

Scrutiny Panel Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Tuesday, 15 October 2019 at 18:00**

The Scrutiny Panel examines the policies and strategies from a borough-wide perspective and ensure the actions of the Cabinet accord with the Council's policies and budget. The Panel reviews corporate strategies that form the Council's Strategic Plan, Council partnerships and the Council's budgetary guidelines, and scrutinises Cabinet or Portfolio Holder decisions which have been called in.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

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Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, using the contact details below and we will try to provide a reading service, translation or other formats you may need.

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Scrutiny Panel – Terms of Reference

1. To fulfil all the functions of an overview and scrutiny committee under section 9F of the Local Government Act 2000 (as amended by the Localism Act 2011) and in particular (but not limited to):

- (a) To review corporate strategies;
- (b) To ensure that actions of the Cabinet accord with the policies and budget of the Council;
- (c) To monitor and scrutinise the financial performance of the Council, performance reporting and to make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions;
- (d) To review the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic and Implementation Plans;
- (e) To review the financial performance of the Council and to make recommendations to the Cabinet in relation to financial outturns, revenue and capital expenditure monitors;
- (f) To review or scrutinise executive decisions made by Cabinet, the North Essex Parking Partnership Joint Committee (in relation to decisions relating to off-street matters only) and the Colchester and Ipswich Joint Museums Committee which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (g) To review or scrutinise executive decisions made by Portfolio Holders and officers taking key decisions which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (h) To monitor the effectiveness and application of the Call-In Procedure, to report on the number and reasons for Call-In and to make recommendations to the Council on any changes required to ensure the efficient and effective operation of the process;
- (i) To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are not the responsibility of the Cabinet;
- (j) At the request of the Cabinet, to make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the management of Cabinet business or jeopardising the efficient running of Council business;

2. To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):

- (a) To review and scrutinise decisions made, or other action taken, in connection with the discharge of those functions by the responsible authorities of their crime and disorder functions;
- (b) To make reports and recommendations to the Council or the Cabinet with respect to the discharge of those functions.

COLCHESTER BOROUGH COUNCIL
Scrutiny Panel
Tuesday, 15 October 2019 at 18:00

The Scrutiny Panel Members are:

Councillor Beverly Davies
Councillor Kevin Bentley
Councillor Tina Bourne
Councillor Paul Dundas
Councillor Chris Hayter
Councillor Mike Hogg
Councillor Sam McCarthy
Councillor Lorcan Whitehead

Chairman
Deputy Chairman

The Scrutiny Panel Substitute Members are:

All members of the Council who are not Cabinet members or members of this Panel.

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 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 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.

4 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.

5 Minutes of Previous Meeting

The Councillors will be invited to confirm that the minutes are a correct record of the meeting held on 29 August 2019.

Minutes of Scrutiny Panel meeting 29 August 2019

7 - 16

6 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.

7 Decisions taken under special urgency provisions

The Councillors will consider any decisions by the Cabinet or a Portfolio Holder which have been taken under Special Urgency provisions.

Decision Made Under Special Urgency Provisions – Contract for Fleet Maintenance

17 - 28

This report provides Scrutiny Panel members with information relating to a decision taken on 30 September 2019 under special urgency provisions. The awarding of the contract for fleet maintenance was certified by the Proper Officer, and by the Chair of the Scrutiny Panel, as an urgent decision in accordance with the Overview and Scrutiny Procedure Rule 14.

8 Items requested by members of the Panel and other Members

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

Members of the panel may use agenda item 'a' (all other members will use agenda item 'b') as the appropriate route for referring a 'local government matter' in the context of the Councillor Call for Action to the panel. Please refer to the panel's terms of reference for further procedural arrangements.

9 Cabinet or Portfolio Holder Decisions called in for Review

The Councillors will consider any Cabinet or Portfolio Holder decisions called in for review.

