)
- [Whistleblowing Policy](#)
- [Designated Safeguarding Officers CBC](#)
- [Public Concern at Work](#) - Free confidential advice about malpractice at work. Tel: 020 7404 6609
- Modern Slavery [National Referral Mechanism Forms](#), ['First Responder' Guidance](#) and [MS1 form](#).
- The Council's Modern Slavery Transparency Statement can be viewed at the base of [this page](#) of its website.
- [Essex Police Prevent](#) and [GOV.UK Counter-terrorism policy](#)
- [SET Prevent Policy and Guidance](#)
- [Request for Support Portal](#) – Essex Social Care Referral Process
- *For 'Early Help':*
- [Essex Child and Family Well Being Service](#) (Early Help)
- SETSAF – (on [this page](#) of the ESAB website) - for use by Designated Safeguarding Officers in the case of a concern about an 'adult with needs for care and support'
- [Managers Guide to Recruitment](#)

VERSION CONTROL

<p>Title: Status:</p> <p><u>This</u> version:</p> <p>Consultation: Approved by: Approval:</p> <p>EQIA:</p> <p>Review frequency:</p>	<p>Safeguarding Policy Approved March 2013</p> <p>Version 7 (January 2020)</p> <p>N/A - changes are Legislative or required updates Full Council February 13th 2020</p> <p>The EQIA for this policy is published on the Council website: www.colchester.gov.uk</p> <p>When changes occur that alter the policy or approach significantly, or every 5 years; reviewed at Cabinet or full council level.</p> <p>Minor changes or legislative updates/amendments delegated to Assistant Director (has Lead responsibility for Safeguarding) in consultation with PFH.</p>
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APPENDIX B



Suicide Protocol

Responding to threats or ideas of suicide or self-harm

Colchester Borough Council

Version 2 (January 2020)

See end of this document for "Version Control"

1. Introduction

In 2018, there were 6,507 suicides registered in the UK, an age-standardised rate of 11.2 deaths per 100,000 population. In Essex, 166 people died from suicide during this period; 20 in Colchester (*all data obtained from Office for National Statistics - www.ons.gov.uk*).

Colchester Borough Council wishes to play its full part in working with others to reduce these unnecessary deaths, raise awareness and tackle stigma. This staff protocol provides practical guidance on responding to, and managing, threats or ideation of suicide or self-harm.

2. Scope

This guidance applies to all services within the remit of the Council, where they come into contact with customers or any member of the public, including where the concern is about a member of staff. It applies to all CBC employees, paid or unpaid, permanent or temporary, casual workers, voluntary workers, work experience students, agency staff, consultants, and other contracted persons within the duration of that contract.

3. Background

Any member of staff could encounter a distressed person threatening suicide or self-harm, either in person, on the telephone or in writing. This type of situation can be difficult to handle and particularly when those in receipt of the threat are not trained or qualified to help. There are numerous factors which can lead a person to the point of making such a threat including when a member of staff must tell a customer something they don't want to hear – especially if it will affect their finances. Although people often say things that they don't mean, any threats of self-harm or suicide should be taken seriously. All staff have a duty of care to the person, to, as far as possible and practicable, assist them with support to obtain the professional care and assistance that they need.

This document provides guidance on the procedures to be followed in all instances.

4. General information and guidance

What factors are associated with a decline in mental health?

- stressful events such as failing exams; being made redundant; divorce
- experiencing bereavement or loss
- feelings of shame, isolation or loneliness; a loss of self-esteem
- giving away possessions
- sleep problems – particularly waking up early
- taking less care of themselves, for example eating badly or not caring what they look like
- a sense of uselessness and having no purpose – feeling "What's the point?"
- someone talking about ending their life or about suicide in general
- a significant change of behaviour – someone may appear to be calm and at peace for the first time or, more usually, may be withdrawn and have difficulty communicating

What responses are helpful/unhelpful?

Helpful responses include reassurance and making someone feel respected and supported.

Unhelpful responses include:

- making someone feel rejected, patronised, criticised or analysed
- changing the subject when an affected person is talking about how they feel
- being told that they are wrong or silly

- being told to cheer up or 'snap out of it'
- being told that they should be grateful for having such a good life

NB Practitioners agree that it is inappropriate and can be stigmatising to refer to individuals "committing" suicide given that decriminalisation took place in 1961.

Are people with mental illnesses at greater risk of suicide?

People with mental illnesses *are* generally more likely to feel suicidal and try to take their own lives than people who do not have mental illnesses. A person could be more likely to try to end their own life if they have recently been discharged from a mental health hospital.

5. Responding to a person threatening suicide or self-harm

There is no 'one size fits all' procedure for these situations and how staff deal with a person who is threatening suicide or self-harm may depend on a range of factors, for example:

- the member of staff's job role e.g. whether they are frontline staff
- the relationship they may already have with the person
- if the individual is a Council tenant (staff may already be aware of relevant issues)
- if there are other factors involved e.g. criminal or anti-social behaviour
- whether the person has been taking alcohol or drugs (which can increase the risk of suicide)
- whether the person has medication prescribed, and whether they are taking it
- whether there are children or other vulnerable people present
- the member of staff's own levels of confidence in tackling such an issue

Talking about suicidal thoughts doesn't make someone more likely to end their life. If you are faced with this situation, one of the most important things you can do is to talk to them about how they feel and listen to them. But don't assume that because someone has talked about suicide, they won't try to take their own life.

Try to get an understanding of the person's intentions by asking open, non-judgemental questions, such as:

- Are you having thoughts of killing or harming yourself?
- Have you tried to kill yourself before?
- Have you made any plans?
- Is anyone with you now? (especially if you think they may have children)

6. Procedures

If someone has attempted suicide:

- If you are present when this happens, ring 999 and stay with them until the ambulance arrives.

In an emergency - if you're worried that someone is at immediate risk

- Advise the person that you have a duty of care to ensure they are safe and have appropriate support.
- Obtain basic information about the person making the threat including name, address, telephone number, current location and if possible, GP's name and surgery.
- Encourage them to get immediate help from a friend or family member.
- **Call the Police on 999:** Explain the immediate concerns you have, and any action taken, or advice given.

- **Also share concerns with Essex Partnership University NHS Foundation Trust (EPUT) Access and Assessment Team** [EPUT Access and Assessment Team](#) on 0300 726 1800: The team may already be supporting the person.

Non-emergencies - where someone may be at risk, but is not in immediate danger:

- Encourage them to contact their GP for an emergency appointment or the out of hours' service.
- Find out if they already have contact with any mental health services or support agencies and encourage them to get in touch.
- **Seek consent** to contact **EPUT Access and Assessment Team** [EPUT Access and Assessment Team](#) on 0300 726 1800 or otherwise the **person's GP**.
- Offer information on the advice and support services that are available (see Appendix).

Where the concern is about a customer or member of the public

- Notify the CBC **Safeguarding Co-ordinator** and/or a CBC **Designated Safeguarding Officer** of the action you have taken – details can be found here: [Safeguarding](#) (available on Colin). A Safeguarding referral to Social Care may also be appropriate.

Where the concern is about a member of staff

- Encourage the individual to talk to a CBC "Mental Health First Aider". An up-to-date list is available here: [Mental Health First Aiders](#) (available on Colin). More information is available in the appendix.
- Notify the **Strategic People and Performance Manager** of the action you have taken – details can be found here: [Safeguarding](#)

In all situations:

- Do not try to counsel the person or make a judgement about whether you think they will carry out the threat of suicide or self-harm.
- Keep a record of your concerns and what action you've taken.
- Where the person is a Council tenant, share information with Colchester Borough Homes.
- Notify your line manager of the action you have taken.

7. Supporting staff

Dealing with suicide threats or ideation can be extremely challenging for staff, and line managers need to ensure that enough time is set aside to check on the member of staff's welfare and identify any relevant support needs.

Employee Assistance programme (EAP)

The Employee Assistance Programme can provide free and confidential support to any member of staff. You can access the EAP in several ways including:

Freephone: 0800 243 458

SMS (for a call back): 07909 241229

Email: assistance@workplaceoptions.com

Your personal benefits website: <https://www.workplaceoptions.co.uk/member-login-2/>

Full details can be found here: [Employee Assistance Programme](#).

Mental Health First Aid Trained Staff

Colchester Borough Council and Essex Lifestyle Service work in partnership to embed Mental Health First Aid training within CBC and encourage staff to talk more freely about mental health, reducing stigma and creating a more positive culture.

A Mental Health First Aider in the workplace is a point of contact for an employee who is experiencing a mental health issue or emotional distress. Mental Health First Aiders are not

trained to be therapists or psychiatrists, but they can offer initial support through non-judgmental listening and guidance.

A list of Mental Health First Aiders is available here: [Mental Health First Aiders](#)

8. Monitoring and Review

This Protocol will be substantially reviewed every five years although it may be subject to minor corrections or operational updates in the interim.

9. Other relevant documents

Other policies and procedures that are relevant to this Protocol are:

- **Safeguarding Policy** (updated 2019) can be found at base of [this page](#) of the CBC website
- **Crisis Support Policy** can found on the staff intranet [here](#)
- Southend, Essex & Thurrock (SET) **Child Protection Procedures** can be found on [this page](#) of the ESCB website
- Southend, Essex & Thurrock (SET) **Safeguarding (Adult) Guidelines and Staff Handbook** can both be found on [this page](#) of the ESAB website
- [Survivors of Bereavement by Suicide](#) - National and Local Suicide Prevention Strategies

APPENDIX - USEFUL CONTACTS (not previously listed above)

Local Mental Health Services

Health in Mind

Provides access to a wide range of talking therapy treatments for adults with common mental health problems in and around Colchester and Tendring

Tel: 0300 330 5455 (available Mon – Fri, 9:00am – 5:00pm)

Email: hpft.healthinmind@nhs.uk

Web: www.northessexiapt.nhs.uk/north-east-essex

Community Mental Health Team (Colchester)

35 East Stockwell Street Colchester CO1 1ST

Tel: 01206 334100

EWMHS (Emotional Wellbeing and Mental Health Service)

Emotional Well-being and mental health service for young people up to the age of 18 living in Southend, Essex, Colchester and Thurrock

Tel: 0300 300 1600 (option 2) (available Mon – Fri, 9:00am – 5:00pm)

Email: nelft-ewmhs.referrals@nhs.net

Web: www.nelft.nhs.uk/services-ewmhs

Local drug and alcohol services

Open Road

Charity that provides support for individuals affected by drugs and alcohol across Essex. Colchester Centre (for advice, information, support, assessment and access to treatment)

5a Queen Street Colchester CO1 2PG (open Mon – Fri, 9:30am – 5:00pm)

Tel: 01206 766096 Helpline: 0844 4991323

Web: www.openroad.org.uk/colchester-centre

National Mental Health Organisations

Mind

Provides advice and support to empower anyone experiencing a mental health problem.

Infoline: 0300 123 3393 (available Mon – Fri, 9:00am – 6:00pm)

Text: 86463

Email: info@mind.org.uk

Website: www.mind.org.uk

NHS direct

Help and advice if you have an urgent medical problem and unsure what to do.

Tel: 111 (available 24 hours a day, 7 days a week - free from any landline or mobile)

Or go to: 111.nhs.uk (people aged 5 and over only)

Web: www.nhsdirect.nhs.uk

Rethink Mental Illness

The largest voluntary sector provider of mental health services in England

Advice Line: 0300 5000 927

Web: www.rethink.org

Samaritans

A unique charity dedicated to reducing feelings of isolation and disconnection that can lead to suicide.

Colchester Branch Walsingham Road Community hall Colchester CO2 7BN.

Helpline: 116 123 (available 24 hours - free from any phone)

Email: jo@samaritans.org (response time 24 hours)

Web: www.samaritans.org

Sane

A leading UK mental health charity working to improve the quality of life for anyone affected by mental illness.

Saneline: 0300 304 7000 (4:30pm – 10:30 daily); confidential service for those aged 16 or over

Web: www.sane.org.uk

VERSION CONTROL	
Title:	Suicide Protocol
Status:	Approved July 2018
<i><u>This</u></i> version:	Version 2 (January 2020)
Consultation:	N/A - changes are Legislative or required updates
Approved by:	Full Council
Approval:	February 13th 2020
EQIA:	The EQIA for this policy is published on the Council website: www.colchester.gov.uk
Review frequency:	When changes occur that alter the policy or approach significantly, or every 5 years; reviewed at Cabinet or full council level. Minor changes or legislative updates/amendments delegated to Assistant Director (has Lead responsibility for Safeguarding) in consultation with PFH.

**Extract from the minutes of the meeting of the Policy and Public Initiatives
Panel meeting on 27 November 2019**

43. Presentation on Youth Zone sports and social centres

Councillor Jowers (by reason of being a member of Essex County Council) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7 (5).

A presentation on the setting up and running of Youth Zones was given by Jamie Masraff, Director of Operation for OnSide Youth Zones, and Gavin Evans, Chief Executive of Barking and Dagenham Youth Zone. The background of the charity OnSide and its work in founding Youth Zones was given, from the movement to provide new facilities for the Bolton Lads and Girls Club in partnership with local communities private and business donors, then moving on to the setting up of the OnSide charity to assist the set-up and running of Youth Zones across the UK. The new Lads and Girls Club was open for 40 hours each week, offering a greater number of sports and activities and had increased the amenity for young people and positively affected the whole area. This had led to the movement and charity which sought to emulate this success in other parts of the Country.

£140m of investment into existing Youth Zone schemes had already been secured by OnSide, which had allowed the building of new, dedicated facilities for each Youth Zone, tailored to match the needs and wishes expressed by local young people and giving them a sense of pride and excitement in their new building, in contrast to the often tired-looking facilities which they replaced.

The Panel were told that Youth Zones incorporated sports facilities, fitness and gym facilities, and offered art, dance, climbing, study, training and kitchen-related activities. The approach to setting up Zones had been designed to include existing youth service providers, groups and clubs, in order to ensure each Zone supported them, rather than being in competition with them. An example of this was given to show that Youth Zones often provided basic introductory lessons and experience to young people and were then able to refer them on to more specialist and expert clubs and organisations so as to further develop their skills. Talks were held with these organisations before, during and after the setting up of each Youth Zone to identify any issues and ensure that the new facility compliments existing ones.

All Youth Zones had been recording 100 or more individual users every evening, with activities and opportunities split into the age ranges of 8-12 and 13-19, with specific activities for young people with more complex learning needs, in addition to support for these young people to join in with the more general activities and sport.

Young People were given a further sense of ownership and investment by being charged a nominal fee of £5 annual membership, and 50p entry fee per day. For

those who are not able to pay this, there are schemes to allow for free entry in cases of hardship. Statistics on each Youth Zone are collected and monitored using the Salesforce Customer Relationship Management (CRM) software. As well as allowing patterns of use to be analysed, this had also been used to show the Youth Zones' positive effects on their service users e.g. a recorded 89% of responding users stating that using the Youth Zone had increased their self-confidence, and statistics that showed that an increase in regular exercise and activity had, for the majority of service users, improved their academic performance (80%) and personal lives/relationships (90%). Likewise, statistics gathered had shown reductions in antisocial behaviour in their local areas by 30-77%, and on average by 50% over all areas in which Youth Zones had been set up.

The Panel were advised that, although Youth Zones were not the cheapest option available, they did represent very good value for money. Zones can either be full-sized, or slightly smaller, to suit the local area, and the approximate relative capital and revenue costs were given, alongside the breakdown of funding expectations between the local authority, OnSide, private-sector investment and the members of the Youth Zone. OnSide committed to sourcing the funding from local businesses and individual philanthropists/donors, commonly seeking 30-40 significant donors who committed to provide funding over three years. The Panel were informed that many such donors who had been found maintained their funding even after their three-year commitments had concluded.

The Panel were advised by Jamie Masraff that a large Youth Zone would be to scale with the population size of Colchester, and it would be expected that a membership of around 4,000 young people would be built up as an initial membership.

A high-level explanation was given as to how business funding was sourced, including through showing the overall positive impact that Youth Zones had created in their areas, and the reasons why they led to a marked decrease in antisocial behaviour and crime, and an increase in the pride and attainment of local young people. This culminated with the playing of a promotional video to showcase the work done by Youth Zones.

Following the presentation, the 'Have Your Say' section of this item was held.

Councillor Dave Harris attended and with the consent of the Chair addressed the Panel to offer his support and backing for the creation of a Colchester Youth Zone. He provided background information on the loss of local youth activity and sport provision, including the Thomas Lord Audley (TLA) Youth Club, amongst others. Councillor Harris explained that, in his ward, the provision of a Friday-night youth club, run by DBS-checked volunteers, had produced a reduction in antisocial behaviour, and he backed an approach to ensure that any Youth Zone project worked with existing groups to increase facilities and opportunities for all young people.

Bryan Burrough, formerly High Sheriff of Essex, addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). He explained that he had been involved with Youth Zones as a founding patron of the Dagenham Youth Zone. He fully supported the founding of a Youth Zone in Colchester, as being the right

location for such a facility. The model was now proven as a successful one and, whilst the securing of funding was always hard work, it was achievable, especially via the private sector.

Mr Burrough informed the Panel that, as an example, the Chorley Youth Zone had the backing of both the local borough council, and Lancashire County Council.

The Panel members were advised that a visit to an existing Youth Zone would convince them of the worth and positive effects of such schemes.

Councillor Mike Hogg attended and, with the consent of the Chair, addressed the Panel to state his positive views regarding such a potential addition to local youth service provision.

Councillor Hogg informed the Panel of the work which was ongoing to provide activities for young people at the Oak Tree Centre, with around £1.5m having been spent on this over the course of its 30-years in operation. Councillor Hogg stressed that young people wanted their own facilities, which they help to design and purpose, rather than to be sharing those which primarily catered to the activities of adult groups. The financial implications could be daunting, but ground-up investment and ongoing funding was required in order to help reduce antisocial and criminal behaviour.

Councillor Adam Fox attended and, with the consent of the Chair, addressed the Panel. Councillor Fox stated that young people had in recent years been deprived of services and that the many youth clubs in Colchester were usually reliant on well-meaning volunteers rather than paid professional staff members. There were limits to the work which could be done by volunteers.

The building of new, purpose-built facilities could expand horizons, be a positive influence and provide a professional staff to support and encourage service users. It was hoped that Essex County Council (ECC) would want to take a leading role in such provision.

Councillor Fox highlighted the importance of location and accessibility, including the need to ensure accessibility for those who could not afford any nominal fee charged for using the facilities. A key concern raised was the need to ensure longevity of funding from philanthropic sources and to ensure that any such project would proceed in mindfulness of the expected new garden communities and areas of significant development in the Borough.

Gavin Evans explained that during the approval and design phases for the Barking and Dagenham Youth Zone, youth engagement workers went to local schools and youth groups to collect the views and wishes of young people and to ensure that the Youth Zone's layout, branding and recruitment matched the demand in the area for activities. Young people were given ownership of the process, although wider communities were also involved. Jamie Masraff and Gavin Evans confirmed that an integral part of the process of setting up a Youth Zone was to ensure that young people and wider communities are fully involved in the process.

Addressing concerns regarding potential displacement of existing youth organisations, Mr. Masraff explained that OnSide worked hard to avoid this. The charity had commissioned a study of the effects of Youth Zones on existing groups, carried out by the Alliance Manchester Business School, with the results showing that the opening of a Youth Zone actually increasing the numbers attending existing clubs, with an increase in the total number of young people engaging with them for the first time.

Gavin Evans agreed that the support of volunteers was a necessity, with the Barking and Dagenham Youth Zone currently able to call on the services of 61 volunteers and looking to increase this to over 100. The Panel was informed that Youth Zones gave support to volunteers and helped to dispel the worries of potential volunteers, thus increasing the number of first-time volunteers coming forward.

Councillor Mike Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, attended and, with the consent of the Chair, addressed the Panel to voice his support for Youth Zones. A visit to the Croydon Youth Zone, with officers from CBC, had showcased the wide range of activities, sports and learning opportunities.

Councillor Lilley highlighted the positive effects on public safety, which had been shown to stem from the use of Youth Zones. County lines/drug-supplying gangs were active in Colchester, and Councillor Lilley posited that such gangs preyed on bored and unengaged young people, and that it was important that any facility provided be in a location that was in accessible 'neutral' territory, avoiding any inter-school frictions, and where the site would not disadvantage one community or area in comparison to others, regarding access. Councillor Lilley explained that the Croydon Youth Zone had proactively engaged to reduce rivalry between local groups and build links between the pupils of different rival schools and posited that ECC support would be vital for a Colchester Youth Zone to emulate this and to draw in funding.

Councillor Mark Cory, Leader of the Council, attended and, with the consent of the Chair, addressed the Panel. He informed the Panel that he had enjoyed his visit to the Barking and Dagenham Youth Zone and was of the view that such a facility would be a great opportunity to bring additional activities and support services together to add to what was already existent in the Borough. The fact that no Youth Zone had failed was given as evidence that the schemes were sustainable, and the Leader explained that potential funding pots would be examined, that the Council would lead with seeking and providing investment, but that ECC backing and involvement would be sought. Options for potentially providing a public transport subsidy for service users would be looked for, along with any appropriate examples of where comparable areas had engaged upon a Youth Zone or similar scheme and had confronted travel difficulties for service users.