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|----|---|---------|
| 10 | Local Council Tax Support 2020 - 2021 | 29 - 32 |
| | <p>This report provides details of the local Council Tax Support proposals which are due to be effective from 1 April 2020.</p> | |
| 11 | Business Rates Retention and future arrangements | 33 - 38 |
| | <p>This report sets out recent performance on business rates collection and summarises recent government policy on reforming the business rates system.</p> | |
| 12 | Scrutiny Panel Work Programme 2019-20 | 39 - 50 |
| | <p>This report sets out the current Work Programme 2019-2020 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.</p> | |
| 13 | Exclusion of the Public (Scrutiny) | |
| | <p>In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).</p> | |

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

SCRUTINY PANEL

29 August 2019

Present: -

Councillor Davies (Chairman), Councillor Bentley, Councillor Dundas, Councillor Hogg, Councillor McCarthy, Councillor Whitehead

Substitutions: -

Councillor Willets (for Councillor Hayter), Councillor T. Young (for Councillor Bourne)

Also present: -

Councillor Barber, Councillor Luxford-Vaughan, Councillor J. Maclean, Councillor Scordis, Councillor J. Young

227. Minutes of Previous meeting

RESOLVED that the minutes of the meeting held on 16 July be confirmed as a correct record.

228. Draft Interim Business Plan of North Essex Garden Communities Ltd

Councillor Bentley (by reason of being Essex County Council Cabinet member for Infrastructure) and Councillor T. Young (by reason of being a former director of North Essex Garden Communities (NEGC) Ltd, and by reasons of his spouse's position as Deputy Leader of the Council and as an alternative director of North Essex Garden Communities Ltd.) declared non-pecuniary interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7 (5).

Councillor J. Young (by reason of being an alternate director of North Essex Garden Communities (NEGC) Ltd declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7 (5).

Mr Tom Foster, Chairman of the Campaign Against Urban Sprawl in Essex, addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1) to raise his view that NEGC Ltd was a publicly-funded organisation with insufficient control being exerted over it.

The Panel was asked whether a public AGM would be held by the Company before 30 September 2019 and requested to have access to the unredacted 2016 PwC report concerning NEGC Ltd and detail on when financial appraisals would be made public. It was further asked when NEGC Ltd expected that the first residential elements of the garden communities would be delivered. The view was stated that this work would require the production of Development Plan Documents (DPDs), that the pursuit of garden communities via NEGC Ltd added complication and would delay delivery of the project and improvement works to the A12.

It was asked what the Council would do, should the Housing Infrastructure Fund (HIF) bid be unsuccessful and whether work would continue on the other two of the three sites chosen for garden communities.

Mr William Sunnucks addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1) and to raise concern about the proposed recommendation that the Council provide a further £350k funding for NEGC Ltd in the 2019-20 financial year, with further, larger funding requests expected for 2020-21 to follow, should securitised external finance not be obtained, to be spent on back office costs. A definition was requested by Mr Sunnocks for the phrase 'securitised external finance', along with details as to who was expected to provide such finance to a company which owned no land as security. Mr Sunnucks asked whether this would be provided by housing developers, who would expect to receive significant work from the project and would cause conflicts of interest for the councils involved. Information was sought as to how deferred compulsory purchasing of land would be carried out and how the orders would be structured and implemented.

Mr Sunnucks asked as to when a full business plan for NEGC Ltd would be produced, as opposed to the interim business plan currently being scrutinised.

Councillor Luxford Vaughan attended and with the consent of the Chairman addressed the Panel to express her concerns regarding openness and transparency of NEGC Ltd, and the risks it represented to the Council, relating to the Council funding provided to it. These concerns included whether the viability testing of options for delivery would be tested sufficiently, and whether the original viability model in the 2016 PwC report would have gone ahead for approval and whether the current model for viability testing would be given to elected members. It was asked how long the process of deciding upon a delivery vehicle would now take and whether the timetable given for future actions in the interim plan was unrealistic, especially the expectation of the Local Plan Inspector's work to conclude in time for consideration in December 2019. An explanation of how the effect of using compulsory purchase orders would be modelled in the viability testing was requested.

Councillor Luxford Vaughan drew attention to government guidance on locally-led new town development corporations (LLNTDCs), stating that such organisations should have independent directors and giving concern that this would mean a loss of control by the oversight authorities involved. It was further raised that a full business plan had yet to be published and that requests for further funding were scheduled before such a plan had been produced. Funding concerns raised also included how state aid would be sourced.

Concern was raised that officers had not been able to provide to the elected member details of the HIF bid and the view was given that this should be available to the public. Access to the Dentons report entitled 'Delivery of the Garden Communities' was also requested.