Jamie Masraff informed the Panel that a survey had been conducted in Blackburn to gather travel statistics for the Youth Zone. Some young people had been found to travel for over an hour to reach the premises, and that many users paid for public transport but that the cost was sometimes prohibitive. Youth Zones sought solutions to this issue and options included set pick-ups by minibuses, 'walking' buses for nearby areas or working with social housing providers to provide transport. A

member of the Panel drew its attention to the now-discontinued mobile youth club which had operated in the rural parts of the Borough. This had attracted some young people from considerable distances and showed that young people are prepared to travel, if the activities offered are good enough.

A Panel member gave further information on the St Anne's Youth Club, which had started with under ten members and now numbered around 55, run by a volunteer group which fluctuated from eight to twelve members. A variety of activities were held on Friday evenings, both sporting and social. The Club had worked to instil a feeling of ownership in those attending, which minimised the incidence of vandalism and antisocial behaviour. Older members of the Club have, on occasion, been provided with training on how to run volunteer-led youth groups and have then returned as youth leaders. Some funding had been sourced from local groups and firms, showing the possibility for this in the area.

A Panel member noted the extremely positive and supportive comments which had been received from those councillors who had visited existent Youth Zones, even from members who had been sceptical prior to their visit. The need to gain funding and involvement was again stressed, including from ECC, the Police and from local businesses and donors. The member of the Panel counselled that the Council should not be prescriptive in the types of firms approached for funding, and that all offers of funding should be considered at length. Questions were then put to the guest speakers, seeking information as to where the relevant local authorities had sourced funding to meet the capital and revenue expenditure on the Youth Zones in their areas, and as to what work was done to ensure that Youth Zones encouraged equality and catered for different demographics within their user groups.

Jamie Masraff explained that Youth Zones must be for all and were specifically designed to promote equality and diversity. Examples included the installation of sensory zones and quiet areas, and the provision of activities to ensure inclusion of those service users with additional needs, who made up around 10% of users of Youth Zones. The gender split of users was 55% boys, 45% girls, and efforts were being made to improve the offer to be more attractive to girls.

Addressing comments about accessibility, Jamie Masraff agreed that location was crucial for long-term success, and explained that OnSide required any proposed site to be able to show accessibility, such as good bus links and pedestrian access, be prominent, to show pride is taken in the building, and be in 'neutral' territory, avoiding places where some potential service users may not have been able to go in safety.

It was confirmed to the Panel that Section 106 and Community Infrastructure Levy funding had helped to fund Youth Zones. Other local authorities have reallocated existing funds or reserves to their Youth Zones or increased prudential borrowing.

The Panel discussed the capital and revenue funding which would be required, potential sources of funds, including external sources and the possible sale of existing but unused/underused properties such as the Town House [West Stockwell Street, Colchester], and to potential sites which would allow access to young people from across the Borough. A member of the Panel suggested allocating funding from the New Homes Bonus to Youth Zones, rather than to projects such as North Essex

Garden Communities.

It was stressed that consideration must be given to the benefits and positive impacts to be gained over the extended lifetime of a Youth Zone, including in health, social cohesion and reducing antisocial behaviour. The benefits and related savings could be seen to outweigh the costs over the course of the schemes' operation, although the ensuring of sufficient revenue funding after the first three years would be vital. A Panel member recommended that advice should be sought from any Youth Zone project where the lead authority was a district or borough council [a lower-tier local authority].

Jamie Masraff explained that Youth Zones had not relied upon investment from the police or NHS but have seen partnership where county and district councils have combined funding to projects. Some specific project work has been funded by the NHS or Police, but this is on a small scale, for specific purposes. The Chorley Youth Zone was given as an example of partnership, where Chorley Borough Council had led on the project and its funding but had brought Lancashire County Council on board to support and part-fund the Youth Zone. Panel members underlined the necessity of confirming ECC's support and funding and requested that the Cabinet perform a 'deep-dive' forensic examination of the potential for meeting ongoing revenue and capital costs and consult in order to establish whether there is sufficient interest in the provision of a local Youth Zone.

Lucie Breadman, Assistant Director, Communities, gave an overview of the general feasibility study into youth service provision that the Council had commissioned. She informed the Panel that she had discussed this study and future possibilities with colleagues from ECC. The study was noted as being conducted independently and would seek quantifiable information and evidence.

Gavin Evans summarised the main points that had been presented and invited all members to visit a Youth Zone, re-emphasising the importance of such schemes in raising, aspiration, hopes, health and skills. The Panel was in agreement that a Youth Zone would greatly benefit the Borough, but that it would be imperative that ongoing funding was identified and partnership with ECC secured. The Panel made a tripartite recommendation to be considered by the Cabinet alongside the results of the ongoing independent feasibility study relating to youth service provision in the Borough. The recommendation made is as follows:

RECOMMENDATION to CABINET: - That, in light of the Policy and Public Initiatives Panel's support for the potential provision of a Colchester Youth Zone, the Cabinet:

- (a) Conducts a forensic 'deep-dive' examination of potential funding for a Colchester Youth Zone, to ensure sustainability of both capital and revenue funding;
- (b) Examines options for partnership working on a Colchester Youth Zone, with priority given to securing the partnership and support of Essex County Council;
- (c) Assesses the potential impacts that a Colchester Youth Zone would have within the Borough, including impacts on reducing antisocial and criminal behaviour, improving health, skills and life opportunities for young people and long-term benefits for the wider communities of the Borough.

29 January 2020

Report of	Chief Operating Officer	Author	Dan Gascoyne ☎ 282294
Title	2019 - 2020 Half Year Performance Report including progress on 2018-2021 Strategic Plan Action Plan		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 Cabinet is invited to consider the performance half year for the 2019 – 2020. This includes progress of our performance measures and an update on the Strategic Plan Action Plan (SPAP).

2. Recommended Decision

- 2.1 To consider the significance of the performance described in the attached reports for the organisation's ability to operate effectively and achieve its strategic goals.
- 2.2 To note the Reporting Timetable covering 2019-2020, specifically the dates for setting KPI targets for 2020-2021.

3. Reason for Recommended Decision

- 3.1 To review 'amber' and 'red' KPI performance for 2019 – 2020.

4. Alternative Options

- 4.1 No alternative options have been presented to Cabinet.

5. Background Information

- 5.1 The Council has agreed a number of key performance areas which it uses as part of its Performance Management Framework to help monitor progress and improvement. This report provides an update of our indicators and a review of progress against our Strategic Plan Action.
- 5.2 At the half year point, 30 September 2019, the overall position was that twelve of the measures were at or exceeding target (green), one was considered 'at risk' of not meeting their target at year end (amber), and three, are not on track to meet the target in full (red).
- 5.3 Of the 12 KPIs that have been achieved ('green' KPIs), it is worth noting that some have excelled. This is particularly the case in relation to Housing Benefit and Local Council Tax Scheme where residents are receiving benefit at an average of 2 and 3 days respectively. Council Tax and Business Rates collection are also both in a strong position to achieve the challenging targets set for year end.
- 5.4 There has been excellent progress delivering additional homes, with 534 being delivered in the first six months of this year against a full year's target of 920 and 129 affordable homes delivered during the period. Targets for processing all types of Planning applications have also been exceeded. Sickness levels have improved significantly at 8.38 days (this time last year the rate was 9.77 days).
- 5.5 Three indicators that have not met the targets or are considered to be at risk of meeting those at year end ('red' KPIs). These are: Full Homelessness Duty Owed, Average time to re-let Council Homes and Number of weekly missed collections.
- 5.6 The Full Homelessness Duty Owed target should be treated with caution as there is no nationally recognised standard for measurement and no baseline data. The current measure shows those who have a full homelessness duty owed as a proportion of those who have had a personal housing plan. Further data shows that of those households who approached for assistance 3 in 4 have had their homelessness prevented or relieved.
- 5.7 The 'red' status of the average time to re-let Council homes is mainly as a result of change of contractor in March resulting in poor performance in the first quarter whilst mobilising resource and completing properties left from the previous contract. Performance has improved during quarter two (with more recent indicators showing further improvement). The contract remains under close supervision and an 'Empty property improvement plan' has been developed by Colchester Borough Homes (CBH) to further improve performance.
- 5.8 In relation to weekly missed collections, it should be noted that although this is had a 'red' status, the actual rate of missed collections was extremely low at an average of 99.91% of all collections being made. Action has been taken to reduce staffing difficulties and a missed collections project has been launched to further reduce the risk. As a result of these measures missed collections have reduced since the mid-year point.
- 5.9 Rent collected is currently rated as 'amber'. Colchester Borough Homes report that the Universal Credit and welfare benefit changes have impacted on collection

rates. However, the collection performance is only slightly below last year's position. Colchester Borough Homes provide considerable support to tenants to ensure rent is collected fairly, resulting in only 2 evictions in the period. Collection rates are expected to increase in a similar pattern to last year where the target was achieved.

5.10 The actions within our Strategic Plan Action Plan show that there is a considerable amount of positive activity being undertaken across the Council and with our partners to achieve our Strategic Priorities.

5.11 The Council has also received a number of awards and accreditations highlighted at the end of Appendix C.

6. Equality, Diversity and Human Rights implications

6.1 Progress and improvement of these and many of the actions within the Strategic Plan Action Plan support our aims of improving both services and the lives of everyone in the borough. Where required, specific Equality Impact Assessments will exist for policies and activities rather than for individual performance indicators or actions. Progress on the Council's Equality Objectives are included within the Strategic Plan Action Plan Update.

7. Strategic Plan References

7.1 The half year performance reports on the delivery of a number of key aspects of the Council's performance in line with 2018 – 2021 Strategic Plan priorities.

8. Consultation

8.1 The report's contents do not have any direct implications with regard to consultation. However, the Strategic Plan and priorities were agreed following public consultation.

9. Publicity Considerations

9.1 The performance report contains measures for our key performance indicators and our Strategic Plan Action Plan. Many of these are used to monitor the performance of our services, and as such these may be of public interest. The report and related information is published on the Performance section of the Council's website.

10. Financial implications

10.1 The financial implications of the action plans to deliver performance against the indicators form part of the budget setting process.

11. Health, Wellbeing and Community Safety Implications

11.1 There are performance measures and actions within the Strategic Plan Action Plan which aim to improve community safety and as such this report provides progress updates in this area.

12. Health and Safety Implications

12.1 This report has no direct implications with regard to Health and Safety.

13. Risk Management Implications

- 13.1 We aim to deliver against performance indicators and the Strategic Plan Action Plan Actions, as both form a key part of our performance framework and expectations around delivery of our priorities to the residents of Colchester borough.

14. Environmental and Sustainability Implications

14.1 The three overarching objectives contained in the National Planning Policy Framework have been considered and where appropriate, have been applied within the Strategic Plan Action Plan.

14.2 **Economic objective.** Ensuring that sufficient land is available to support growth and innovation.

14.3 **Social objective.** Supporting strong, vibrant and healthy communities.

14.4 **Environmental objective.** Protecting and enhancing our historic environment.

Appendices

- A. Strategic Plan Action Plan Year End Report covering April - September 2019.
- B. KPI Year End Report covering April - September 2019.
- C. Awards and Other Performance News covering April - September 2019.
- D. Reporting Timetable covering 2019-2020.

Our Colchester

2018 – 2021 Strategic Plan Action Plan (SPAP)

Year Two (2019-2020) Half Year Report

GROW

Growth – Ensuring all residents benefit from the growth of the borough:

G1 - Help make sure Colchester is a welcoming place for all residents and visitors.

G2 - Ensure residents benefit from Colchester's economic Growth with skills, jobs and improving infrastructure.

G3 - Promote inward investment to the borough.

G4 - Develop jobs, homes, infrastructure and communities to meet the borough's future needs by creating new Garden Communities.

G5 - Work with partners to create a shared vision for a vibrant town centre.

G1 Help make sure Colchester is a welcoming place for all residents and visitors.

Action	Achievements
Maintain and promote Colchester's Museums and 2019's Adorn Exhibition.	<p>The Adorn exhibition opened at the end of July with loans from the British Museum and coverage in local and regional media. Visitor numbers are picking up gradually for this exhibition which is open until February.</p> <p>Owing to programmes of co-curation, autism friendly events and high standards of exhibitions, CIMS, a member of the National Portfolio Organisation Programme since 2018 has exceeded the expectations of the funding partner, Arts Council England.</p>
Provision of excellent visitor services and tourism promotion of Colchester.	Bespoke promotional initiatives that have been delivered in addition to core services:

	<p>Visit Colchester's successful lobby to be chosen as one of only four destinations nationally to take part in the 'Game of thrones UK Takeover'; an official connection with the final series of the global cultural phenomena leading to regional and national coverage of Colchester online, in print and on broadcast media.</p> <p>Official promotional link between Visit Colchester and the feature film of the popular children's BBC TV history programme and book franchise 'Horrible Histories: Rotten Romans' made. This included the Colchester advert being shown before the film at cinemas in London and the South East (with a verified audience of 46,536) and other promotional activity.</p> <p>'Colchester For Free' campaign promoting free attractions, events and activities took place across the Borough in summer 2019. The project aligned with the Livewell campaign and was aimed at including residents and visitors with limited financial resources. It included the Colchester Family Heritage Treasure Trail - a free family activity with a prize for those completing the Trail. The latter featured the Roman Circus Centre and the Roman Church to raise awareness of those sites, in alignment with broader Alliance objectives around heritage. Just under 800 copies of the trail were either downloaded or collected from the VIC.</p>
Develop and implement a business plan for Council owned car parks to ensure they provide an adequate provision of spaces in a welcoming environment at a competitive price and remain relevant to the expected growth of the Borough.	This is on schedule for internal consultation in the autumn, for external circulation amongst stakeholders as final pre-consultation draft prior to Christmas, with final draft due in the new year.
Deliver new and improved Mercury Theatre by September 2020.	Theatre improvements are currently under construction and on schedule to complete in June 2020 ready to re-open to the public in September.

G2 Ensure residents benefit from Colchester's economic Growth with skills, jobs and improving infrastructure.	
Action	Achievements
Deliver the Fixing the Link and North Bridge Conservation Enhancement Area (NBCEA) and other Station Travel Plan projects to encourage more people to walk from the station to the town centre.	The North Bridge Conservation Area has now been designated. Work with Greater Anglia is continuing to develop the Station Travel Plan and planning improvements to access to Colchester Station.
Delivery of Northern Gateway project (Turnstone), United Way and Sports (North of A12) to extend Colchester's offer and sense of arrival.	The CNG South Masterplan covering the boulevard, energy centre, commercial space and housing development has been through consultation exercises. A planning application for the Masterplan area is currently under consideration, whilst Turnstone has already achieved a planning permission and the CNG Sports Hub is under construction and the building is due to be completed in mid-2020. A number of external funding streams have been secured for various elements of the scheme, including the innovative heat network, boulevard project and various sports provisions.
Support Skills Development across Colchester.	<p>The introduction of the apprenticeship levy allowed us to take a much more strategic approach by using apprenticeships to address future workforce needs and close critical skills gaps. The public sector target for 2018/19 was 23 apprentices (2.3%) of our workforce, our actual for this period was 29. This is made up of a combination of internal and new hire apprentices. 6% of new hires for the same period were recruited as apprentices.</p> <p>The museums service received funding in 2018 to deliver the 'Transforming People to Transform Museums' trainee programme (TPtTM). The following elements have been delivered:</p>

	<ul style="list-style-type: none"> • 9 TPtTM trainees across five sites are completing their funding and projects for their community project (including working with Barnado's families, Profoundly deaf children, English as a second language groups and SEN children) • 9 TPtTM work placements completed across all partner sites alongside all partner days with each museum in the project hosting a day highlighting the variety within the museum sector. <p>TPtTM actively working with JCP's, Carers Covenant, YMCA, Sixth Form colleges and support groups across both counties.</p>
G3 Promote inward investment to the borough.	
Action	Achievements
Ensure there is a supply of employment land and premises to attract new business and allow existing firms to expand and thrive.	Public consultation on revised evidence base and Sustainability Appraisal is now complete. Documentation has been sent to the inspector with a view to re-opening the examination early December 2019. The Local Plan identifies a sufficient supply of employment land.
Produce an updated Economic Strategy for the Borough.	<p>An evidence base to inform a strategy has been completed with a high-level framework drafted to be developed into a strategy when resourcing arrangements are in place.</p> <p>Engagement with stakeholders on other relevant strategies including Local Industrial Strategy and North Essex Strategy will ensure CBC strategy once finalised adds value and is complementary to the higher-level strategies relating to economic growth.</p>
G4 Develop jobs, homes, infrastructure and communities to meet the borough's future needs by creating new Garden Communities.	

Action	Achievements
Adoption of a new Local Plan and Development Plan Documents (DPD) for Garden Communities.	<p>Public consultation on revised evidence base and Sustainability Appraisal is complete. Documentation has been sent to the inspector with a view to re-opening the examination in early December.</p> <p>North Essex Garden Communities are carrying out an engagement exercise in Autumn 2019.</p> <p>Development Plan Document production will follow Section 1 of the Local Plan.</p>
Progress and develop options to inform future delivery of Rapid Transit.	<p>Further Rapid Transit evidence report (Rapid Transit System for North Essex: From vision to plan) published July 2019.</p> <p>Successful bid for funding for Rapid Transit system and new link road between A120 and A133 announced August 2019.</p>
Securing and utilising S106 contributions to fund community infrastructure.	<p>Changes to CIL (Community Infrastructure Levy) regulations allow S106 contributions to be collected from more developments from September 2019. The website has been updated accordingly and a template added for payment.</p> <p>Monitoring fees will also be charged for S106 agreements. Updated Supplementary Plan Documents to be reported to Local plan Committee in December.</p>
G5 Work with partners to create a shared vision for a vibrant town centre.	
Action	Achievements
Develop a multi-agency night time economy (NTE) action plan to create a diverse, vibrant and safe town centre at night.	Robust enforcement through use of Town Centre Action Plan is being used and we are working with partners to reduce begging and street drinking in Town Centre.

	<p>Joint working with Licensing team is being used to deliver Safeguarding training to Taxi Drivers.</p> <p>CARA sexual abuse awareness is being delivered to Door Staff via Pubwatch September 2019.</p> <p>The Rough Sleeper Count carried out in September 2019 by CBH in Town Centre, identified 10 individuals. Rough Sleeper Outreach Workers engaging, and relevant information was shared with TCAP.</p> <p>Joint CBC and Police Night of Action was delivered August 2019.</p> <p>Counter Terrorism / Vulnerability training delivered to local businesses via Pub Watch.</p>
Progress redevelopment of Vineyard Gate as a new urban quarter to compliment the town centre and provide an attractive mixed-use development which enhances the town wall.	Options are currently being re-considered after changes in market trends.
Improve cleanliness and community safety to town centre during the day.	<p>£60,000 of investment was provided from 'Better Colchester' campaign to focus on night time enforcement. A procurement brief is currently being put together for an open tender process.</p> <p>Work in partnership with the 'Proactive Team' in Essex Police is being undertaken to assist with enforcement campaigns, including action around licensing.</p>

An additional £100,000 of funding was provided from the 'Clean the Streets' campaign. This will assist in the provision of an additional pressure washer to work alongside the existing pressure washing in town.

The 'Gum Drop' enforcement campaign to tackle chewing gum littering was successfully launched and put forward for a national award. A 50% reduction in pavement cleaning had occurred since the launch.

Working with the Business Improvement District (BID), 50 businesses have signed up to the 'Neat Street' campaign.

The Service has worked on an extensive 'littering' campaign including: a video shown at the beginning of each film at this year's Big Screen Event, a large social media push entitled: 'No Excuses', a half page advert in the Gazette and advertising on the Gazette website for a one week period. There is currently an advert on Spotify and billboards on North Station Road and 6 bus stops as well as banners around the town and on refuse vehicles.

Alliance funding has enabled recruitment of 3 additional Operatives who are now working in the town centre.

Red Snapper was commissioned to review internal processes when dealing with fly-tipping and identify ways to improve enforcement activities. Recommendations from the report will be actioned.

Work with the Business Improvement Team has supported the introduction of bunting, the umbrella installation and launch, and the purchasing of planters in the town centre.

Partnerships with the TCAP, the Proactive Team, Colchester Borough Homes Rough Sleeper Outreach Workers, and the Probation Service are continuing.
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Responsibility – Encouraging everyone to contribute to making our borough even better:

R1 - Promote responsible citizenship by encouraging residents to get involved in their communities and to identify solutions to local issues.

R2 - Encourage re-use and recycling to reduce waste to landfill.

R3 - Educate those residents who behave anti-socially about the impact of their behaviour.