Questions were raised regarding how the social housing elements of the communities would be overseen, how ownership would be decided between the

local authorities and whether information could be provided regarding the number of social housing units planned. Clarity was also requested regarding the routes of the proposed rapid transit system.

Clarity was requested on whether councillors who were directors of NEGC Ltd had a prejudicial interest when funding decisions relating to the Company were taken by the Council, and whether this should preclude them from voting.

The Scrutiny Panel were asked to ascertain what outcomes came from NEGC Ltd's participation in the MIPIM real estate conference and whether any firm offers, or interest, could be reported on. It was also asked why no private investors had, as yet, been found. Further to this, the claim that Essex University would provide jobs and income for garden community residents was queried. Detail was requested relating to the provision of utilities and sewerage for the proposed community to the East of Colchester.

Councillor Barber attended and with the consent of the Chairman addressed the Panel to outline his views regarding the relationship between the NEGC project and the ongoing work regarding the Emerging Local Plan. The view was given that the unredacted 2016 PwC report should have been available to councillors before the Emerging Local Plan was put forward to the Inspector. Councillor Barber noted his concern that this could have undermined the credibility of the Council within the Local Plan process, that NEGC Ltd planning work had been ongoing at the same time as the work of the Council's Local Plan Committee and that he suspected that documents provided to the Committee had not included all relevant information. The need for councillors to see appropriate information was highlighted as a key part of their effective decision making, including in the future selection of delivery vehicles for NEGC Ltd, and on providing oversight of the Company.

The Panel were asked to assess whether they considered NEGC Ltd as likely to succeed in its aims, in light of little return on investment shown to date. Deals had yet to be done with landowners, and projected finances were dependent on private investment in the future. An explanation was then requested as to what would happen, should Section 1 of the Local Plan not be accepted by the Planning Inspector.

Councillor Jackie Maclean attended and with the consent of the Chairman addressed the Panel to request more detail regarding how funding from the Council had been spent by NEGC Ltd, and on what progress had been made toward meeting the Company's priorities. Meetings had been held to discuss public views on what should be included in the garden communities, but Councillor Maclean informed the Panel that she had seen no information regarding what is planned for them, especially on the issues of infrastructure and healthcare provision, and how the provision of these would be guaranteed.

Before the presentation of the Draft Interim Business Case, the Strategic Director of Policy and Place answered questions from a member of the Panel and regarding the 2016 PwC report, why it was confidential and the agreement which gave PwC rights of confidentiality. It was explained that this report had been produced for the Council, having been commissioned by each of the local authorities involved in the NEGC

project, to look at the likely effects of pursuing the project. Elements of the report had been deemed confidential due to their content produced using PwC's proprietary software. Local authorities had therefore legally not been able to publish the unredacted report. Regarding a question as to the contractual terms which meant that PwC could choose whether elected members had access to the full report, it was explained that the terms for the work done by PwC had been set by Essex County Council, as the County Council had already had a framework agreement with PwC in place.

The Strategic Director of Policy and Place assured the Panel that the Portfolio Holder for Business and Resources had pushed to make this PwC report available to all councillors and clarified that the report did not form part of the Local Plan evidence base. It had been referred to in an early Cabinet report putting forward the principle of the formation of NEGC Ltd and the redacted copy was first made available to elected members, and then to the public, but requests from councillors for the unredacted report had only been made relatively recently. Panel members stressed the view that all elected members of the Council should have full access to any report commissioned by the Council, using public money, should be made available to elected members.

The NEGC Ltd Draft Interim Business Case was presented by Councillor Julie Young, Deputy Leader of the Council, Portfolio Holder for Culture and Performance and Alternate Director of NEGC Ltd, Ian Vipond, Strategic Director of Policy and Place, and Richard Bayley, Group Managing Director of NEGC Ltd.

The Deputy Leader detailed the overall nature of the control held by the local authorities over NEGC Ltd, and the work done by the authorities' section 151 officers and monitoring officers to examine the Company's draft interim business plan before the approval process was commenced by each of the four councils.