R4 - Increase the supply of good quality homes by using legal powers to reduce the number of empty homes and improve standards in the private rented sector.

R5 - Create new routes for walking or cycling and work with partners to make the borough more pedestrian- friendly.

R1 Promote responsible citizenship by encouraging residents to get involved in their communities and to identify solutions to local issues.

Action	Achievements
Take an Asset Based Community Development Approach – Enable the growth of sustainable resilient communities, building capacity, connections and empowering people to take action on things that are important to them.	2 Asset based Community Development workshops were delivered (24 July and 7 October 2019) for CBC, CBH, Amphora and wider community voluntary sector partners. Workshops were delivered in partnership with Nurture Development and the Essex Local Delivery Pilot. LDP Core team attending additional ABCD workshops.
Supporting parish councils to prepare Neighbourhood Plans (NHP) for their communities.	Wivenhoe NHP was adopted (made) on 22 May 2019. West Bergholt held a successful referendum with 94% voting Yes to the Plan. This is scheduled for Adoption at Full Council on 16 October 2019.

	Eight Ash Green has recently completed its Examination and will proceed to Referendum on 7 November 2019.
R2 Encourage re-use and recycling to reduce waste to landfill.	
Action	Achievements
Continue to promote waste minimisation, reduction and recycling to our residents.	<p>Residual household waste per household</p> <p>Colchester continues to produce low levels of residual waste, improving on the same time last year. In a regional context, Colchester is leading the Eastern Region, producing the least amount of residual waste per household.</p> <p>Household waste reused, recycled and composted</p> <p>Cumulatively the Service remains on target and comparing with other Local Authorities in the Region, Colchester is in the top 10 Authorities.</p> <p>Some fluctuations in the data produced for this area of the Service have occurred as a result of some operational issues, rather than the product produced by households. These issues have now been resolved and the data will start to demonstrate a truer monthly reflection of the collections of recycling and compostable material.</p> <p>A robust communication strategy is in place and continues to deliver positive messages in relation to this area of the Service.</p> <p>The Neighbourhood Wardens continue to carry out proactive work. For example, working with primary schools to deliver discussions on waste, carrying out activities involving recycling milk bottles and spending time litter picking with the children around the local area.</p>

R3 Educate those residents who behave anti-socially about the impact of their behaviour.	
Action	Achievements
Multi-Partnership approach to understanding and tackling local priorities linked to anti-social behaviour.	<p>Annual Partnership Plan produced for the period April 2019 – March 2020 (following partnership consultation and Strategic Assessment of Crime). Key Priorities are to tackle organised criminality, gangs and county lines (focussing on keeping drugs and weapons out of the community), driving down anti-social behaviour and violent crime in public places and increasing confidence in identifying and reporting hidden harms.</p> <p>Robust enforcement through use of the Town Centre Action Plan and working with partners to reduce begging and street drinking in Town Centre.</p> <p>Public scrutiny of Safer Colchester Partnership (SCP) undertaken at Crime and Disorder Committee on 10 September 2019.</p>
Deliver an appropriate enforcement approach across the borough.	<p>All Public Space Protection Orders (PSPOs) are relevant, compliant and enforceable.</p> <p>Activity has been undertaken to improved PSPO enforcement signage in certain areas.</p>
R4 Increase the supply of good quality homes by using legal powers to reduce the number of empty homes and improve standards in the private rented sector.	
Action	Achievements
Maximise the opportunities available through Eco-flex and Warm Homes funding to improve energy efficiency of homes in Colchester, out lined in the	Warm homes funding is continuing through a partnership with Aaron Services and NCS Property Services. Activity to improve energy efficiency in the private sector is being reviewed as part of the Council's response to its climate emergency declaration.

Home Energy Conservation Act (HECA) Report.	<p>Action to improve homes affected by cold, damp and mould has led to 55 significant hazards being removed from dwellings.</p> <p>A proactive project had commenced to identify private rented properties with an Energy Performance Certificate (EPC) rating of 'F' and below (i.e. the worse) for targeted action.</p>
R5 Create new routes for walking or cycling and work with partners to make the borough more pedestrian- friendly.	
Action	Achievements
Maximise all opportunities, including funding through planning contributions, to deliver enhanced cycling and walking routes and infrastructure.	<p>Work continues delivering solutions to promote sustainable travel through development proposals and securing S106 contributions for new developments.</p> <p>Implementation of projects with funding including commissioning consultants to look at accessibility improvements to zig-zag bridge which links university to town centre and other student accommodation.</p>
Work with partners to promote sustainable travel behaviour change, healthier lifestyles and reduce car dependency.	Work ongoing to promote sustainable travel and behaviour change across Colchester including through requirement of Travel Plans and Travel Plan Co-ordinators as part of new development. New Travel Plan Club Members include Hiscox, joined as a member in 2019.

Opportunity – Promoting and improving Colchester and its environment:

- O1 - Promote Colchester's heritage and visitor attractions to increase visitor numbers and to support job creation.
- O2 - Encourage green technologies through initiatives such as SMART Cities.
- O3 - Help business to flourish by supporting infrastructure for start-up businesses and facilitating a Business Improvement District.
- O4 - Ensure a good supply of land available for new homes through our Local Plan.
- O5 - Promote initiatives to help residents live healthier lives.

O1 Promote Colchester's heritage and visitor attractions to increase visitor numbers and to support job creation.	
Action	Achievements
Deliver 'Heritage Explorer' trails for walkers and cyclists across the Borough.	<p>The heritage explorer trail for the town centre is currently on hold. The booklet is an income stream for the Council so there is a concern about making it freely available.</p> <p>The Orbital Project is progressing well. The heritage dataset from the Historic Environment Record (at this stage just for Mile End, but subsequently for the entire route), will be used to provide heritage-related information along the route of the Orbital.</p>
Maximise the opportunities of our Council owned heritage attractions to increase visitor and revenue numbers.	<p>Visitor numbers at Colchester's museums are up 6% on last year at 86,612. Income is up 4% from all Colchester museums at £323,245.</p> <p>CIMS supported Norfolk Museums Service's funding applications to save JWM Turner's 'Walton Bridges' for the nation. The painting will be displayed in Colchester in 2020 having secured national media coverage.</p>
O2 Encourage green technologies through initiatives such as SMART Cities.	
Action	Achievements
Introduce electric vehicle charging points across the borough and encourage and enable electric vehicle use.	<p>First EV point to be installed later in the year in Priory Street car park. Supply now installed; contractual arrangements for EV point itself being planned through framework agreement.</p> <p>Also working with Essex County Council for Highway residential EV points.</p>
O3 Help business to flourish by supporting infrastructure for start-up businesses and facilitating a Business Improvement District.	

Action	Achievements
<p>Manage, Promote and maximise the opportunity of our Charter Market and Street Trading.</p>	<p>Consultation on alternative trading days and alternative locations to provide a better infrastructure has commenced, with the aim that the market should be in an easily accessible hub which can be utilised as a go-to destination, attracting tourists and locals alike.</p> <p>Trialling has commenced with traders bringing their own stalls.</p> <p>Four Street Food Vendors won Golden Oysters (First place prize) at Colchester Food & Drink Festival</p> <p>Colchester Chilli Challenge drew media and public interest for the third year running and was well-attended and received. Local businesses donated prizes in return for publicity.</p> <p>The Christmas Market attracted crowds of up to 10,000 (matching levels when event was privately managed). Traders turnover was 5 times that of a typical market day.</p> <p>Special event at St Botolph's Priory was well-received and plans are in development for future events at this historic site.</p> <p>Entry to Market of the Year was postponed. The Service will revisit the application once the restructuring of the market is complete – the transformation story will form the basis of the submission and will be a great way of relaunching the market locally and nationally.</p>
<p>Deliver new “Grow on space” (place for smaller start-up businesses to move on to as they establish) linked to the</p>	<p>Funding was not secured but alternative options are being explored. The existing Creative Business Centre continues to thrive.</p>

Creative Business, at the former Queen Street Bus Station.	
O4 Ensure a good supply of land available for new homes through our Local Plan.	
Action	Achievements
Ensure the Council has an adequate supply of land available to meet housing needs within the Borough.	Updated 5 year land supply published in June 2019. Continue to review deliverability of sites. Several large schemes have been permitted to ensure supply is maintained.
O5 Promote initiatives to help residents live healthier lives.	
Action	Achievements
Support projects and initiatives which aim to reduce pollution levels and therefore have a positive impact on the boroughs air quality.	Colchester was successful in securing a DEFRA grant of £249,100 to support a behavioural change project. The project is aimed at encouraging drivers to switch off their engine when stationary and to encourage walking and cycling for shorter journeys. A survey and film have been produced and these will form part of a public consultation commencing October 2019.
Promote the Livewell campaign – Utilise opportunities to provide communities, families and individuals with information and signposting about all that is on offer to improve health and wellbeing in the borough.	Communication team sharing Livewell posts and utilising Livewell branding and hashtag on social media when promoting campaigns such as Air quality. Internal teams utilising Livewell branding more frequently such as the CAFÉ project, Parks & countryside events & DEFRA funded air quality survey. Livewell branding used on posters for internal health and wellbeing initiatives.

	<p>Suicide prevention task & finish group currently being formed with members of CSP to enable training across the system. Funded by Public Health Livewell grant 10K and matched with 10K from Tendring DC.</p> <p>Other system players using Livewell ethos & themes in their strategic plans such as NEE H&W Alliance & One Colchester Partnership.</p>
Implement improvements to internal processes and report templates to embed considerations (and data) about health and wellbeing into decision making.	Health & Wellbeing in all policies approach adopted and templates updated.

Wellbeing – Making Colchester an even better place to live and supporting those who need most help:

W1 - Encourage belonging, involvement and responsibility in all the borough's communities.

W2 - Work with Essex Police and partners in the Safer Colchester Partnership to make Colchester an even safer place.

W3 - Create new social housing by building Council homes and supporting Registered Providers.

W4 - Target support to the most disadvantaged residents and communities.

W5 - Help residents adopt healthier lifestyles by enabling the provision of excellent leisure facilities and beautiful green spaces.

W1 Encourage belonging, involvement and responsibility in all the borough's communities.

Action	Achievements
Work with partners to develop insight and research to support the North Essex Alliance to improve health outcomes for Colchester.	Essex University commissioned to undertake quantitative research to provide assurance with regard to data on health outcomes locally.

	<p>Anglia Ruskin University commissioned to undertake qualitative research into the lived experiences and wider determinants of health and well-being, to inform priorities and future action.</p> <p>Project board established to oversee progress. Project on track.</p>
W2 Work with Essex Police and partners in the Safer Colchester Partnership to make Colchester an even safer place.	
Action	Achievements
Active participation in Safer Colchester Partnerships priorities and outcomes.	<p>Annual Partnership Plan produced for the period April 2019 – March 2020 (following partnership consultation and Strategic Assessment of Crime). Key Priorities to tackle organised criminality, gangs and county lines (focussing on keeping drugs and weapons out of the community), driving down anti-social behaviour and violent crime in public places and increasing confidence in identifying and reporting hidden harms.</p> <p>Several initiatives delivered or supported, including Virtual Crew 2019 to deliver community safety messages to year 6 pupils, Observers Scheme (Phase 1) to identify and report hidden harms, Hate Crime Awareness sessions and a Parents Engagement event to educate families on child sexual exploitation.</p> <p>Town Centre Action Plan (TCAP) (package of enforcement, support, awareness and education) continues to tackle issues of street begging and drinking in Town Centre. Weekly partner meetings take place to discuss (and action plan) persistent offenders and hotspots.</p> <p>Leadership of Safety Advisory Group to ensure all large events in the Town Centre are appropriately risk assessed and public safety is maintained.</p>

Maintain Licensing Enforcement Group with partners using multi agency tasking to tackle problem premises, promote good practice and tackle early identification of hidden harms within the day and night time economy.	<p>Licensing Enforcement Group continues to meet monthly, only a small number of problem premises being monitored. Main issue now is drug related rather than alcohol related.</p> <p>Counter Terrorism / Vulnerability training delivered to local businesses via Pub Watch and CARA sexual abuse awareness delivered to Door Staff via Pubwatch September 2019.</p> <p>Businesses signed up to Disc system to identify problem individuals within NTE and DTE.</p>
W3 Create new social housing by building Council homes and supporting Registered Providers.	
Action	Achievements
Secure new affordable homes that are owned by the Council, from the 4 mixed-tenure housing developments being undertaken by Colchester Amphora Homes Ltd (CAHL).	First planning permission secured in September, with second due on 31 October and a third in November 2019. These 3 sites are expected to be under construction in 2020 and 2 of the 3 should be completed in 2021. The fourth site delayed for archaeological evaluation. Overall affordable homes now increased.
Work with registered providers and private developers to deliver new affordable housing.	From April 2019 to September 2019, 129 affordable homes have been delivered. This brings the total delivered since the start of this strategic plan to 254 homes and means we are on target to deliver 360 affordable homes by the end of the Plan period. The Council paid a further £112,352, of the total grant of £449,406, to Winnocks and Kendalls Almshouse Charity as their scheme for 9 affordable homes is nearing completion.
Use our own land and resources to deliver new affordable council homes	3 planning applications have been submitted and, subject to approval, are expected to start construction in mid-2020. Other sites are being progressed as part of this

through the use of under-used garage sites.	phase whilst a subsequent phase of additional garage sites are also now being identified.
Implement a pilot scheme to use “Airspace”, creating an additional storey on existing housing blocks to deliver 32 new affordable council homes by 2021.	3 sites are still being explored and consultation has taken place on all sites alongside some survey work that has been completed as part of ongoing feasibility work. Early design work on the first site is due to be procured shortly, ready for evolution in early 2020 so that a planning application can be prepared at this first site. The other 2 sites would follow on, with some feasibility issues still being worked on.
Use our own land and resources to deliver an improved sheltered accommodation scheme.	Consultation started in June 2019 and has been well-received. Work to relocate residents has begun and is ongoing as 18 months was allowed for this process to ensure adequate time was given to existing residents to be rehomed in collaboration with CBH. Other feasibility and design work has also commenced. Construction was/is not planned until January 2021 and the project remains on schedule.
W4 Target support to the most disadvantaged residents and communities.	
Action	Achievements
Work with partners to coordinate and enable the delivery of projects, interventions and activity focused on supporting families, children and young people in Colchester to get the best start in life.	<p>Funded Holiday Hunger project (Monkwick Munch Club) in partnership with Active Essex and the Essex LDP tackling the triple inequality of food poverty, isolation and inactivity in young people.</p> <p>Secured £90k funding from North East Essex Health & Wellbeing Alliance to work with local primary schools, develop wellbeing hubs and build volunteering capacity to support local families.</p>
Customer insight and statistics. Target support and access for customers appropriately, using research.	Mosaic profiling for visitors to Museums has identified that one of the biggest groups of visitors is people over the age of 60 who prefer to communicate and be contacted via landline, telephone and post. In comparison, the next biggest group (families with

	<p>young children) prefer to communicate via SMS and Email. This will be used for targeting marketing campaigns.</p> <p>A number of surveys and questionnaires for services have been undertaken across the organisation to obtain customer feedback, satisfaction and inform consultations.</p>
Prevent households from experiencing homelessness and tackle rough sleeping.	<p>Between 1 April and 30 September 2019 homelessness was prevented for 144 households and 84 homeless households were assisted to secure alternative accommodation under the relief duty.</p> <p>From 1 April until the 30 September 2019 102 people have been provided with support, advice and assistance to help them move off the streets. 28 rough sleepers have been housed during the same period.</p>
Work with partner and community organisations to advance equality of opportunity and access to services for, vulnerable groups.	<p>The Diversity Steering Group continues to provide an active forum for the discussion of equality and diversity issues that affect both the Council workforce and the borough population.</p> <p>Two Equality Impact Assessment training sessions have been delivered to staff during 2019, to improve the understanding, quality and functionality of the process.</p> <p>An annual Equality and Safeguarding Report to Governance Committee in October 2019, sets out a full account of activities and progress.</p>
Work with partner and community organisations to help safeguard vulnerable people.	<p>The Safeguarding Policy currently in place under review for approval in January 2020.</p> <p>Designated Safeguarding Officers (DSO's) continue to make referrals to Adult Social Care and Children & Families Hub and support is continuing for for Domestic Homicide Review (DHR) and Serious Case Review (SCR).</p>

	<p>Level 1 Safeguarding eLearning packages are available for all CBC staff and members to complete. A further programme of specialist training for staff, DSO's and Members continues to be delivered (i.e. suicide awareness, substance misuse, hidden harms via Observers Scheme, hate crime and sexual violence).</p> <p>Work is being undertaken to deliver Safeguarding training to Taxi Drivers.</p> <p>Joint work with CBH to arrange delivery of Hate Crime Awareness and Ambassador Training to staff.</p> <p>An annual Equality and Safeguarding Report to Governance Committee in October 2019, sets out a full account of activities and progress.</p>
W5 Help residents adopt healthier lifestyles by enabling the provision of excellent leisure facilities and beautiful green spaces.	
Action	Achievements
Work together with system partners to achieve challenging targets in a small number of key areas that will have a significant impact on major health conditions.	<p>Support being given to the development of the North East Essex Alliance as an Integrated Care System. Community Model of Care, and Prevention and Reducing Inequalities workstreams established with activities and outcome measures evolving.</p> <p>Transformation Grant funding secured through the Alliance for:</p> <ul style="list-style-type: none"> • Research study set out in W1 (£50k) • Development of a tool kit, digital resource and training of health professionals in all GP practices on benefits of physical activity. Includes development of a 'green prescription programme' (£57k) <p>Colchester and Friends Events (CAFÉ) launched in June to combat social isolation.</p>

<p>Work with Sport England, System partners and the community to deliver the Essex Local Delivery Pilot (ELDP).</p>	<p>Essex Health & Wellbeing Board approved the LDP Investment Guidance in May which established the investment priorities, criteria, budget headlines, governance, accountability, decision making levels, and sign off thresholds for the programme.</p> <p>The LDP evaluation partner was appointed at the end of June 2019 following a comprehensive procurement process.</p> <p>A Data & Insight post has been recruited to, the role will undertake all analytics supporting the LDP during the life of the project.</p> <p>Colchester LDP plan co- produced and agreed with community partners.</p> <p>Micro Grant programme (under £2.5k) developed and signed off by Essex Health & Wellbeing Board. Due for launch November 2019.</p> <p>Investment Guidance and process completed for interventions (£2.5k-£100k) and signed off by Essex Health & Wellbeing Board.</p> <p>Workshops attended in London, Leeds, Birmingham and Essex Assembly to share learning to other local authorities.</p>
<p>Protect, enhance and deliver a comprehensive green infrastructure network, including the Colchester Orbital, and seek opportunities from future developments to improve connectivity to the network.</p>	<p>Changes to CIL regulations will allow us to seek S106 contributions from more developments from September. Updated SPD to be reported to Local plan Committee in December 2019.</p> <p>Work continues on the Orbital with a Pilot on digital mapping in Mile End underway along with branding for the project. This work offers opportunities to remove barriers / enhance access part funded through the spending priorities.</p> <p>Reference to country park in Section One Local Plan.</p>

<p>Dementia Friendly Activities at Leisure World Colchester</p> <p>Deliver a range of activities for people living with dementia and their carers Activities include: Fitness Pool swimming available under the guidance of qualified teachers, table tennis, badminton and “Song & Memories” sessions.</p>	<p>Activity sessions have taken place attracting 234 visits April – September 2019.</p> <p>A further £2,000 has been sourced towards Dementia Friendly activity sessions via Active Essex/ Colchester. The funding will aid further delivery, promotion and interaction of community groups with user sessions subsidised by 50% for each user, supporting the long-term aim to be a fully self-sustaining service. This will run from September – December 2019.</p>
<p>Diabetes Support Programme at Leisure World Colchester</p> <p>Working in partnership with the National Diabetes Prevention Programme and GP Surgeries to deliver a 12-week programme aimed at those who have been diagnosed with diabetes or pre-diabetic health conditions. Develop knowledge of Diabetes and its treatment Build awareness and motivation to exercise. Physical activity sessions & nutrition support. Maximum of 16 people per programme.</p>	<p>After recent successes of the diabetes programme, support services have now been incorporated in the LEAP GP Referral program with regular sessions delivered weekly with good levels of client usage.</p> <p>A six week cardiac rehabilitation program to be delivered, widening our clinical and community impact locally (January 2020).</p>
<p>Develop a Colchester Parks and Green Space Strategy – linking healthier lifestyles, community volunteering, green spaces and new funding streams.</p>	<p>Following a restructure of the Service, the timeline for the strategy is yet to be devised. However, conversations with necessary partners and stakeholders has begun.</p>

The allotments process is currently under review, and the Service is working closely with the Customer service to bring about improvements.

Areas where Measured Walks could be considered as appropriate are being investigated across the Borough. This is alongside opportunities that can be unlocked with the Colchester Orbital to support improvements in health, wellbeing and linking green spaces.