Building on past success in bidding for government funding, there was confidence that further funding would be secured. The overall scale of the funding needed was put into perspective, compared to the large-scale size of the NEGC project. Private investment was also to be sought, and ways to recoup Council funds in the future were being sought. The Council was not exposed to significant liabilities if NEGC Ltd was wound up, as all staff excluding the Group Managing Director were seconded rather than employed by the Company.

The Panel were given assurance that the Cabinet were committed to providing as much information as possible to councillors and the public and to improving the communications relating to the NEGC project. Briefings had been provided to Members and information made public, with further details to be provided.

The Group Managing Director introduced the draft interim business plan and addressed questions which had been put forward. It was confirmed that the NEGC Ltd AGM would occur before 30 September and that, whilst the AGM was not a public meeting as it was a meeting for shareholders, there would be two public meetings held by the Company in October 2019.

Work had continued to prepare evidence on viability and deliverability, and this would be included in the information provided to the Inspector of the Emerging Local Plan, and that the Inspector would also be looking for information from councillors and third parties such as Galliard Homes and West Tey Homes. The Inspector would be seeking to conduct a delivery model 'blind assessment', rather than looking at specific delivery vehicles. The Strategic Director of Policy and Place confirmed that the Inspector would not normally assess specific delivery vehicles but would be looking at the confidence held in the likelihood that these would be viable and achieve deliverability of the Local Plan.

Regarding timescales, the Group Managing Director explained that work would need to be carried out with the local authorities to enable production of any Masterplan for the Communities which would inform any DPD (Development Plan Document), . It was the responsibility of the local planning authorities to approve any DPD drafted. Completion of the first housing elements were scheduled for 2023. Issues regarding the A12 improvement works were under the remit of Essex County Council and it was understood that Highways England were soon due to consult on options for this and NEGC Ltd were expecting to contribute to the consultation.

The HIF bid was addressed, confirming that the bid for the Tendring/Colchester Borders community had been announced, with the bid relating to the community between Colchester and Braintree as submitted by Essex County Council still awaited. The scenarios modelled by Hyas Associates Ltd, consultants engaged by Colchester Borough Council, included scenarios with and without inflation, and questions relating to these were for the Council, rather than NEGC Ltd, to answer.

For the years 2020-21 and 2021-22, different types of finance were being explored. A mix of public and private finance was a possibility, should the Inspector of the Local Plan be satisfied with Section one of the Plan, but there were no plans to seek grants from 2020 onwards. The mix was expected to include borrowing with a repayment plan, rather than more local authority grants. This may necessitate the provision of security by the local authority for some loans taken out, but all efforts would be made to minimise this type of financing. It was confirmed that the financing strategy being pursued was not the same as that which had underpinned the 2016 PwC report. The Group Managing Director informed the Panel that the obtaining of securitised external funding would potentially lead to investors wishing to influence the way funding is used, and some potential investors may wish to play a part in elements of the decision making. Such potential investors may or may not be appropriate for the project.

Several Panel members questioned why a full business plan had not been brought forward for approval yet. It was explained that the interim business plan was predicated on the Emerging Local Plan and the expected letter from the Inspector being positive. Should the letter not be positive, provisions were in place to carry out a review of the approach proposed, as finance for years two and three were dependent on a positive response to the Emerging Local Plan. Until this had been received it had been deemed prudent to proceed according to an interim business plan.

It was explained that the compilation of an evidence base for the Emerging Local Plan and was a matter for the Council, rather than for NEGC Ltd. More detailed projections for 2019-20 would lead to greater analysis of expectations for 2020-21. In response to queries regarding government guidance on the use of LLNTDCs, it was clarified that this explained the duties and control of the oversight authorities upon such corporations. The Group Managing Director agreed that there were differences between the Letchworth model and that proposed for the NEGC, but that lessons could be learned from Letchworth regarding stewardship and certain principles were still relevant and could inform the delivery mechanism to be proposed later in 2019.

The Group Managing Director offered to further discuss with Councillor Luxford Vaughan her concerns regarding the draft interim business plan and covering report.

Addressing questions regarding social housing provision, it was the case that Council's viability modelling had assumed a 70 percent / 30 percent split between general and affordable housing, but it was likely that the future viability assessments would then increase the percentage for affordable housing. The split of ownership of any social housing was for the participating local authorities to decide, dependent on the delivery vehicles chosen. The Strategic Director of Policy and Place gave assurance that elected members would receive greater detail on this as the process for choosing the delivery vehicles progresses, and that the ownership of any new-build local authority housing was not dependent on the local authority area in which it was built.