A trial of a dedicated maintenance team to monitor the play areas is being launched and this will be built into our Communication Strategy for the Service.

Putt in the Park was successfully launched this summer in Castle Park and improvements have been made to the park toilets.

Corporate Key Performance Indicators

Cabinet Half Year Report

Covering April - September 2019

K1B1 Housing Benefit	→
K1B1 LCTS	→
K1H1 Additional Homes	→
K1H2 Affordable Homes	→
K1H3 Homelessness	→
K1H4 Rent Collected	→
K1H5 Voids	→
K1P1 Planning Apps (Majors)	→
K1P1 Planning Apps (Minors)	→
K1P1 Planning Apps (Others)	→
K1R1 Council Tax Collected	→
K1R2 Business Rates Collected	→
K1R3 Sickness	→
K1W1 Residual Waste	→
K1W2 Recycled Waste	→
K1W3 Missed Bin Collections	→





Target	Actual	Actual Previous Year
7	2	4

Supporting Narrative

Residents claiming housing benefit and LCTS are receiving a gold standard service with an outstanding turnaround of work at an average of 2 and 3 days.

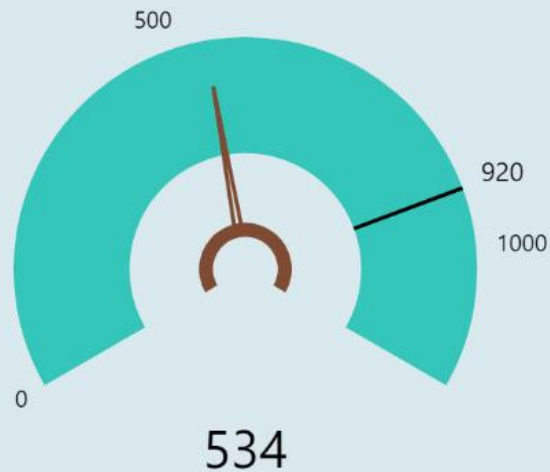
The team understands the importance of distributing eligible benefits quickly and know the real difference this makes to our residents.



Target	Actual	Actual Previous Year
7	3	6



K1H1 Additional Homes Provided - GREEN



Actual towards Target and RAG Status

534✓

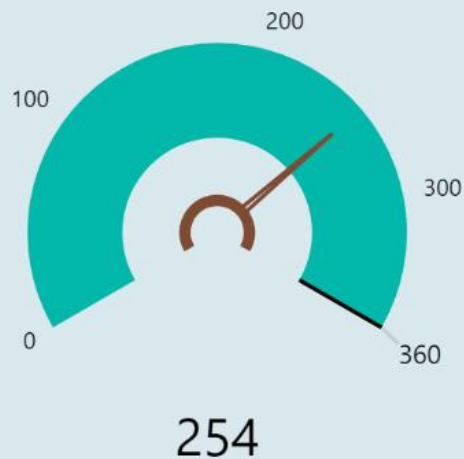
Goal: 920

Target	Actual	Financial Quarter
920	534	2

Supporting Narrative

The Council is on target to deliver against 920 new homes by year end.

K1H2 Affordable Homes Delivered over Three Years - GREEN



Actual against Target and RAG Status

254✓

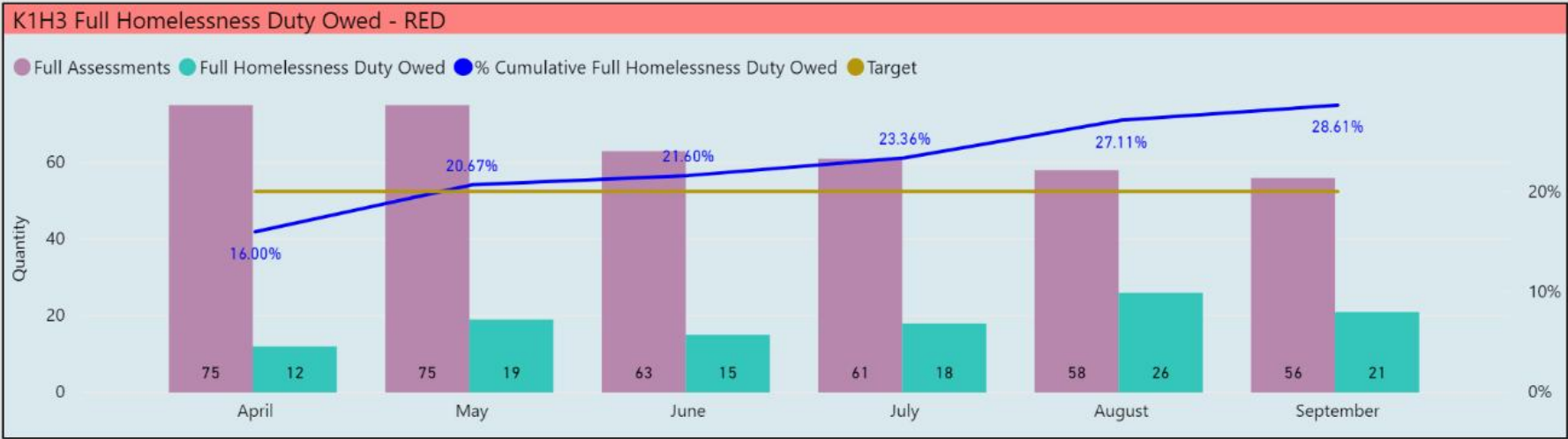
Actual	Financial Quarter
254	2

Supporting Narrative

There has been excellent progress on delivering affordable homes in 2019-2020. 129 affordable homes were delivered as the end of September 2019 for 2019-2020 (the second year of the three-year target period).

This brings the total delivered to 254, well on the way to achieving the target of 360 affordable homes.





Target	% Cumulative Full Homelessness Duty Owed
20%	28.61%

Supporting Narrative

This Performance Indicator measures households assessed as having a full homelessness duty, as a percentage of the total number of applicants who have had a Personal Housing Plan drawn up.

The expected outcome of 20% should be treated with caution. Data recording nationally is still under development and as such it is not possible to benchmark reliably against national or regional performance.

However, it is important to note that the total number of households who approach the housing options service is a much larger number than those who require a personal housing plan.

At the half year point, 1015 households made contact with the service, of which 762 made formal applications for assistance. 387 personal housing plans have been issued. Currently 28% of applicants with a personal housing plan have been assessed as requiring a full homelessness duty.

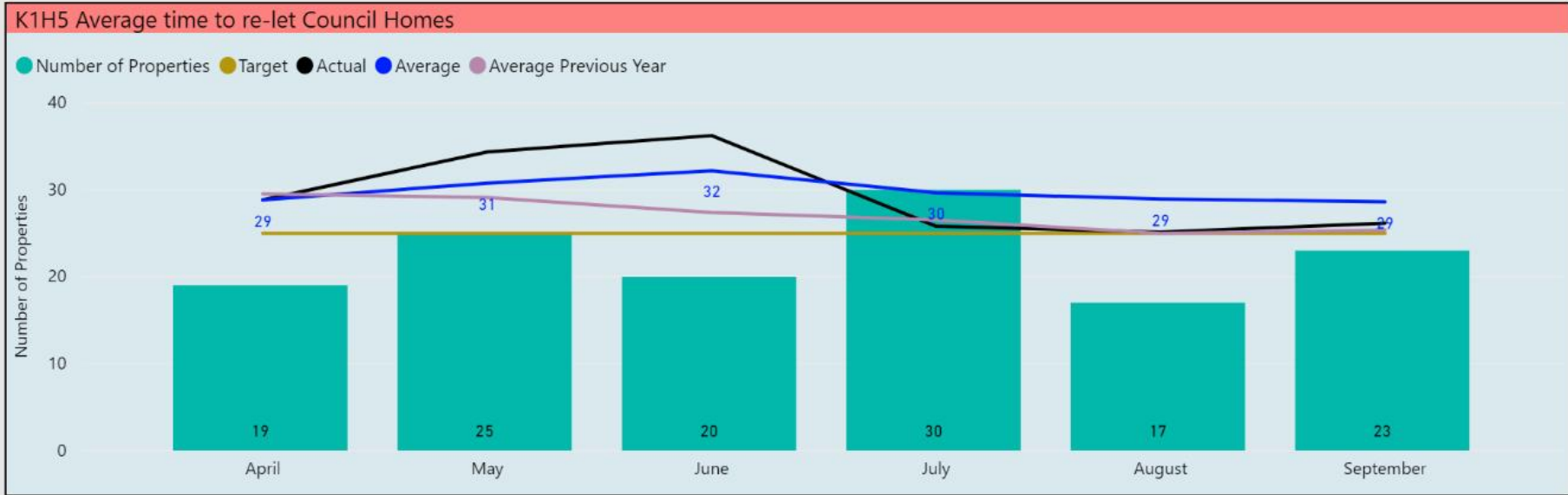


Target	Cumulative Average	Cumulative Average Previous Year
98.00%	96.24%	96.68%

Supporting Narrative

The collection performance is only slightly below our performance at the same point last year (96.68%); Universal Credit and Welfare benefit changes have impacted impacted our collection rates. Currently a third of total rent arrears relate to tenants in receipt of or claiming universal credit.

CBH are committed to a “fair collection” process supporting over 700 of our tenants who now claim Universal Credit. Effective CBH support to tenants has resulted in only 2 evictions for rent arrears to date this year.



Supporting Narrative

Performance in the second quarter of the financial year has improved considerably compared to the first quarter. For the 70 properties let in the second quarter, the average number of days void was 25.7. The cumulative average re-let time at the half year point is 28.63 days.

An action plan is in place to secure continued improvement for the remainder of 2019-2020, with particular focus on reducing the number of days taken by the void contractor to complete void work.

Target	Actual	Average	Average Previous Year	Number of Properties	Cumulative Number of Properties
25	26.17	28.63	25.37	23	134





Supporting Narrative

The team achieved a consistently high level of decision making for major applications, 16 Major applications were determined during this period, performance is on track and targets are being met.



Supporting Narrative

The team achieved a consistently high level of decision making for minor applications, 193 minor applications were determined during this period, in a category that includes applications up to 10 new dwellings, commercial development of up to 1,000 square metres of floorspace, or sites with areas of up to 1 hectare, performance is on track and targets are being met.





Supporting Narrative

The team achieved a consistently high level of decision making for “other” planning applications, with over 621 applications determined during this period, in a category which includes householder extensions, changes of use, adverts and lawful development certificates.

This category saw the highest number of applications and forms the bulk of the planning work. Performance is on track and targets are being met.





Supporting Narrative

Council Tax collection is in a very strong position with collection rates on track to achieve the target set for year end.

With significant growth across the borough, the tax base continues to increase and there is an additional 7million pounds to collect this year.

The team are also managing a major review of Single Person Discount scheme which will also increase the tax base longer term.

Target	Actual	Actual Previous Year
48.75%	56.27%	56.65%



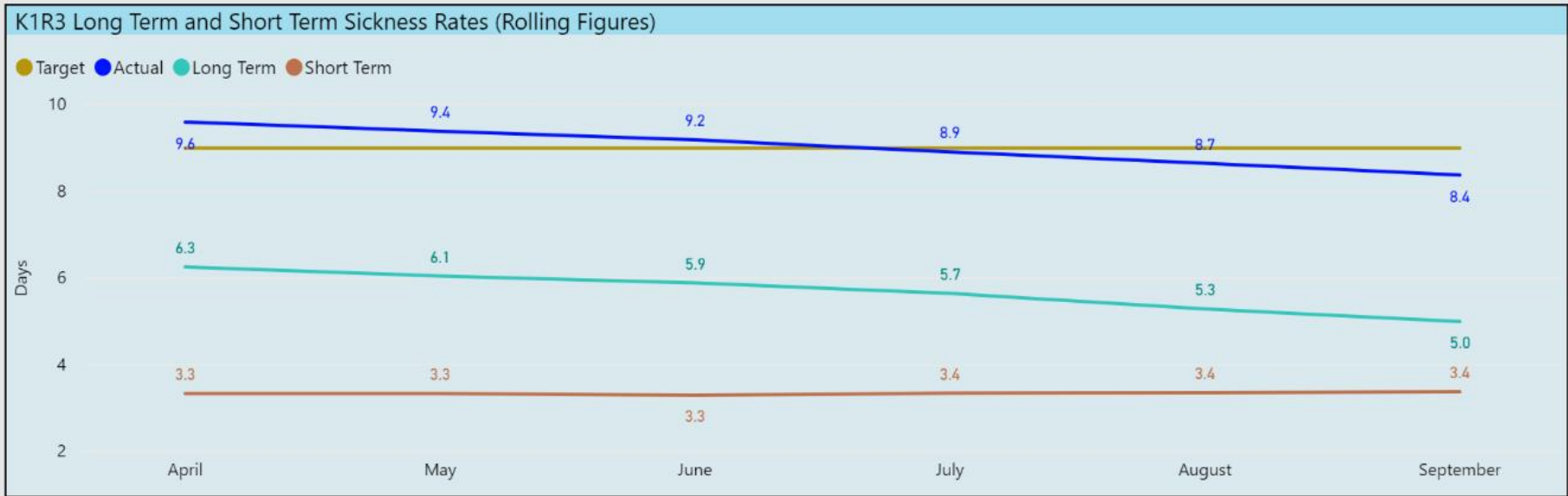
Supporting Narrative

Business rates collection is in a very strong position with collection rates on track to achieve the target set for year end.

There has been some more in-depth work around complex recovery with the use of specialist solicitors.

Target	Actual	Actual Previous Year
49.25%	58.27%	58.62%





Supporting Narrative

Currently below target. Managers are trained and are supported by HR Business Partners to manage sickness absence sensitively but resolutely. Early engagement with sickness and mental health issues is important to support and encourage attendance. The longer staff are absent the more challenging it is to get them back to work.

As well as managing absence robustly, CBC recognises the importance of creating a healthy and positive work environment. Several wellbeing initiatives have been introduced in the last 2 years and more targeted interventions in services with the highest absence rates.

£50k has been allocated to staff health and wellbeing. £10k of this has been allocated to Neighbourhood services where sickness absence is the highest compared to other services due to the physical nature of the work.

Target	Actual	Actual Previous Year	Long Term	Short Term
9.00	8.38	9.77	5.00	3.38





Supporting Narrative

Residual household waste is remains on target and is exceptionally low making Colchester one of the highest performing areas in the East of England.

Cumulative Target	Cumulative Actual	Previous Year
173.00	173.54	174.16



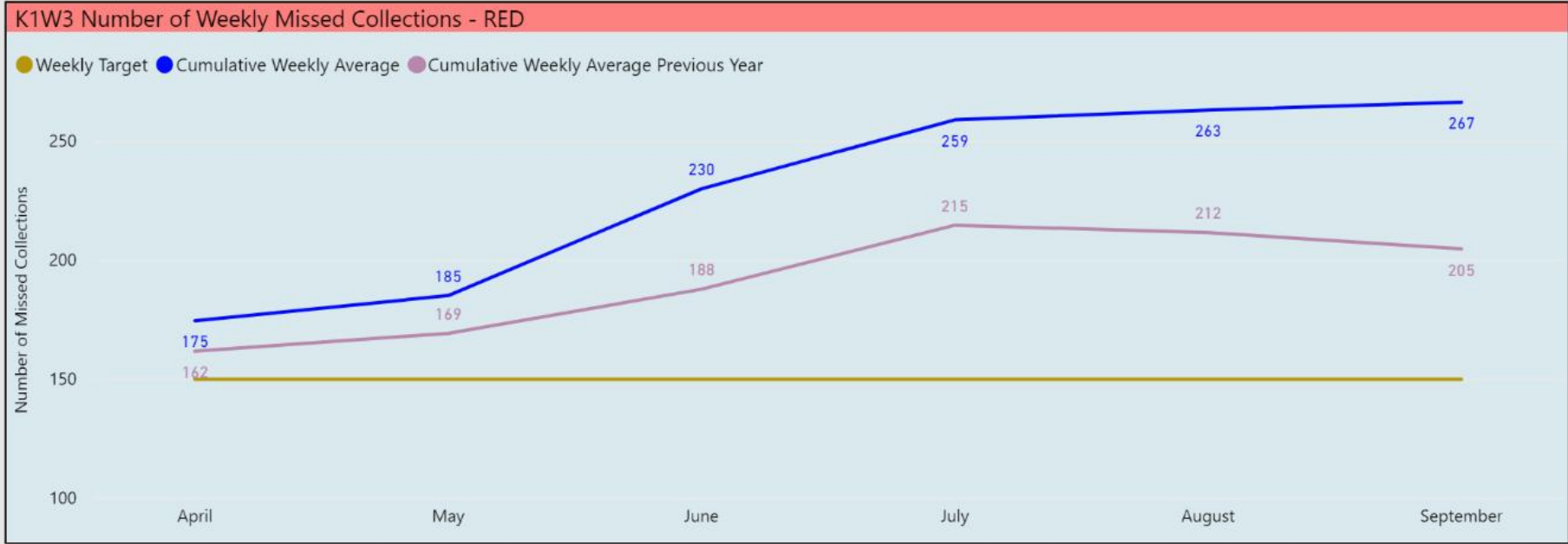
Supporting Narrative

Household recycling is above target and compares to this time last year however it is following a more consistent pattern.

Performance on track to achieve the overall target.

Target	Average	Average Previous Year
53.00%	56.03%	55.87%





Supporting Narrative

The Service is following a similar pattern of increased missed collections with the target not being met over the first 6 months. It should be noted that the rate of missed bins is still extremely low with 99.91% of all collections being made.

Action has been taken to tackle the staffing difficulties experienced earlier in the year which means there is far less reliance on temporary agency staff. A missed bin reduction project has also been launched to further reduce the risk of missed bins. As a result, since the mid year point missed bins are now reducing.

Weekly Target	Cumulative Weekly Average	Cumulative Weekly Average Previous Year	Target % Missed	Actual % Missed
150	266.58	204.82	0.06%	0.09%



Other performance news

- Awards and accreditations

The highlights are summarised here and are also shown on www.colchester.gov.uk in the [achievements](#) section

Achieved April 2019 to September 2019 – half-year report	
Defence Employer Recognition Scheme	<p>The Council has achieved the Gold award from the Ministry of Defence’s Employer Recognition Scheme. This scheme recognises organisations which go the extra mile to demonstrate their commitment to aiding and employing members of the military community. It is the first time the Council has received the Gold Award, having previously received the Silver and Bronze accolade.</p> <p>The Council aims to maintain and develop this work and is pleased to set an example to others. We are actively working to raise awareness of the Armed Forces Covenant and encouraging other businesses and organisations in the area to also be Forces Friendly employers. August 2019.</p>
PATROL (Parking and Traffic Regulations Outside London) Parc awards	<p>North Essex Parking Partnership’s (NEPP) 2017/18 Annual Report was Highly Commended in the ‘Innovation and New Services’ category “where authorities have delivered examples of an innovative approach or new scheme to improve traffic management, in order to better meet the needs of the community”. July 2019.</p>
Green Flag Awards	<p>Castle Park and High Woods Country Park have again both been awarded Green Flag Awards, recognising them as two of the best parks in the UK. Colchester’s Cemetery and Crematorium also achieved Green Flag status. Green Flags set a benchmark of standards for management and maintenance of publicly accessible urban and countryside parks, and they promote the community value of green spaces. The Castle Park also holds Green Heritage Site status. July 2019.</p>
Fairtrade town	<p>Colchester’s commitment to raising awareness of the benefits of Fairtrade products in the community has been recognised with a Fairtrade Town certificate – for the 13th year running.</p> <p>Colchester first received its Fairtrade Town accreditation in 2006. The certificate is awarded by The Fairtrade Foundation, which works to empower disadvantaged producers in developing countries by promoting and licensing the Fairtrade Mark – the symbol of the international Fairtrade system and most globally recognized ethical label. July 2019.</p>
Local Government Information Unit and the District Councils Network	<p>A major report, which spotlights the Council’s ambitions to build more council houses, was launched at the Local Government Association’s annual conference. It commended the Council for the “full commitment of its Cabinet to increase the level of affordable housebuilding” and as a good example for managing, and being realistic about, risk. It describes the Council as having “a healthy approach</p>

	to borrowing,” as it has modelled its debt projections from the additional borrowing over the next 30 years “to show the capacity to carry out a more ambitious programme of building.” July 2019.
Cycling UK's 100 Women in Cycling 2019	Pam Nelson, the Council's Travel Plan Co-ordinator has been named as one of the top 100 women to have encouraged others to get on their bikes at the Cycle UK Awards. June 2019.
GeoPlace Gold Performance Awards	These awards recognise best practice and outstanding address data management by local authorities. Land, property, street and address information is used to connect different services across the council – giving communities and individuals a ‘property-level view’ of the services available to them. May 2019.
Hot 100 UK Office locations 2019	When Property Week revealed this year's top office locations outside London, Colchester had jumped 34 places - up to 48 th from 82 nd in the 2018 UK rankings. Location strategist and data analyst experts CACI put together the Hot 100, a ranking of the best new and secondary office locations across the UK, excluding London. To compile the ranking CACI assesses 373 UK locations, taking into account a number of variables. May 2019.
LEXCEL	Legal Services have been re-accredited against this Law Society standard. Lexcel is the Law Society's legal practice quality mark for excellence in legal practice management and excellence in client care. May 2019.
Hoop Awards - Essex	Colchester Museums won the ‘Best Holiday Workshops’ category for its programme of children's events across its three museums - Colchester Castle, Hollytrees Museum and the Natural History Museum. These awards recognise and celebrate the people and activity organisers who go above beyond to entertain, educate and inspire children.
Municipal Journal (MJ) awards 2019	Housing Benefits Team was shortlisted as finalists in the ‘Workforce Transformation’ category. The judges also singled out the Council's Digital Access Support Team for a commendation in the ‘Delivering Better Outcomes’ category. The team was praised for its work to help bridge the digital divide and equip residents with the skills to be able to access online services. Housing Benefits Caseworker Lily Etherington received a commendation in the ‘Rising Star’ category. Lily joined the Council as an apprentice three years ago and won the Career Track 2018 Apprentice of the Year award. April 2019.

Other sources of performance data

Datashare – a wide range of Council performance data is available 24/7 via the online Datashare tool on the Council's website [here](#). Categories include spending, business rates, democracy, housing, land, parking, planning, licensing, recycling and waste.

Annual reports – the Council produces annual reports on its performance in various areas. These are brought into one place on the Council's website [here](#) for ease of reference, and to make it easier for the public to find which annual reports are available.

[Single Data List](#) -this is a list of all the datasets that local government must submit to central government. The list is reviewed and updated annually. Local authorities are not obliged to provide any data which is not on the list without extra funding.

The deadlines for the monthly performance reports are shown here along with the meetings this data will be reported to:

Monthly Performance Statistics – Quarter One April - June 2019			
Data Deadline to People & Performance (P&P)	16 May 2019 P1 (April statistics)	13 June 2019 P2 (May statistics)	18 July 2019 P3 (June statistics)
SMT Chat (Mondays)	20 May 2019	17 June 2019	22 July 2019

Monthly Performance Statistics – Quarter Two July - September 2019			
Data Deadline to People & Performance (P&P)	15 August 2019 P4 (July statistics)	19 September 2019 P5 (August statistics)	17 October 2019 P6 (September statistics)
SMT Chat (Mondays)	19 August 2019	23 September 2019	21 October 2019

Half Year Performance Report April – September 2019 Strategic Plan Action Plan, Monthly Performance Statistics and Award and Accreditations				
P&C	PMB	Leadership	Scrutiny Panel	Cabinet
10 October 2019	22 October 2019	21 November 2019	10 December 2019	29 January 2020

Monthly Performance Statistics – Quarter Three October - December 2019			
Data Deadline to People & Performance (P&P)	14 November 2019 P7 (October statistics)	12 December 2019 P8 (November statistics)	16 January 2020 P9 (December statistics)
SMT Chat (Mondays)	18 November 2019	16 December 2019	20 January 2020

Monthly Performance Statistics – Quarter Four January - March 2020			
Data Deadline to People & Performance (P&P)	13 February 2020 P10 (January statistics)	19 March 2020 P11 (February statistics)	16 April 2020 P12 (March statistics)
SMT Chat (Mondays)	17 February 2020	23 March 2020	20 April 2020

Proposed KPI Targets for April 2020 – March 2021				
P&C	PMB	Leadership	Scrutiny Panel	Cabinet
12 December 2019	17 December 2019	7 January 2020	28 January 2020	11 March 2020

Year End Performance Report April 2019 – March 2020 Strategic Plan Action Plan, Monthly Performance Statistics and Award and Accreditations				
P&C	PMB	Leadership	Scrutiny Panel	Cabinet
16 April 2020	21 May 2020	2 June 2020	9 June 2020	July 2020

Note: Single Data List Indicators – Services to continue reporting direct to the relevant Government Department

**Extract from the notes of the Heritage and Tourism Task and Finish Group
meeting of 9 December 2019**

41. Update on Holy Trinity Church

The Assistant Director for Communities confirmed that an initial investigation into this building had confirmed that substantial resources would be required to carry out the required repairs. The Group heard that a full feasibility study would be required before the total extent of the works required could be known, and this was likely to cost in the region of £25,000. It was confirmed, as in previous meetings that Holy Trinity Church is on the agenda for the Revolving Investment Fund Steering Group so any subsequent project will be reported there, however the group were given an update that consideration was being given to various funding streams to help with the costs. The Group were advised that there was a possibility of getting the building listed as a 'building at risk', which would potentially make obtaining funding more urgent.

Cllr Tim Young asked the Assistant Director for Communities if Commercial Use of the building was being explored. It was explained that the preference was for community use, as per the pre-existing covenant and that given the extensive repairs needed viability could be an issue but that she was not aware that commercial use was being explored but would check.

Action: The Assistant Director for Communities to confirm whether a formal decision had been taken regarding the preferred use of the site.

The Museums and Culture Manager reiterated that the first step necessary in moving the site forwards was to obtain a detailed feasibility study, as without this the extent of any works necessary to renovate the building would not be known, limiting any future use – either community or commercial. The Group fully supported approaching Cabinet to obtain the funding necessary to conduct this study.

RECOMMENDED to Cabinet that funding be made available for a feasibility study to determine the extent of works required to renovate Holy Trinity Church.

Report of	Assistant Director of Communities	Author	Lucie Breadman ☎ 282726
Title	Claudius Gateway		
Wards affected	Castle		

1. Executive Summary

1.1 This report relates to a recommendation from the Heritage and Tourism Task and Finish Group in respect of issues relating to Claudius Gateway.

2. Recommended Decision

2.1 To consider the following recommendation from the Heritage and Tourism Task and Finish Group:-

RESOLVED that the group recommend that the Council's Cabinet team review the situation and engage in further talks with Surya Foods to help look at options and find a way to ensure that the historic site remains open to the public and consider involving the Business Improvement District in those discussions.

3. Reason for Recommended Decision

3.1 The Heritage and Tourism Task and Finish Group were keen that the Cabinet ensured continued public access to the ruins of the Claudius Gateway.

4. Alternative Options

4.1 No alternative options are proposed, but it is open to Cabinet not to agree to the recommendation from the Task and Finish group.

5. Background Information

5.1 At its meeting of 9 December 2010 the Heritage and Tourism Task and Finish Group considered an item on issues relating to the ruins of the Claudius Gateway, which are located near to the High Street entrance to the Castle Park.

5.2 Sarah Head-Anderson, of Flying Trade Group, attended the meeting of the Group for this item to provide an update on the latest position on Claudius Gateway. The Group discussed the history of the site and the attempts that had been made to find a viable way of ensuring public access to the ruins. It noted that the most recent tenant of the cafe on the site had given notice that they would be closing. The Group considered that it was important the public access to the site was maintained and that more discussions and options should be considered by Cabinet members on how to work with Surya Foods, who owned the site, to keep the building available to the public. There could be potential opportunities by involving Colchester Business Improvement District in the future discussions.

5.3 At the conclusion of its discussions the Task and Finish group made the following recommendation to Cabinet:-

RESOLVED that the group recommend that the Council's Cabinet team review the situation and engage in further talks with Surya Foods to help look at options and find a way to ensure that the historic site remains open to the public and consider involving the Business Improvement District in those discussions.

6. Standard References

6.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management or environmental and sustainability implications.

7. Strategic Plan References

7.1 This report relates to the Opportunity priority of the Strategic Plan 2018-21 and to the following theme in particular:-

Promote and enhance Colchester borough's heritage and visitor attractions to increase visitor numbers and to support job creation

29 January 2020

Report of	Assistant Director of Customer	Author	Sam Preston ☎ 282707
Title	Business Rates Relief Policy 2020		
Wards affected	All wards		

1. Executive Summary

- 1.1 The Council's Business Rates Relief Policy sets out how legislative powers will be used to award mandatory and discretionary business rate relief. A new policy has been drafted for 2020 which sets out the criteria for the various reliefs available.
- 1.2 The proposed changes from the previous policy are minimal, with more focus on improving the accessibility for businesses to understand their eligibility and ease of application.

2. Recommended Decision

- 2.1 To adopt the Business Rates Relief Policy 2020-25.
- 2.2 To conduct an annual review of the Business Rates Relief Policy.

3. Reason for Recommended Decision

- 3.1 The policy has been designed to maximise the benefit of any government funded reliefs locally, this will enable the Business Rates Team to proactively award relief if a business meets the minimum criteria as set by government.
- 3.2 The policy provides discretionary relief whilst balancing the cost of relief locally against funding needed to support local services. In addition a new criteria for discretionary relief seeks to support the Councils strategic objectives by incentivising businesses to become carbon neutral.

4. Alternative Options

- 4.1 To reject or amend the proposed policy.

Page break after Section 4.

5. Background Information

- 5.1 The Council has various powers to award relief to local businesses which can be split into the following categories:

Mandatory Relief: Fully funded by government with specified criteria for award. The Council has limited discretion and must follow the relevant legislation.

Discretionary Relief: Mixed funded by government, local authorities and local precepts. The Council has local discretion but is sometimes given guidance on overarching criteria or how applications should be assessed.

Temporary Relief: Fully funded by government with specified criteria but with some local discretion. The government normally announce these reliefs during the Autumn and Spring Statements with specific aims to support businesses.

- 5.2 The Council's existing Discretionary Relief Policy was adopted in 2015 for a 5 year period. The table below sets out the value of reliefs awarded in 2019/20 under the current policy:

	Type of Relief	Number of Properties	Value
Mandatory Relief	Charitable Relief	332	£6,815,172
	Rural Relief	7	£11,429
	Small Business Relief	2,826	£6,045,654
	Empty Property Relief	562	£1,306,215
	Part Occupation Relief	1	£5,705
Discretionary Relief	Charitable Top up	172	£258,028
	Hardship	1	£3,544
Temporary Relief	Retail Discount	499	£1,257,912
	Newspaper Relief	1	£1,500

- 5.3 We should assume that value of awards under the new policy would be very similar to the figures above, although this does depend on any changes to the business economy within the borough.
- 5.4 The new proposed policy has been designed to make the individual criteria for each relief clear for local businesses. Although the basic criteria is set out within the policy, the overarching principle is that we will always follow any relevant legislative criteria or that set out within government guidance.
- 5.5 Businesses will be required to reapply for Discretionary Relief for 2020/21. Temporary and mandatory reliefs will be automatically applied where possible. In order to ensure compliance for relief awards, the Business Rates Team will conduct regular reviews to ensure eligibility or identify changes to circumstances.

6. Equality, Diversity and Human Rights implications

- 6.1 The policy does not specifically impact on individuals, however it does set out support provided for charitable organisations, which may in turn support local people with protected characteristics.
- 6.2 An Equality Impact Assessment has been completed and will be available on the Council's website.

7. Standard References

- 7.1 There are no particular references to; consultation or; community safety; health and safety or risk management implications.

8. Strategic Plan References

- 8.1 The policy supports the Council's Strategic Priorities for Growth and Opportunity.

9. Publicity Considerations

- 9.1 Businesses affected will be contacted directly and where necessary will be asked to submit a new application form for relief. Information on all reliefs available will be available through the Council's website.
- 9.2 In order to make it as simple as possible for businesses, the Council is developing a chat bot which will help customers to understand if they are eligible for any type of relief. It is planned that this will launch prior to businesses being invited to reapply for relief.

10. Financial implications

- 10.1 The funding for different types of relief is set out within the policy. Some types of relief have a direct impact on income to the Council. Although it is not possible to calculate the exact cost of the proposed relief, we should assume that there will be very little change to the costs in 2019/20.
- 10.2 The introduction of discretionary relief for carbon neutral businesses will have a direct impact to Council finances, however it is expected that this will be minimal. The annual review of the policy will ensure that the Council can closely manage any impact on collection, amending the relief amount if necessary.

11. Environmental and Sustainability Implications

- 11.1 In order to encourage and support businesses to improve their environmental impact, the new policy offers a 20% relief for businesses which are certified carbon neutral and have a Rateable Value of under £50,000.

Appendices

Business Rates Relief Policy 2020 – 2025.



Business Rates Relief Policy

2020-2025

REVIEWED 2020

Colchester Borough Council

Introduction

Local Authorities can award both mandatory and discretionary relief for Business Rates. This policy aims to maximise reliefs distributed locally, whilst supporting the Council to collect rates to fund local services.

This policy aims to:

- Create clear criteria and a short and simple application process
- Support local businesses as much as possible without impacting on Council resources
- Support local facilities and amenities
- Support rural communities
- Minimise administration for the Council

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**[Visit our website to find out more about Business Rates
or to apply for relief.](#)**

Types of Relief

Reliefs are funded either by Central Government or through a split between Local Authority, Major Precepting Authorities and Central Government. The following principles apply:

Central Government – Relief funded 100% by Government will be distributed as widely as possible, therefore based on the minimum criteria set by government or within legislation.

Locally funded – Where the distribution of relief will impact on the Council and in some cases precepting authorities budgets, the criteria will be based on the benefit to the local community in relation to the impact on local services.

Mandatory Charity Relief

Section 43 Local Government Finance Act 1988

80% Relief is available to occupied hereditament where the rate payer is a charity or trustee of a charity which is:

- Registered with the Charity Commission or exempt from registering with the Charity Commission by legislation (Charities Act 1993).
- Registered Community Amateur Sports Clubs (Section 64 Local Government Act 2003).

Charity shops must be wholly or mainly used for the sale of goods donated to a charity and the proceeds of the sale of goods are applied for the purposes of the charity.

Small Business Rate Relief

Local Government Act 2003

- Businesses with RV up to £12,000 will receive 100% relief.
- Businesses with RV over £12,000 up to £14,999 receive 100% decreasing on a sliding scale by 1% for every £30 of RV between £12,000 and £14,999.
- Businesses with RV £15,000 to £51,999 will use small business multiplier for calculating the bill.

Empty Property Relief

Section 45 Local Government Finance Act 1988

If a property is empty, an exemption can be applied for the first three months or six months for certain industrial premises. To qualify for the exemption period the property must have been occupied continuously for six weeks prior to it being vacated.

Transitional Relief

Non-Domestic rating (Chargeable Amounts) (England) Regulations 2016

Transitional arrangements are used to phase any significant increase or decrease to rateable value. The transitional arrangements will support ratepayers who have had a significant increase by allowing them time to adjust to their new rates bills.

Part Occupation Relief

Local Government Finance Act 1988 - Section 44A

Where a property is partly occupied, we may be able to award relief based on the unoccupied part of the property.

-
- The relief can be 3-6 months to mirror the normal exemption allowance for empty properties but must not exceed the end of the financial year.
 - It is not possible for an award to be considered for a retrospective period.

A scale plan must be provided clearly identifying the areas of occupation and those that are temporarily unoccupied. A Revenues Inspector will require access to the property by appointment during normal working hours to see how the property is being used.

Please send applications to by email – business.rates@colchester.gov.uk

Mandatory Rural Rate Relief

Local Government Finance and Rating Act 1997

50% Relief is available to the following business properties in designated rural settlement areas for Colchester:

- A General Store with RV not exceeding £8,500 mainly or wholly consisting of the sale by retail of food for human consumption, excluding confectionary, and general household goods.
- A Post Office where the hereditament or part of the hereditament is used for the purposes of the Post Office with RV not exceeding £8,500.
- A Public House with RV not exceeding £12,500 where there is a licence under the Licencing Act 2003 authorising the sale of alcohol.
- A Rural Food Shop with RV not exceeding £8,500 where the business consists wholly or mainly of the sale by retail of food for human consumption excluding confectionary and the supply of food in the course of catering.

The qualifying business must be the only one of its kind within that area.

Discretionary Rural Rate Relief

Local Government Finance and Rating Act 1997

Hereditaments which qualify for Mandatory Rate Relief under the above 'rural settlement' provisions may be awarded discretionary relief up to 100% relief where the rateable value does not exceed £16,500.

Discretionary Rate Relief

Section 47 Local Government Finance Act 1988, Localism Act 2011

The Council provides the following discretionary relief:

- 10-20% for organisations in receipt of Mandatory Charity Relief
- 10-20% for organisations which are grant funded by Colchester Borough Council under one of its strategic priorities.
- Up to 20% relief for local organisations with RV under £50,000 which are certified carbon neutral (PAS2060).

Applications will be considered for the individual circumstances of the business in accordance with government guidance. Applications will be more favourably viewed where:

- Membership is open to and affordable to all sections of the local community, or encouraging membership from groups which have protected characteristics
- Facilities are available to people other than members
- Training or education is provided for members
- An organisation that has a bar which is used mainly for bringing together people with similar interests rather than for profit
- Where membership is mainly drawn from people resident in Colchester Borough.

Hardship Relief

Section 49 of the Local Government Finance Act 1988

Hardship relief is available for businesses where the ratepayer would sustain hardship if the authority did not do so; and It is reasonable for the authority to do so, having regard to the interests of persons subject to its Council Tax.

We will consider:

- The circumstances which led to the business being in financial hardship and how hardship relief would help the organisation to survive.
- Whether other means of support are available, including through other companies owned by the ratepayer.
- Whether the business supports local employment
- Whether the business provides local amenities and it would be detrimental to the local community for it to close.

For circumstances of local disruption the business should contact the Valuation Office Agency to complete a Check, Challenge or Appeal. www.gov.uk/introduction-to-business-rates/if-your-business-or-premises-change-or-cant-be-used.

Relief should not be awarded pending the outcome of a Check, Challenge or Appeal with the Valuation Office Agency.

For all applications, financial hardship must be fully evidenced. This may include accounts, profit and loss, financial statements, evidence of a downturn in custom.

Hardship will be granted only for the period for which there is clear evidence of hardship for the rate payer. It should be awarded for short fixed periods or no longer than 3 months, after which the ratepayer must reapply. Hardship should not be awarded where it would lead to a credit on an account

Temporary Reliefs

Section 47 Local Government Finance Act 1988, Section 31 Local Government Act 2003

The government regularly introduces new temporary reliefs to support specific businesses. These fall within the local authorities' discretionary powers and are generally fully reimbursed through provisions under Section 31 of the Local Government Act 2003.

Retail Discount (two years 2019-20 and 2020-21)

Businesses that meet specific criteria and have a rateable value of less than £51,000 will have their bill reduced by one third. The relief will be administered in accordance with the [MHCLG Guidance](#).

Supporting Small Business Relief

This is available for ratepayers whose amount payable has increased significantly in 2017-2018 after the revaluation. The relief will ensure that the increase per year in the bills of these ratepayers is limited to the greater of:

A percentage increase p.a. of 5%, 7.5%, 10%, 15% and 15% (2017/18 to 2021/22) all plus inflation, or a cash value of £600 per year (£50 per month). This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016-2017 after small business rate relief are brought into paying something.

Revaluation Relief scheme

The Government provided a discretionary fund over 4 years from 2017/18 to support businesses which faced increases in rateable value as a result of the 2017 Revaluation. The relief will be distributed proactively considering the following:

- The relief will be targeted to local businesses and generally, hereditaments occupied by national/multinational chain or organisation will not be considered.

-
- The amount of the increase in rate liability
 - The ability of the business to pay or part pay the increase.

Local Newspaper Relief (three years from 2017/18 to 2019/20)

From 1st April 2017 local newspapers relief provides a discount of £1,500 for office space occupied by local newspapers. The relief is limited to one discount per ratepayer and per hereditament.

Application & award process

Applications for relief must be made online www.colchester.gov.uk/business-rates-relief unless otherwise specified. In some cases the ratepayer may be required to provide information in addition to the standard application.

The Council can provide assistance or advice to any organisation wishing to apply please email business.rates@colchester.gov.uk, or phone 01206 282300.

We aim to make a decision within 28 days.

If a relief is awarded, the business will be informed via email and will then be reflected in a revised Business Rates Bill.

A qualifying organisation or business must inform the Council immediately of any change in circumstance which may affect their entitlement to relief.

The Council will conduct regular reviews of awards to ensure eligibility.

Appeals

Under the Local Government Finance Act 1992 there is no statutory right of appeal against a decision made by the Council to grant discretionary relief. The Council can review the decision if the rate payer is unhappy with the outcome. This review will be carried out by the Customer Business Manager and can be escalated to the Assistant Director for Customers.

The right of appeal process does not affect the rate payer's legal right to challenge any decision by way of judicial review.

State aid

All discretionary relief is subject to the de minimis rule under state aid. This means that any business cannot receive financial support from government over the set threshold of 200,000 euro over 3 years. It is the business's responsibility to inform the Council if they are in receipt of Government aid through other sources.

The Government has announced its intention to transpose EU State Aid rules into UK domestic legislation, with only technical modifications to correct deficiencies with the transposed EU law to ensure the regime operates effectively in a domestic context. To find further information on state aid please visit: <https://www.gov.uk/state-aid>.

Report of	Assistant Director of Corporate & Improvement Services	Author	Hayley McGrath
Title	Tender of Internal Audit Contract		☎ 508902
Wards affected	Not applicable		

1. Executive Summary

- 1.1 The current supplier of the Council's Internal Audit service has indicated that they no longer wish to provide the service after 31 March 2020, and it is therefore necessary to carry out a tender exercise to procure a new contract.
- 1.2 A procurement framework agreement will be used to source a new contract, however due to the timescales involved there will not be an opportunity to present a report to Cabinet, seeking approval for the appointment of a supplier, before the new contract is due to commence.
- 1.3 Therefore, the appointment of the supplier will need to be made as a Portfolio Holder decision.

2. Recommended Decision

- 2.1 To delegate to the Portfolio Holder for Business and Resources, the authority to appoint a contractor for the Council's Internal Audit service following a procurement exercise.

3. Reason for Recommended Decision

- 3.1 The value of the current contract falls below the threshold for a key decision. However, it is anticipated that there may be an increase in the contract cost, taking it over the threshold. Therefore, it is felt appropriate to seek prior approval for the authority to be delegated to the Portfolio Holder for Business and Resources.

4. Alternative Options

- 4.1 Delay the decision to appoint the contractor until the Cabinet meeting on 11 March 2020, which would result in the appointment not being confirmed until 25 March 2020.
- 4.2 If there is a change in supplier this will result in a shortened handover period and it may not be possible to ensure that the full Internal Audit programme is in place for the 01 April 2020.

5. Background Information

- 5.1 The Council entered into a contract for Internal Audit services with the current provider in April 2016, for a period of three years, with an option to extend for a further two. The Council is currently in the first year of the extension, which expires on 31 March 2020.
- 5.2 The Council notified the supplier that they wished to continue the contract for the second year of the extension from 01 April 2020, in December 2019.
- 5.3 However, the supplier has stated that they do not wish to continue to provide the service after 31 March 2020. Consequently, the Council needs to procure a new supplier for its Internal Audit service from 01 April 2020.
- 5.4 The tender documentation is due to be sent out to prospective suppliers by 24 January 2020, and a decision about the preferred supplier will be made by 02 March 2020, to enable a contract start date of 01 April 2020.
- 5.5 Due to the timetable of Cabinet's meetings and in order to enable the contract process to be completed for a start date of 01 April 2020, it is proposed that the Portfolio Holder for Business and Resources be given delegated authority to appoint the supplier for the Council's Internal Audit Service.

6. Equality, Diversity and Human Rights implications

- 6.1 There are no equality, diversity or Human Rights implications as a result of this report.

7. Strategic Plan References

- 7.1 The Internal Audit process supports the objectives of the strategic plan and the audit programme is set with due regard to the identified key strategic risks. Therefore, if an Internal Audit supplier is not appointed it could impact on the effective delivery of the strategic plan.

8. Financial Implications

- 8.1 There is an existing budget for the internal audit contract, and this may need to be reviewed in the event of an increase in contract cost following the procurement.

9. Risk Management Implications

- 9.1 The failure to appoint a supplier may have an effect on the ability of the Council to achieve its objectives and operate effectively.

10. Environmental and Sustainability Implications

- 10.1 There are no environmental or sustainability implications as a result of this report.

11. Other Standard References

- 11.1 There are no consultation, publicity, community safety or health and safety implications.

29 January 2020

Report of	Assistant Director, Corporate and Improvement	Author	Kieran Johnston ☎ 507880
Title	Request for Delegated Authority to Agree the Award of Contract		
Wards affected	All wards		

1. Executive Summary

- 1.1 The majority of the Councils desktop IT equipment has been in place for over 5 years and is now reaching or has passed its supportable, operational life and will need to be changed. The current desktop infrastructure comprises of WYSE Thin Terminals on desks which are used for logging into our Virtual Windows 10 desktop. Laptops for staff are purchased by service areas from service budgets, as needed, on an ad-hoc basis.
- 1.2 The current approach means that:
 - not all staff and members who would benefit from having a laptop have one;
 - the quality, age and appropriateness of laptops used by staff varies greatly;
 - there is a significantly inferior experience for staff who log into Windows 10 through a WYSE box and those who use a laptop to access systems directly or to “stream” applications such as our finance system;
 - there is regular spend from service revenue budgets on devices but no formal rolling plan for ICT equipment refresh
- 1.3 ICT has investigated various solutions to replace the old hardware, looking at equipment that works with the current ICT strategy and allows us to all work independently of a Corporate network; supporting our organisational workforce strategy and strategic aims. Leasing of devices has been identified as the preferred approach as it provides best value, delivers a fully managed service, and removes the overheads associated with the lifecycle of buying, maintaining and disposing of owned equipment.
- 1.4 The Council is looking to undertake a procurement exercise to enter into a fully managed lease for a standardised catalogue of modern devices with the aim of rolling out new desktops PCs and Laptops to all staff during the early part of 2020/21 financial year. The proposed contract term is 6 years with an automatic device replacement point at the end of year 3. It is anticipated that the whole life contract value will be in excess of £500,000.

2. Recommended Decision

- 2.1 To delegate responsibility to the Portfolio Holder for Customer, in consultation with the Assistant Director, Corporate and Improvement Services, for approval of the award of contract to the Recommended Bidder for the supply and management of the leased ICT devices.

3. Reason for Recommended Decision

- 3.1 The council needs to invest to replace aging desktop and laptops. The proposed leasing approach enables the council to refresh and standardise equipment for managed monthly costs; ensuring always up to date, secure devices that are managed and secure, and support the Council's stated ways of digital working.
- 3.2 Delegation of the decision to the Portfolio Holder enables the Council to proceed in line with proposed timescales for procurement.

4. Alternative Options

- 4.1 There is no nil cost, nil investment option as the existing equipment is end of life and requires replacement. Replacing existing devices on a 'like for like' basis would not enable the modern way of working, nor provide value. Replacing on a like for like basis would still carry a significant investment.
- 4.2 The Council could procure new devices rather than enter into a fully managed lease agreement, however this approach would bring no value in terms of supply, maintenance, whole life cost, or service.

5. Background Information

- 5.1 Our Service Desk and Asset Management software reports that we currently have 525 WYSE Boxes and 575 laptops within Colchester Borough Council, NEPP and CCHL. 335 of these WYSE boxes are in Rowan House with 55 allocated to home users and the others spread across the other corporate locations.
- 5.2 The contract will be procured following a Public Contracts Regulations 2015 compliant process and in accordance with the Council's Contract Procedure Rules and Procurement Strategy.
- 5.3 The Public Services (Social Value) Act came into force on 31 January 2013. The act requires that public authorities consider wider social and environmental benefits when they choose suppliers, rather than basing commissioning decisions solely on price and quality. The Council considers things such as apprenticeships, tenant training and work experience, reducing the impact on the environment and supporting community projects all good examples of providing social value.
- 5.4 Any new contract awarded will be robustly managed and controlled; ensuring value for money, performance against KPIs, and end user satisfaction.
- 5.5 There are a number of benefits to the proposed approach and these include:
 - 5.5.1 Fully managed devices mean each device is secure, compliant and easier to support.
 - 5.5.2 Next day fix in the event of an issue means downtime is kept to a minimum. As all devices are the same, an instant swap out can be offered if we hold spares.
 - 5.5.3 ICT staff that are currently utilised to order, procure, set up, fix and support laptops can be more usefully engaged in proactive application user support; enabling us to meet service expectations
 - 5.5.4 A limited selection of devices using a standard build and image means that application compatibility and issue resolution is simpler and more streamlined

- 5.5.5 Equality and consistency of device is good for morale, equitable and easier to support. Availability of tools and equipment are often raised as concerns in staff surveys and this approach will address this
- 5.5.6 Laptops enable staff to work flexibly and can be much quicker to use than working in our virtual Windows 10 environment.

6. Equality, Diversity and Human Rights implications

- 6.1 Through the Procurement Strategy, staff ensure that all procurement and purchasing documentation recognises, understands and supports CBC policies with regard to equal opportunities, diversity and human rights.

7. Strategic Plan References

- 7.1 The Strategic Plan sets out clearly the Councils priorities. All the services and projects delivered by staff are supported and enabled by the ICT equipment they use. The provision of modern, appropriate devices therefore contributes directly to supporting delivery of the Strategic Plan 2018-2021 priorities

8. Consultation

- 8.1 Staff and managers have been engaged and actively involved in defining the standard catalogue of devices.
- 8.2 Staff feedback in surveys has highlighted that access to suitable ICT equipment is seen as a priority requirement.

9. Publicity Considerations

- 9.1 No external publicity considerations

10. Financial implications

- 10.1 The value of the contract is such that it requires approval by Cabinet and will be awarded subject to a compliant procurement process. Successful delivery of the programme will mean efficiencies that have already been accounted for are delivered.
- 10.2 Provision for the cost of the proposals set out in this report has been included in the 2020/21 budget report considered elsewhere on the Cabinet agenda.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Through this contract the Council will ensure that staff have access to equipment that improves their working experience and enables them to work flexibly.

12. Health and Safety Implications

- 12.1 All equipment provided, and desktop set ups will meet the Health and Safety (Display Screen Equipment) Regulations 1992 as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002

13. Risk Management Implications

- 13.1 By following a procurement process that is compliant with the Public Contracts Regulations 2015 and by implementing the controls and recommendations as set out in this report, the Council is seeking to mitigate against any potential risks or challenges.

14. Environmental and Sustainability Implications

- 14.1 The leasing approach supports the Council's commitment to becoming carbon neutral by 2030 as it replaces our older, less efficient devices and enables all staff to connect directly to our Azure, cloud-based environment which is significantly more efficient than a local datacentre
- 14.2 Leasing devices provide the supplier with an incentive to provide equipment that lasts for the 3 year term of each lease period and therefore fits with the 'repair' ethos of sustainability rather than the default 'replace' option under current arrangements

29 January 2020

Report of	Monitoring Officer	Author	Andrew Weavers
Title	Amendment to Scheme of Delegation to Officers		☎ 282213
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report requests the Cabinet to note the amendments to the Leader of the Council's Scheme of Delegation to Officers of the Council following a change of responsibilities within the Senior Management Team.

2. Decision Required

- 2.1 To note the amended Leader of the Council's Scheme of Delegation to Officers attached at Appendix 1 of this report which came into effect on 6 January 2020.

3. Reasons for Decision(s)

- 3.1 The Leader of the Council's Scheme of Delegation to Officers requires amending to reflect changes in responsibilities within the Senior Management Team.

4. Alternative Options

- 4.1 No alternative options are presented.

5. Proposals

- 5.1 The Leader of the Council approves a Scheme of Delegation to Officers. Following changes within the Senior Management Team which led to the creation of the Assistant Director for Corporate Services and Improvement and the Assistant Director for Place and Client Services posts it was necessary for the Leader of the Council to agree to amend the Leader's Scheme of Delegation to Officers to reflect the change in responsibilities.
- 5.2 The Leader of the Council approved the attached Scheme of Delegation to Officers and agreed that it took effect from 6 January 2020.
- 5.3 The Planning Committee it is meeting on 9 January 2020 approved the changes to its Scheme of Delegation to Officers which are included for completeness.

6. Strategic Plan References

- 6.1 The manner in which Council governs its business is an underpinning mechanism in the Council's Strategic Plan aims to lead our communities in delivering high quality accessible services.

7. Financial Considerations, Equality, Diversity and Human Rights Implications, Consultation Implications, Community Safety Implications, Health and Safety Implications, Risk Management Implications and Environmental and Sustainability Implications

7.1 None

8. Publicity Considerations

8.1 The changes will be publicised by way of an amendment to the Constitution which is published on the Council's web site.

SCHEME OF DELEGATION TO OFFICERS

January 2020

The Leader of the Council has delegated to individual members of the Cabinet most of the executive powers of implementation within the confines of the Council's budget and policy framework.

In addition, the Council has delegated some of its regulatory powers to the Planning Committee, Local Plan Committee, Licensing Committee and Governance and Audit Committee.

In order to ensure that business is conducted efficiently and that services are provided to the specified standards, the Council, the Leader of the Council, Planning Committee, Local Plan Committee and Licensing Committee has delegated some of their powers to officers.

There are two schemes of delegation which have been approved by the Leader of the Council:

1. Powers delegated to Cabinet Members.
2. Powers delegated to officers.

The following conditions apply to the powers delegated to officers by the Leader of the Council, the Council, Planning Committee, Local Plan Committee and Licensing Committee.

1. Every delegated power shall be exercised in the name of the Council.
2. The exercise of delegated powers shall be subject to the decision not being contrary to any policy of the Council as embodied in a formal resolution and recorded in the minutes of the Council or Cabinet.
3. All Key Decisions taken under this scheme are subject to the Call-in Procedure.
4. No officer shall exercise any delegated power that comprises a Key Decision unless that decision is contained within the Council's Forward Plan and complies with the Forward Plan process.
5. An officer exercising delegated powers shall do so in a manner consistent with the policy of the Council current at the time. The Proper Officer shall be the final arbiter of the interpretation of policy in relation to any matter.
6. In exercising delegated powers, an officer may incur expenditure only if appropriate provision has been made in the approved annual estimates and/or capital programme except as otherwise provided for in Financial Regulations.
7. No action may be taken which is contrary to the Council's Constitution.

8. Where powers to acquire or dispose of property or land are being exercised, the delegation is subject to such acquisition or disposal being in accordance with terms approved by the District Valuer or other professional officer.
9. Delegated powers to acquire property shall not include power to acquire property compulsorily and any proposal to make a Compulsory Purchase Order shall be submitted to the Council as a recommendation.
10. Powers delegated to an officer may be exercised by another officer acting on behalf of the named officer, provided the latter has authorised the other officer so to act.
11. The Proper Officer may require that a decision which may be taken by an officer under this scheme shall be referred to the Council, the Leader of the Council or the Committee, as appropriate, for determination.
12. An officer exercising delegated powers in respect of any Key Decision shall record the decision and the reasons for it on the Decision Notice and shall deliver it to the Proper Officer who shall publish the Decision Notice in the approved manner.

Note Any reference to an Act of Parliament or Statutory Instrument shall include any statutory amendment or modification thereof.

SCHEME OF DELEGATION BY THE LEADER OF THE COUNCIL TO OFFICERS

Delegated to the Chief Executive

GENERAL

1. To act as District Controller in all emergency matters.
2. To implement the electoral registration function.

HUMAN RESOURCES

1. The implementation of locally determined pay awards to the employee group in accordance with the Council's agreed pay strategy for Council employees.
2. To hear and determine all appeals by employees relating to dismissal following the Council's Disciplinary Procedures.

Delegation to Strategic Directors and Chief Operating Officer

1. Where matters have been delegated in this Scheme to named Assistant Directors, the delegation may also be exercised by a Strategic Director or the Chief Operating Officer.
2. Power to authorise requests in relation to applications for, renewal of and cancellation of covert or directed surveillance in accordance with the Regulation of Investigatory Powers Act 2000. Any application that involves any confidential material (as defined within the Act) must be authorised personally by the Chief Executive.

Delegated to the Chief Executive, Strategic Directors, Chief Operating Officer and all Assistant Directors

FINANCIAL RESOURCES

1. To authorise financial remedies or compensation including; waiver or reduction of fees, ex-gratia or goodwill payments up to £3000 (Chief Executive) or £1000 (Assistant Directors).
2. To incur revenue expenditure and recover revenue income up to the levels contained in the annual estimates of expenditure and income or any other approved revisions thereto.
3. Authority on behalf of the Council subject to sub paragraph (a) to enter into any contract or variation(s) for works , supplies and services which do not exceed the value of £100,000 or does not form part of a series of contracts or variations the total aggregate value or amount of which does not exceed £100,000.

(a) Provided that such contract(s) or variation(s) are in accordance with the existing practice of the Council and the expenditure involved is authorised within the Council's Financial Procedure Rules.

Delegated to the Chief Executive, Strategic Directors, Chief Operating Officer and all Assistant Directors (continued)

4. To dispose of surplus or obsolete equipment, plant, vehicles and stock on the most favourable terms in accordance with the Council's Financial Regulations.
5. When a contract is won in open competition with another local authority or public body, following acceptance of the tender, power to offer to amend the tender sum if the authority or body is prepared to waive the requirement of a performance bond.
6. To employ such sub-contractors as may be required to fulfil all obligations entered into by the Council.
7. To purchase such works, supplies or services required to fulfil all obligations entered into by the Council.

HUMAN RESOURCES

1. Subject to corporate policies and standards, to determine staffing levels for services within their Services, including variations to meet budgetary and business plan requirements and to maintain efficient and effective services.
2. Subject to corporate policies and standards to determine recruitment, training and dismissal of staff.
3. Subject to corporate policies and standards to approve secondary employment, leave, overtime, training courses, membership of and attendance at professional bodies, granting of ex-gratia payments up to £1000 (Chief Executive) or £500 (Assistant Directors) to staff for damage and/ or destruction of personal items resulting directly from their employment.

GENERAL

1. In respect of every function of the Council, power to serve Notices under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 requiring information on interests in land.
2. To select shortlists of contractors to be invited to tender for contracts with the Council from those available pursuant to the Contract Procedure Rules.

CUSTOMERS

1. To manage customers demand for Council services and the availability of multi-channel service delivery via the Council's on-line processes and customer service via the Council's customer relationship management systems.
2. To manage the Council's triage function for customers to ensure they receive the level of service their request and need deserves.
3. To manage the Council's corporate complaint handling process.

TAX COLLECTION

The collection and recovery of any Council Tax, rates or residual community charge payable and to carry out or make appropriate arrangements for the carrying out of all the Council Tax, rating and residual community charge functions of the Council including the following powers in respect of Council Tax, residual community charge and national non-domestic rating:-

Council Tax and Residual Community Charge

- To impose and/or quash penalties.
- To take summary proceedings in the Magistrates Court for recovery (including penalties).
- To exercise distraint, issue requests for information, apply for attachment of earnings orders, deduction from income support, committal to prison and to issue winding up/bankruptcy proceedings and charging orders.
- To select and appoint bailiffs and tracing agents.
- To refund all payments and interest where appropriate.
- To estimate occupancy level for collective community charge when the landlord has defaulted.
- To execute arrest warrants issued by the Magistrates' Court and to select and appoint suitably qualified contractors if necessary.

National Non-Domestic Rating

- To take summary proceedings in the Magistrates Court for recovery.
- To exercise the Council's power of distraint, committal to prison, bankruptcy/winding up proceedings.
- To select and appoint bailiffs and tracing agents.
- To refund all payments and interest where appropriate.
- To grant allowances under section 44A of the Local Government Finance Act 1988.
- To grant discretionary relief under section 47 of the Local Government Finance Act 1988 within criteria set down by the Council.
- To reduce or remit liability on the grounds of hardship under section 49 of the Local Government Finance Act 1988 within criteria set down by the Council.
- To execute arrest warrants issued by the Magistrates' Court and to select and appoint suitably qualified contractors if necessary.

BENEFITS

1. To operate and administer the Council Tax Support Scheme, including the recovery or waiving of overpayments, and to determine whether to accept late applications (i.e. backdating of support) where appropriate. To also consider topping up payment to vulnerable people who demonstrate exceptional hardship and who are not in receipt of maximum Council Tax Support.
2. To operate and administer the and the Council Tax Benefit Scheme and the recovery of overpayment Council Tax Benefit and including the waiving of recovery of overpayments and to accept late applications (including consideration of backdating of benefit) where appropriate and to top up the benefit payable to the most vulnerable who are not in receipt of maximum benefit.
3. To operate and administer the Housing Benefit Scheme and the recovery of overpayment Housing Benefit and including the waiving of recovery of overpayments and to accept late applications (including consideration of backdating of benefit) where appropriate and to top up the benefit payable to the most vulnerable who are not in receipt of maximum benefit.
4. The use of debt collection agencies to recover Housing Benefit and Council Tax Benefit overpayments.
5. To commence legal proceedings for the recovery of Housing Benefit overpayments and in cases of fraud.
6. To operate the Council's welfare rights advice service and Macmillan advice service (in accordance with the agreed contractual arrangements).

HUMAN RESOURCES

1. The signing and issuing of all contracts of employment and of any associated terms and conditions.

GENERAL

1. To operate the local land charges service.
2. To administer electoral registration and manage the elections function.

COMMUNITY SAFETY

1. To carry out projects on behalf of the community safety partnership and devise and initiate projects that address crime and disorder in the Borough.

ARTS AND CULTURE

1. Power to take action within the approved budget and policy objectives of the Council in relation to management and funding of the Mercury Theatre, Colchester Arts Centre, Firstsite and any similar organisations.
2. Power to take action within the approved budget and policy objectives of the Council in relation to the promotion and encouragement of events of cultural and artistic merit.

ENVIRONMENTAL PROTECTION

1. Power to agree payments for compensation arising under section 20 of the Public Health (Control of Disease) Act 1984, up to the limit prescribed in the Council's Financial Management Procedures for payments from the Insurance Provision, when satisfied by the Section 151 Officer that the claims are reasonable and justified.
2. To administer relevant environmental protection provisions, give directions, serve notices, enforce, carry out works in default, issue formal cautions and to lay information and complaints to Court in relation to offences in appropriate cases under the following Acts and any Act or Acts extending or amending the same or incorporating them and under any order or regulations made under the said Act or Acts:

Animal Welfare Act 2006

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Anti-Social Behaviour Act 2003

Building Act 1984

Clean Air Act 1993

Clean Neighbourhoods & Environment Act 2005

Control of Pollution Act 1974

Dogs Act 1871

Dangerous Dogs Act 1991

Dangerous Dogs Act (Amendment) 1997

Dogs (Fouling of Land) Act 1996

Environment Act 1995

Environmental Protection Act 1990

Environmental Damage (Prevention and Remediation) Regulations 2009

Essex Act 1987

Local Government Act 1972

Local Government (Miscellaneous Provisions) Act 1976

Local Government (Miscellaneous Provisions) Act 1982

Noise & Statutory Nuisance Act 1993
Pollution, Prevention & Control Act 1999
Prevention of Damage by Pests Act 1949
Private Water Supplies Regulations 2009
Public Health Act 1936
Public Health Act 1961
Water Industries Act 1991
Health and Safety at Work etc. Act 1974
Food Safety Act 1990
European Communities Act 1972 and legislation made thereunder
Sunday Trading Act 1994
Health Act 2006

3. Power to object to applications for consent to discharge under section 119 of the Water Industry Act 1991.
4. To authorise works being carried out in default up to a maximum cost of £5,000 in cases where a breach of legislation can be remedied by the Council carrying out works in default.
5. Control of the drainage of paved areas under section 84 of the Building Act 1984.
6. Power to take appropriate action under the Safety at Sports Grounds Act 1975 (as amended) following consultation with Essex County Council and Essex Police.
7. Service of Notices under section 262 of the Public Health Act 1936 relating to culverting of watercourses and ditches, and the institution of legal proceedings where Notices are not complied with after consultation with the Ward Councillors.
8. Power to reply to consultations from Essex County Council on licences for the disposal of refuse.
9. Arrangements for funerals under the Public Health (Control of Disease) Act 1984.
10. Take all necessary legal action required to enforce the provisions of relevant legislation relating to the following environmental protection functions:
 - Air quality
 - Contaminated land
 - Culverting of watercourses and ditches
 - Smoke from bonfires
 - Determination of applications for the installation of boilers, furnaces and chimneys
 - Filthy and verminous premises, articles and persons
 - Houseboats
 - Noise from construction sites
 - Noise in the street

- Obstructed, blocked or defective drains and private sewers and/or insufficient provision of drainage
 - Overflowing cesspools and septic tanks
 - Prescribed processes liable to give rise to air pollution
 - Prevention of damage by pests
 - Private Water Supplies
 - Re-securing empty or unoccupied buildings
 - Statutory nuisances
 - Surface water drainage
 - Water supply
 - Employment of persons relating to health and safety at work in premises
 - Sunday trading
 - Licensing, registration and hygiene standards of food premises and other commercial or domestic premises
 - Quality, safety and content of food produced, sold or stored within the Borough of Colchester
 - Control of infectious diseases
 - Port Health matters
 - Dog control
 - Pest control
 - Sale or keeping of animals
11. To act as lead officer for the Council in accordance with the Essex Countywide Traveller Joint Committee Agreement.
12. Power to serve notices under section 19, commence legal proceedings under section 20 and provide certificates under section 22 of the Criminal Justice and Police Act 2001 in relation to closure orders where there are suspected unauthorised sales of alcohol or breach of licence conditions or unauthorised licensable activities taking place at premises.
13. To work with the NHS and other Health Bodies regarding health issues for residents in the Borough.
- (Delegated to Colchester Borough Homes as part of the Management Agreement dated 9 August 2013 except the agreed client reserved functions)(paragraphs 14 & 15 only).
14. To administer relevant anti-social behaviour provisions, give directions, serve notices, enforce, carry out works in default, issue formal cautions and to lay information and complaints to Court in relation to offences in appropriate cases under the following Acts and any Act or Acts extending or amending the same and under any order of regulations made under the said Act or Acts:
- Anti -social Behaviour Act 2003
 - Crime & Disorder Act 1998
 - Criminal Justice & Police Act 2001
 - Criminal Justice & Public Order Act 1994
 - Housing Act 1996
 - Local Government Act 1972

Delegated to Assistant Director for Communities (continued)

- Local Government Act 2000
 - Police & Justice Act 2006
 - Policing and Crime Act 2009
 - Protection from Harassment Act 1997
 - Serious Organised Crime & Police Act 2005
15. To take all necessary legal action required to enforce the provisions of relevant legislation relating to the following anti-social behaviour control functions:
- Behaviour which causes alarm, distress or harassment to persons not of the same household
16. Anti-Social Behaviour, Crime and Policing Act 2014, authority to:
- Apply for, vary or discharge a civil injunction under sections 1 to 21
 - Apply for, vary or discharge a Criminal Behaviour Notice under sections 22 to 33
 - Issue a Community Protection Notice under sections 43 and 53
 - Carry remedial works in default following the issue of a Community Protection Notice under section 47
 - Issue Fixed Penalty Notices to anyone who has failed to comply with a Community Protection Notice under section 52
 - Make, vary and discharge a Public Spaces Protection Order under sections 59 to 75
 - Issue Fixed Penalty Notices to anyone who has committed an offence by failing to comply with a Public Spaces Protection Order under Section 68
 - Issue, cancel or vary Closure Notices under sections 76 to 84
 - Enforcement of Closure Orders under sections 85 to 93

PUBLIC PROTECTION

1. Anti-Social Behaviour, Crime and Policing Act 2014, authority to:
- Issue a Community Protection Notice under Sections 43 and 53
 - Carry remedial works in default following the issue of a Community Protection Notice under Section 47
 - Issue Fixed Penalty Notices to anyone who has failed to comply with a Community Protection Notice under Section 52
 - Make, vary and discharge a Public Spaces Protection Order under sections 59 to 75
 - Issue Fixed Penalty Notices to anyone who has committed an offence by failing to comply with a Public Spaces Protection Order under Section 68

COMMUNITY

1. Power to take action within the approved budget and policy objective of the Council in relation to the management and maintenance of Activity Centres for the purpose of providing activities for older people.

PRIVATE SECTOR HOUSING

1. To authorise works being carried out in default up to a maximum cost of £5,000 in cases where a breach of legislation can be remedied by the Council carrying out works in default.
2. To exercise the powers available under the provisions of Parts 1, 2, 3,4 and 7 of the Housing Act 2004 ("the 2004 Act") and any orders or regulations made in respect of private sector housing and in particular to:
 - administer the relevant enforcement provisions and serve notices or orders including taking emergency remedial action in appropriate cases as provided for in Part 1 of the 2004 Act
 - be the Proper Officer for the purposes of section 4(2) of the 2004 Act (dealing with official complaints)
 - impose reasonable charges for enforcement action as allowed for by Section 49 of the 2004 Act
 - administer the relevant licensing provisions and determine applications for licences as provided for in Part 2 or Part 3 of the 2004 Act
 - administer the additional control provisions in relation to residential premises including the application of management orders, empty dwelling management orders and overcrowding notices as provided for in Part 4 of the 2004 Act
 - approve and enter into such nomination, management and other agreements as shall be necessary for the purpose of implementing management orders or empty dwelling management orders under Part 4 of the 2004 Act.
 - authorise officers to enter premises in connection with their duties under sections 131, 239, 243(3) and paragraph 3(4) of Schedule 3 and paragraph 25 of Schedule 7 of the Act and to authorise officers to require documents to be produced under section 235 of the 2004 Act
 - take appropriate enforcement action in accordance with the provisions of the Act to recover any costs, expenses, fees or other monies due to the Council from actions taken under the provisions of the 2004 Act
 - determine applications for HMO licences under Part 2 of the 2004 Act
 - grant, revoke or vary such licences and issue any necessary notices or certificates for those purposes
 - grant temporary exemption from licensing under section 62 of the 2004 Act.
 - determine the conditions that should be attached to HMO licences that are granted or varied
 - exercise the enforcement provisions in respect of the licensing of HMO's set out in Part 2 of the 2004 Act
 - the implementation of the transitional arrangements for HMO licensing under section 76 of the 2004 Act and the issue of any necessary notices or certificates
 - The issue of civil penalty notices as an alternative enforcement option to the taking of prosecution proceedings

3. To administer relevant private sector housing provisions, give directions, serve notices, enforce, carry out work in default, issue formal cautions and to lay information and complaints to Court in relation to offences in appropriate cases under the following Acts and any Act or Acts extending or amending the same or incorporating them and under any order or regulations made under the said Act or Acts:
 - Public Health Act(s) 1936 and 1961
 - Local Government (Miscellaneous Provisions) Acts 1976 and 1982
 - Building Act 1984
 - Housing Act 1985
 - Environmental Protection Act 1990
 - Housing Act 2004
 - Energy Act 2013
 - Enterprise and Regulatory Reform Act 2013

PRIVATE SECTOR HOUSING

1. The determination of applications for housing advances.
2. To reclaim money recoverable where conditions relating to house renovation grants are not met, subject to a right of appeal to the appropriate Cabinet Member.
3. To administer the provisions of the Council Financial Assistance Policy for Private Sector Housing including Disabled Facilities Grants, Disabled Facilities Assistance, Home Safety Grants, Home Repair assistance, Home Renovation Assistance, Landlord energy Efficiency Grants, HMO Fire Safety Grants, Landlord Renovation Grants and Landlord Empty Property Loans and in particular to determine all applications, authorise payment of grants or loans, issue certificates, reclaim monies where conditions relating to grants or loans are not met or when a property is sold.

COMMUNITY PARTNERSHIPS

1. Power to take action within the approved budget and approved policy objectives of the Council in relation to:
 - a) the promotion of Community Partnerships
 - b) the management and maintenance of the Community Partnerships Team
 - c) the Responsible Authorities Group.

PARTNERSHIP WORKING

1. To represent the Council's interests on the Members Council of Colchester Hospital University NHS Foundation Trust in the absence of the Portfolio Holder.
2. To represent the Council's interests on the North East Essex Children's Trust Board and the Health and Wellbeing Board.

3. To represent the Council's interests on any partnership with which the Council may be involved from time to time.

TOURISM

1. Power to take action within the approved budget and policy objectives of the Council in relation to liaison with other tourist agencies and the development of tourism policies.
2. Power to take action within the approved budget and policy objective of the Council in relation to the management and maintenance of a Visitor Information Centre and the promotion of the Borough for tourism purposes.

MUSEUMS

1. Power to take action within the approved budget and policy objectives of the Council in relation to the museum service.
2. Agreement of reproduction and copyright fees in respect of museum items.
3. Power to take action within the approved budget and policy objectives of the Council in relation to the presentation, conservation and/or restoration of archaeological sites and monuments.
4. Power to take action within the approved budget and policy objectives of the Council in relation to the care of the Council's art collection and artifacts.
5. Power to agree minor amendments to fees and charges relating to museum services in response to changes in market forces after consultation with the appropriate Cabinet Member.
6. To act as lead officer for the Council in accordance with the Colchester and Ipswich Joint Museums Committee Agreement.

SAFEGUARDING

1. To act as the Council's designated Safeguarding Lead Officer.
2. To act as the Council's Lead Counter Signatory to the Disclosure and Barring Service.
3. To ensure that the Council complies with its equality and diversity responsibilities.

CEMETERY & CREMATORIUM

1. Power to take action within the approved budget and policy objectives of the Council in relation to the cemetery and crematorium.
2. The granting of Rights of Burial at the cemetery other than the fixing of charges.

BUILDING REGULATIONS

1. The approval, disapproval or rejection of plans for the purposes of building regulations and power to dispense with or relax building regulations under statutory requirements.
2. Power to take appropriate action under sections 7 and 13 of the Essex Act 1987 relating to building regulations.
3. Power to take appropriate action under section 77 and 78 of the Buildings Act 1984 in respect of dangerous buildings.
4. Power to take appropriate action and to serve counter-notices relating to the demolition of buildings under sections 80 and 81 of the Buildings Act 1984.
5. To act the Appointing Officer under the Party Wall etc Act 1996.

GENERAL

1. To make objections to the registration of Goods Vehicle Operating Centres pursuant to the approved policy.

Scrap Metal Dealers Act 2013- Delegation of Functions:

Function	Delegated to Assistant Director for Communities
The grant, issue, renewal or variation of a Scrap Metal Dealer Licence	Where the applicant is deemed to be a suitable person and no objections are received
The refusal or rejection of an application for a Scrap Metal Dealer Licence	Where no representations are received
The revocation of a Scrap Metal Dealer Licence	Where no representations are received
To ensure all Scrap Metal Dealer Licences are reported to the National database	In all instances

ENVIRONMENTAL PROTECTION

1. To apply for an injunction to prevent the occurrence of indoor or outdoor entertainments (or similar events) where, in the opinion of the Assistant Director for Environment, there is risk that a nuisance or a hazard to health and/or safety may be created and to give an undertaking in damages to a court if required.
2. Power to institute legal proceedings under the Dogs (Fouling of Land) Act 1996.
3. To prosecute applicants for hackney carriage and private hire licences who give false information on their application forms.
4. Power to institute legal proceedings under the Shops Act 1950 and the Sunday Trading Act 1994.
5. Power to institute legal proceedings under legislation relating to the quality, safety and content of food.
6. Power to institute legal proceedings under the Environmental Protection Act 1990 in relation to litter control subject to a report to appropriate Cabinet Member on action taken.
7. Power to institute legal proceedings in respect of the unauthorised disposal of trade refuse at Civic Amenity Sites.

GENERAL

1. Power to administer and effect changes in Members' Allowances consequent upon Councillors and any co-opted persons appointment changes.
2. Power to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Proper Officer considers that such action is necessary to protect the Council's interests.
3. Power to authorise appearances in Court pursuant to section 60(2) of the County Court Act 1984 and section 223 of the Local Government Act 1972 on behalf of the Council.
4. Power to designate officers of the Council or nominated third parties who are performing statutory functions on behalf of the Council as 'authorised officers' for the purposes of carrying out any of the Council's functions under statutory enactments or regulations as may be relevant to that officer including the appointment and authorisation of inspectors under Section 19 of the Health and Safety at Work etc. Act 1974.
5. To institute proceedings where the requirements of Notices under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 requiring information on interests in land are not complied with within the statutory time limits.

Delegated to Assistant Director for Corporate and Improvement (continued)

6. Power to make an application for an Anti- Social Behaviour Order under section 1 of the Crime and Disorder Act 1998.
7. Power to institute proceedings relating to abandoned vehicles under the Refuse Disposal (Amenity) Act 1978 (as amended by the Clean Neighbourhoods and Environment Act 2005).
8. To act as registrar of Local Land Charges.

HIGHWAYS

1. Power to take prosecutions arising out of Section 6 of the Essex Act 1987 (damage to grass verges etc).
2. Power to prosecute offences under Paragraph 10 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 relating to illegal street trading.
3. Authority to determine house numbering and street names under sections 64 and 65 of the Town Improvement Clauses Act 1847 where there are no objections and power to object to a suggested street name.
4. Authority to alter the names of streets in accordance with section 21 of the Public Health Act Amendment Act 1907.

HUMAN RESOURCES

1. The signing and issuing of all contracts of employment and of any associated terms and conditions.
2. To manage the process in relation to employees' grievances and dismissals.
3. To approve regrading following evaluation in accordance with the approved job evaluation scheme.
4. To authorise agreements in respect of applications made to the Advisory Conciliation and Arbitration Services. These agreements to be only used in instances where there are pending employment tribunal claims and with the prior agreement of the relevant Assistant Director. Each agreement must be supported by the appropriate analysis which clearly defines the business benefits of the agreement.
5. To manage and administer the Council's payroll system.
6. To manage employee health and safety.

PUBLIC SECTOR HOUSING

1. After consultation with the Assistant Director for Communities, to commence injunction proceedings against tenants causing nuisance/annoyance to their neighbours where he/she is satisfied upon evidence that it is appropriate to do so.

Delegated to Assistant Director for Corporate and Improvement (continued)
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FINANCIAL RESOURCES

1. The operation of the Collection Fund including the power to invest surplus monies and to borrow to cover any shortfall in monies required by the Fund.
2. To implement variations to the interest rates chargeable on all Council mortgages and to determine the date for implementation in accordance with the notifications received from the Secretary of State subject to the appropriate Cabinet Member being informed of the action taken.
3. The Council's Treasury Management Function in accordance with the approved Treasury Policy Statement.
4. Matters relating to procurement and the Council's procurement strategy.
5. Authority to exercise discretion to agree such arrangements as are considered appropriate with borrowers in arrears to assist them in meeting their mortgage obligations.

ICT

1. To act as client under the telephony contract with Virgin Media.
2. To manage confidentiality, integrity and availability of ICT systems.
3. To manage and co-ordinate responses in relation to freedom of information and data protection requests.

TOWN TWINNING

Power to take action within the approved budget and policy objective of the Council in relation to town twinning (except civic aspects).

NEIGHBOURHOODS

1. To manage the Council's Neighbourhood teams in order to improve local streets through street cleaning, litter collection, dog fouling and street care including abandoned cars and graffiti. In addition to provide environmental education, support, advice and enforcement to encouraging positive behaviour change and support local communities as part of consultation work and help coordinate and promote community events.
2. Power to serve notices under sections 92 and 93 of the Environmental Protection Act 1990 in relation to Litter Abatement Notices and Street Litter Control Notices subject to report to appropriate Cabinet Member on action taken.
3. Power to take all necessary action under the following sections of the Highways Act 1980: -

<u>Section</u>	
25	To respond to consultations concerning creation of footpath or bridleway by agreement
151	Soil washed on to streets
152	Removal of projections from buildings
153	Opening of doors on to streets
154	Cutting or felling trees
164	Removal of barbed wire
165	Dangerous land
166	Forecourt abutting street
174	Execution of street works
179	Control of construction of cellars
293 & 294	Powers of entry
296	Execution of works
297	Information as to ownership of land
305	Recovery of expenses
4. Power to take all necessary action in relation to vehicles for sale on a road and vehicles being repaired on a road under sections 3 and 4 of the Clean Neighbourhoods and Environment Act 2005
5. Power to take appropriate action regarding abandoned vehicles under sections 3, 4 and 5 of the Refuse Disposal (Amenity) Act 1978 (as amended by the Clean Neighbourhoods and Environment Act 2005).
6. Power to erect suitable Notices on grass verges etc under section 6 of the Essex Act 1987.
7. Power to arrange for the removal of vehicles on grass verges etc under section 6 of the Essex Act 1987.
8. Day to day operation of markets and the granting of Christmas markets.
9. Fixing and levying of charges in accordance with Council policy in relation to street trading.

10. The granting, suspension or revocation of street trading licences.

WASTE COLLECTION

1. Power to take action within the approved budget and policy objectives of the Council in relation to domestic refuse collection, trade waste collection, recycling, composting, workshops, fleet and toilets.
2. Service of notices under section 46 of the Environmental Protection Act 1990 for the provision of waste receptacles including the issuing of fixed penalty notices and prosecution if necessary.
3. To negotiate and agree contracts for the sale of material collected for recycling or salvage and from time to time to review the operation of such contracts to determine that best value is being achieved in relation to the Council's objectives.

TRAFFIC MANAGEMENT & PARKING

1. Temporary road closures under the Town Police Clauses Act 1847 in connection with functions, after consultation with Essex County Council and the Police.
2. To consolidate into a single order any waiting restriction orders currently in force when amendments to waiting restrictions in the villages are proposed.
3. Power to approve and rescind Traffic Regulation Orders relating to disabled parking bays under the Road Traffic Regulation Act 1984.
4. Day to day management of car parks, residents' parking schemes and decriminalised parking including determination of applications from organisations for the short-term use of car parking spaces on public car parks which are similar to applications previously agreed by the appropriate Cabinet Member.
5. To enable management of parking under appropriate sections of legislation, a power to make or vary Off Street Car Park Orders and Traffic Regulation Orders under either the Road Traffic Regulation Act 1984 or the Traffic Management Act 2004 (as appropriate).
6. To consolidate into a single order any waiting restriction orders currently in force when amendments to waiting restrictions in the villages are proposed.
7. Power to approve and rescind Traffic regulation Orders relating to disabled parking bays under the Road Traffic Regulation Act 1984.
8. To act as lead officer in accordance with the North East Essex Parking Partnership Joint Committee Agreement.

PARKS AND RECREATION

1. Power to take action within the approved budget and policy objectives of the Council in relation to the promotion and encouragement of recreational events.

2. Power to take action within the approved budget and policy objectives of the Council in relation to liaison with voluntary organisations and clubs in the development and use of sporting and recreational facilities.
3. The granting of easements, way leaves, licences and sale of small areas of parks and recreation land.
4. Letting of beach hut sites and administration thereof other than fixing of charges.
5. Letting of open spaces, allotments and recreation grounds other than fixing of charges.
6. Granting free use of open spaces and recreation grounds to charitable, voluntary and non-profit making organisations.
7. Refusal of applications for the purchase of land held as open spaces, recreation grounds and allotments.
8. Acceptance or refusal of open space donated to the Council in accordance with the conditions of planning consents.
9. Power to take such action as considered necessary to deal with dangerous trees on land under the operational management of the Council.
10. All matters relating to the enforcement of and prosecution of alleged offenders relating to all leisure relating byelaws made by the Council and in particular: -
 - (a) The Maldon District and Colchester Borough Byelaws relating to the River Blackwater made by the Maldon District Council and the Council and confirmed on 21 July 1999.
 - (b) The byelaws for the proper regulation of the speed of pleasure boats within the Harbour of Colchester made by the Council on 7 June 1972 and confirmed on 26 March 1973 (as amended by the byelaws made on 10 June 1985) and confirmed on 19 July 1985.
 - (c) The Seashore byelaws made by the Council on 29 August 2001 and confirmed on 5 November 2001.
11. To provide play equipment on play areas.
12. Power to take action under the Wildlife and Countryside Act 1981.
13. Granting and management of mooring rights in the River Colne.
14. Power to take such action as may be necessary to deal with dangerous trees under section 23 of the Local Government (Miscellaneous Provisions) Act 1976 and to appoint other named officers to enter land to ascertain whether action should be taken under section 23 of the Act.

SPATIAL POLICY

1. Power to take action within the approved budget and approved policy objectives of the Council in relation to:
 - (a) Local Plan and Neighbourhood Planning functions;
 - (b) Development of policy for the provision of homes, jobs and places to create sustainable communities;
 - (c) Development of policy and project implementation with regard to planning and transportation.
2. Power to take action under the Conservation (Natural Habitats) Regulations 1994.

HOUSING POLICY

1. Power to take action within the approved budget and policy objective of the Council in relation to housing strategies.
2. Power to take action within the approved budget and policy objective of the Council in relation to the dissemination of information regarding all housing matters.
3. To act as lead officer for the Council in accordance with the Management Agreement dated 9 August 2013 between the Council and Colchester Borough Homes (as amended and/or varied from time to time).
4. To manage the Housing Revenue Account budget.

WASTE POLICY

Power to take action within the approved budget and approved policy objectives of the Council in relation to development of policy and project implementation with regard to waste.

ENTERPRISE

Power to take action within the approved budget and approved policy objectives of the Council in relation to the promotion of economic development.

GENERAL

Power to take appropriate action under Part II of the Land Drainage Act 1991 (facilitating or securing the drainage of land or dealing with flooding).

Power to take appropriate action under Part 8 of the Anti-Social Behaviour Act 2003 (and regulations made thereunder) in relation to high hedges.

Delegated to Assistant Director for Place and Client Services (continued)
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ASSETS OF COMMUNITY VALUE

To manage and administer the Council's Register and process in relation to Assets of Community Value under the Localism Act 2011.

PUBLIC SECTOR HOUSING

(Delegated to Colchester Borough Homes as part of the Management Agreement dated 9 August 2013 except the agreed client reserved functions)

1. The assessment of housing need of applicants admitted to the Housing Needs Register, the allocation of tenancies of Council dwellings, the nomination of applicants for tenancies of Registered Social Landlord dwellings.
2. To use any Council dwellings within the Housing Revenue Account for the purposes of Part VII of the Housing Act 1996 and to use bed and breakfast accommodation for homeless families in cases of emergency.
3. Determination of applications relating to homelessness under Part VII of the Housing Act 1996.

COLCHESTER BOROUGH HOMES LIMITED

1. Authority to act as client officer for the Council in relation to matters related to Colchester Borough Homes Limited
2. Authority to act as the Council's shareholder representative in relation to Colchester Borough Homes Limited and to cast the Council's vote at any relevant Board or shareholder meeting.

COLCHESTER COMMERCIAL (HOLDINGS) LIMITED

1. Authority to act as client officer for the Council in relation to matters related to Colchester Commercial (Holdings) Limited and its subsidiary companies.
2. Authority to act as the Council's shareholder representative in relation to Colchester Commercial (Holdings) Limited and to cast the Council's vote at any relevant Board or shareholder meeting.

COLCHESTER COMMUNITY STADIUM LIMITED

1. Authority to act as client officer for the Council in relation to matters related to Colchester Community Stadium Limited
2. Authority to act as the Council's shareholder representative in relation to Colchester Community Stadium Limited and to cast the Council's vote at any relevant Board or shareholder meeting.

**Delegated to Assistant Director for
Place and Client Services (continued)**

NORTH ESSEX GARDEN COMMUNITIES LTD

The provision of support for the delivery of Garden Community objectives and the Council's client role for North Essex Garden Communities Limited.

Delegated to the Monitoring Officer

GENERAL

1. To respond on behalf of the Council to all enquiries from the Local Government and Social Care Ombudsman and Housing Ombudsman including the determination of levels of compensation payable in respect of local settlements.
2. To agree with Assistant Directors responsibility for any other Acts or regulations that may be relevant to Assistant Directors' area and to maintain a written record of such delegations.
3. Power to designate officers of the Council or nominated third parties who are performing statutory functions on behalf of the Council as 'authorised officers' for the purposes of carrying out any of the Council's functions under statutory enactments or regulations as may be relevant to that officer including the appointment and authorisation of inspectors under Section 19 of the Health and Safety at Work etc Act 1974.
4. Power to authorise appearances in Court pursuant to section 60(2) of the County Court Act 1984 and section 223 of the Local Government Act 1972 on behalf of the Council.
5. Power to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Proper Officer considers that such action is necessary to protect the Council's interests.
6. To sign on behalf of the Council all Inland Revenue Land Transaction Return Forms, Land Registry declarations and forms and Court declarations and forms and any other legal documentation required.

Delegated to the Section 151 Officer

1. Authority to write-off individual bad Council Tax and Community Charge debts up to £5,000.
2. Authority to write-off individual bad National Non-Domestic Rate debts up to £5,000.
3. Authority to write-off individual irrecoverable Housing Benefit Overpayments up to £5,000.
4. Authority to write-off individual bad debts not exceeding £5,000.

SPORT AND LEISURE - GENERAL

1. Power to take action within the approved budget and approved policy objectives of the Council in relation to the management and maintenance of sport and leisure facilities including Colchester Leisure World and joint sports use facilities in the Borough
2. Power to agree minor amendments to fees and charges relating to sport and leisure services in response to changes in market forces.

COMMUNITY ALARMS

Power to take action within the approved budget and policy objective of the Council in relation to the management and provision of the Council's community alarm (Helpline) service for the elderly.

CCTV

Power to take action within the approved budget and policy objective of the Council in relation to the management and provision of the Council's CCTV system to contribute to the reduction of crime and disorder in Colchester.

REGENERATION

Power to take action within approved programme, budget and policy objectives of the Council in relation to regeneration activities across the Borough as a whole and specifically in the four main regeneration areas: St Botolph's, East Colchester, North Colchester and the Garrison.

PROPERTY

1. To grant licenses, easements and way leaves and agree the sale of small areas of land and electricity sub-station sites.
2. To manage and let land or property held in advance of the Council's requirements and held for investment purposes.
3. To let and assign leases in respect of shops on Council housing estates.
4. To grant leases on the Council's industrial estates after consultation with the appropriate Cabinet Member.
5. To negotiate and agree rent reviews on the Council's leasehold properties.
6. Power to take action within the approved budget and approved policy objectives of the Council in relation to the management and maintenance of the Council's assets.

**SCHEME OF DELEGATION TO OFFICERS BY:
THE COUNCIL
PLANNING COMMITTEE,
LOCAL PLAN COMMITTEE
LICENSING COMMITTEE**

SCHEME OF DELEGATION TO OFFICERS BY THE COUNCIL

Delegated to the Chief Executive

ELECTIONS

1. To act as the Electoral Registration Officer.
2. To act as the Returning Officer for the following elections: Borough Council, Parish Council, County Council, Parliamentary and European Parliamentary elections.
3. All other functions relating to elections and electoral registration.
4. Fees for and conditions of supply of elections documents.

GAMBLING ACT 2005

1. Power to request a review of Premises Licences.

Delegated to Chief Executive, Strategic Directors, Chief Operating Officer and Assistant Directors

1. Power to appoint officers for particular purposes (appointment of "Proper Officers").
2. Power to appoint staff (below Assistant Director level), and to determine the terms and conditions on which they hold office (including procedures for their dismissal).
3. Power to make payments or provide benefits in cases of maladministration.

Delegated to the Section 151 Officer

1. Functions relating to local government pensions.
2. Duty to make arrangements for proper administration of financial affairs etc.
3. Power to make and amend Financial Regulations.

SCHEME OF DELEGATION TO OFFICERS BY THE PLANNING COMMITTEE

Delegated to Assistant Director for Place and Client Services

1. The determination of all planning applications irrespective of scale and size (including changes of use and all applications for Listed Building Consent, Certificates of Lawfulness, applications for the determination as to whether prior approval is required, consent to display advertisements and other notifications) except any application:
 - (a) significantly contrary to adopted policies or a departure from the development plan, and which is recommended for approval;
 - (b) which any Ward Councillor requests in writing to the Assistant Director for Place and Client Services within 25 days of notification, should be subject of consideration by the Committee;
 - (c) which constitutes a major application on which a material planning objection(s) has been received in the stipulated time span and the officer recommendation is to approve;
 - (d) which constitutes a major application, that is recommended for approval and where a section 106 Agreement is required (excluding unilateral undertakings);
 - (e) submitted by or on behalf of a Colchester Borough Council Councillor, Honorary Aldermen (or their spouse/partner) or by any Council officer (or their spouse/partner); or
 - (f) submitted by or on behalf of Colchester Borough Council (for clarity, this does not include applications made by other parties on land owned by the Council where the development is not by or on behalf of the Council).
2. The determination of any application for a determination as to whether the prior approval of the authority will be required under The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (as amended, or any Order replacing, re-enacting or modifying that Order).
3. The determination of applications for the approval of reserved matters or minor material amendments, unless the Planning Committee at the granting of the outline / original planning permission indicates that it requires to determine the aforementioned matter itself.
4. The determination of details required by a condition on a planning permission and applications for a non-material amendment, unless the Planning Committee at the granting of the outline / original planning permission indicates that it requires to determine the aforementioned matter itself.
5. Authority to refuse planning applications where a proposed section 106 Agreement remains uncompleted for six months from the decision regarding its provision.

**Delegated to Assistant Director for Place and Client Services
(continued)**

6. Authority to make observations on applications to be determined by another planning authority.
7. Authority to appoint consultants where the Council's case may be enhanced or when specialist information needs to be provided.
8. That, subject to written confirmation from the Chief Finance Officer and the Monitoring Officer, the Assistant Director for Place and Client Services be authorised to agree the release of funds secured by means of a legal agreement under the Planning Acts for expenditure, for purposes solely in accordance within the specified legal agreement. Such delegated powers would only operate where such expenditure is entirely in accordance with the legal agreement attached to the development.
9. Where an appeal has been lodged against a refusal of planning permission, the Assistant Director for Place and Client Services has authority to conclude a legal agreement which complies with the Council's current policies where we would expect to see the provision of such requirements a may include affordable housing, open space contribution, education contribution in circumstances where time does not permit a referral to the Planning Committee.
10. Where an application has already been considered by the Planning Committee who have given authorisation to enter into a legal agreement delegated authority is given to the Assistant Director for Place and Client Services to agree alterations whereby: -
 - (a) The mechanism for delivering the required outcomes for the agreement have changed, but the outcome remains the same (including changes to triggers, phasing and timing);
 - (b) There is a need to issue a delegated refusal where a legal agreement is not completed within the statutory time limit and it is considered by the Assistant Director for Place and Client Services reasonable to do so;
 - (c) There is a need to remove a legal agreement from a local land charge where all clauses have been compiled with;
 - (d) To enter into a new planning obligation relating to gain previously secured that needs to link back to a previous planning permission via a Deed of Variation.
11. Authority to institute proceedings in respect of any offence against the advertisement regulations, including prosecution where it is considered appropriate. In the cases where repeated prosecution fails, this includes the authority to seek an injunction under Section 222 of the Local Government Act 1972.

**Delegated to Assistant Director for Place and Client Services
(continued)**

12. Authority to institute proceedings in respect of any enforcement actions where a valid notice exists, no appeal decision thereon is pending, the prescribed time for compliance with the notice has expired, and where the breach of planning control continues to exist.
13. Authority to sign and serve "Planning Contravention Notices" under the Town and Country Planning Act 1990, Sections 171(C) and 171(D), and to arrange for the institution of proceedings where the requirements of such Notices are not complied with within statutory time limits.
14. Authority to sign and serve enforcement notices, stop notices, temporary stop notices, section 215 notices, section 224 discontinuance notices or breach of condition notices under the Town and Country Planning Act 1990 (Parts VII & VIII) and Listed Building Enforcement Notices under Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (Part IV).
15. Power to serve a notice under Section 330 of the Town and Country Planning Act 1990 (to require information as to interests in land).
16. Authority to give a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended) as to whether an Environmental Impact Assessment is required and to determine the scope of the environmental issues to be covered in any such assessment.
17. Authority to defend the Council's decision in respect of any appeal proceedings, provided that where any additional or revised information is submitted which may overturn the Council's initial decision; the case shall be referred back to Planning Committee to determine the Council's case only in circumstances where the Committee itself made the initial decision. In the event that timescales do not allow the matter to be referred back to Planning Committee, then the Assistant Director for Place and Client Services shall consult the Planning Committee Chairman, and Group Spokespersons, before determining the Council's case. In the unlikely event that none of the foregoing is possible, then as an emergency procedure, a Strategic Director or the Chief Operating Officer can determine the action required, which will be reported to the Planning Committee as soon as is practical thereafter.
18. Authority to institute legal proceedings (including the serving of injunctions and enforcement notices) under the Town and Country Planning Act 1990 (Part VII and Part VIII) and the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (Part IV) where it is considered the most appropriate remedy in relation to the circumstances of the case, and expedient to do so.
19. Authority to prosecute for the failure to comply with the statutory time limit imposed by any notices served in respect of Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Sections 171C, 171D and 330 of the Town and Country Planning Act 1990, or for providing false/misleading information.

Delegated to Assistant Director for Place and Client Services (continued)
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20. Power to make orders for the creation, diversion or extinguishment of public rights of way.
21. Authority to administer the Hedgerow Regulations 1997 and to issue notices in accordance with the Council's policy.
22. Determination of enforcement cases where:
 - (a) investigations conclude that no breach of planning has occurred and therefore no further action is required; or
 - (b) a breach of control has occurred, but it is not expedient in the public interest to take action; or
 - (c) investigations conclude that a breach has occurred in excess of four years or ten years (as appropriate) and is therefore, immune from further action.
23. Power to make and confirm tree preservation orders where there are no unresolved objections thereto and to determine applications to carry out works to preserved trees and trees in Conservation Areas.

**SCHEME OF DELEGATION TO OFFICERS BY THE
LOCAL PLAN COMMITTEE**

Delegated to Assistant Director for Place and Client Services
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1. Power to approve Neighbourhood Plan Area Designation Applications made in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

SCHEME OF DELEGATION TO OFFICERS BY THE LICENSING COMMITTEE

Delegated to Assistant Director for Communities
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1. Determination of applications and issue of licences, permits, registrations and certificates where no objections have been received in respect of: -
 - Caravan Sites
 - Dangerous Wild Animals
 - Dog Breeding Establishments
 - Food Exports
 - Food Hawkers
 - Food Premises
 - Hackney Carriage and Private Hire Vehicles drivers and operators
 - House to House and Street Collections
 - Hypnotism – exhibitions, demonstrations or performances
 - Pet Shops
 - Pleasure Boats and Boatmen
 - Premises and persons involved in acupuncture, tattooing, ear piercing and electrolysis
 - Riding Establishments
 - Sex Shops
 - Zoos
2. Revocation or suspension of licences, permits, registrations, certificates.
3. Approval of individual identification signs for display on taxis and private hire vehicles, after consultation with the Chairman of the Licensing Committee.
4. To determine applications for permission to place advertisements on hackney carriages and private hire vehicles.

Licensing Act 2003 – Delegation of Functions

Function	Licensing Committee	Assistant Director for Environment
Section 18(3) Application for a premises licence	Where representations have been received	Where there are no representations
Section 25A(6) Disapplication of Designated Premises Supervisor	Following police objection	Where there are no representations
Section 31(3) Application for a provisional statement	Where representations have been received	Where there are no representations
Section 35(3) Application to vary a premises licence	Where representations have been received	Where there are no representations
Section 39(3) Application to vary a Designated Premises Supervisor	Following police objection	Where there are no representations
Section 41B Application for a Minor Variation		Where representations have been received
Section 44 (5) Transfer of a Premises Licence	Following police objection	Where there are no representations
Section 48(3) Interim Authority Notice	Following police objection	Where there are no representations
Section 52(2) (3) Determination of application to Review a Licence	All cases	
Section 72(3) Application for Club Premises Certificate	Where representations have been received	Where there are no representations
Section 85(3) Application to vary Club Premises Certificate	Where representations have been received	Where there are no representations
Section 88 (2) or (3) Determination of application to review a Club Premises Certificate	All cases	
Section 105(2) Decision to give counter notice following police objection to Temporary Event Notice	All cases	
Section 120(7) Application for Grant of Personal Licence	Following police objection	Where there are no representations
Section 124(4) Revocation of Personal licence where convictions come to light after grant etc	All cases	

Licensing Act 2003 – Delegation of Functions (continued)

Function	Licensing Committee	Assistant Director for Environment
Section 167(5) Review following Closure Order	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious		All cases
Decision to object when the local authority is a consultee and not the lead authority		All cases
Dispensation of the need to hold a hearing if all persons required by the Licensing Act 2003 (other than the Authority) have written and agreed that it is unnecessary		All cases

Gambling Act 2005 - Delegation of functions:

Function	Committee	Assistant Director for Environment
Application for a premises licence	Where representations have been received	Where there are no representations or representations have been withdrawn
Section 204 Application for a provisional statement	Where representations have been received	Where there are no representations or representations have been withdrawn
Application to vary a premises licence	Where representations have been received	Where there are no representations or representations have been withdrawn
Transfer of a Premises Licence	Following representations from the Gambling Commission	Where there are no representations from the Gambling Commission
Section 201 Determination of application to Review a Licence	All cases	
Section 224 Decision to issue a counter notice in respect of a Temporary Use Notice	All cases	
Sections 271 and 273 Application for club gaming permit or club machine permit	Where representations have been received	Where there are no representations or representations have been withdrawn
Cancellation of a Gaming Permit or Club Machine Permit	All cases	
Licensing Policy in respect of powers under the Gambling Act 2005	To make recommendations to Council	

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
Cabinet, 20 November 2019	Victoria Weaver	Building Council Houses motion	Verbal response provided at the meeting by Councillor Cory, leader of the Council and Portfolio Holder for Strategy	20 November 2019
Cabinet, 20 November 2019	Alan Short	Issues relating to the cultural quarter	Verbal response provided at the meeting by Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, Councillor King, Portfolio Holder for Business and Resources, and Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety.	20 November 2019
Council, 5 December 2019	Darius Laws	The environment around North Station Road	Verbal response provided at the meeting by Councillor Cory, Leader of the Council and Portfolio Holder for Strategy and Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety.	5 December 2019
Council, 5 December 2019	Sally Buchanan	Issues relating to the planning application for the site of the former Beehive Pub. Petition also presented to the Mayor.	Verbal response provided at the meeting by Councillor J. Young, Portfolio Holder for Culture and Performance.	5 December 2019

Council, 5 December 2019	Angel Kalyan	Governance issues relating to a complaint.	Verbal response provided at the meeting by Adrian Pritchard, Chief Executive.	5 December 2019
Council, 5 December 2019	Julian Bowden	NEGC Ltd	Issues addressed during the Council debate on the motion.	5 December 2019
Council, 5 December 2019	Willian Sunnocks	NEGC Ltd	Issues addressed during the Council debate on the motion.	5 December 2019
Council, 5 December 2019	John Allcock	Eight Ash Green Neighbourhood Plan	Issues addressed during the Council debate on the motion.	5 December 2019

(ii) Petitions

Date petition received	Lead Petitioner	Subject Matter	Form of Response	Date Completed
5 December 2019	Sally Buchanan	The Beehive Pub to be considered as an asset of community value	<p>The petition was reported to the Planning Committee when it considered the planning application for the change of use for the Beehive Pub on 18 December 2019.</p> <p>The Council's Planning Policy Team are in correspondence with the lead petitioner on the application for the building to be considered as an asset of community value.</p>	18 December 2019