Positive results gained from participating in the MIPIM real estate conference included the selection of the NEGC project to be promoted by the UK Trade Minister during his trade mission to China in September. It was expected that a Chinese trade delegation would then further discuss involvement with the project when they visit the UK in October. An analysis of outcomes from the MIPIM conference had been provided to Councillor David King, Portfolio Holder for Business and Resources.

The Panel were informed that not all of the landowners of the areas chosen for the three projects had development option agreements.

The Panel requested an explanation as to why the draft interim business plan for 2019-20 was only coming to the Cabinet for approval now, six months into the year, and whether sufficient oversight was possible, given that fact. It was also queried what would happen, should Full Council not approve the £350k funding which it was to be asked to approve. On a related note, the timescales given within the interim plan noted 'initial budget conversations' with the Council in October, and a Panel member noted that Council budgets would have been drafted by then, indicating that any budget request would have needed to be submitted before that time. The Council's budget setting process was then described for the Panel, with final budget setting to be decided by Full Council in February 2020. Budget conversations had already started between NEGC Ltd and the local authorities. The funding requests to the local authorities in 2019 were a matter for those authorities, which would each have their own processes for approval of such requests, to be followed in the coming months.

Questions on budgetary performance of the Company during 2019/20 were answered, and assurance was given that, as at the end of July, NEGC Ltd was performing well and was underbudget.

In response to the Panel's request for information on alternative options for delivery, should the Local Plan Inspector not sign off on Section 1 of the Local Plan, shareholders in NEGC Ltd and councillors would need to discuss how to approach contingency planning. The Strategic Director of Policy and Place confirmed this would be a Local Plan question. Should Section 1 of the Plan be found unsound, the district/borough councils would need to assess the content of the Section 2 of their local plans and explore what they could legally do to bring these to examination. A consultation period would be needed to look at what content could be taken forward, and with base evidence gathering having occurred, this would avoid having to re-do that element of preparing the Local Plan.

The Panel asked what the approval processes were in use by the other local authorities to decide whether to approve NEGC Ltd's 2019 funding requests and draft interim business plan. The Panel further asked whether Uttlesford District Council would be expected to contribute funding, should it join the NEGC project. The Panel were informed that the other two district councils had their own approval processes, and likewise Essex County Council had its own approval process, overseen by Councillor David Finch, Council Leader. Conversations had continued with Uttlesford District Council through the change in administration, and it had been made clear that, should they become a participant in the NEGC project, they would need to match the funding provided and funding commitments already made by the existing shareholder local authorities.

In answer to questions regarding land ownership and purchase, the Group Managing Director had continued the engagement process with landowners. No formal offers had been made yet, but guidance had been given as to how NEGC Ltd would work with them, such as within an LLNTDC vehicle partnership. The importance of getting a good, well-timed deal was stressed and the timing of the process for selecting a delivery vehicle was built around the expected timing of the Local Plan Inspector's letter.

Panel members questioned further as to what would happen should the NEGC Ltd Board not agree upon a preferred delivery model, and whether this would prevent the use of Compulsory Purchase Order (CPO) powers. The Panel was given assurance that, although not as quick as the process if carried out by a development corporation, the local authorities' CPO powers could still be used to purchase land. Further details were sought regarding CPOs scheduled for the coming year and as to when this would be provided and how it could be shown that these were necessary. It was verified that all CPOs required approval of the Secretary of State, who would expect to see evidence as to them being necessary. A number of meetings were held to lay out the principles of how to proceed with land purchases and CPOs. The Strategic Director of Policy and Place gave assurance that CPOs were a last resort and would only be used if no alternative was possible. Answering concerns regarding the timing of CPOs to be issued in quarter three of 2020-21, the Group Managing Director explained that preparatory work that was being done now would allow this to go ahead.

Milestones regarding delivery options and outline treasury outline business case had been shown in the interim business plan, with the draft business case due in November, for approval by the NEGC Ltd Board in January 2020. This would then go to the shareholder local authorities for their approval. Delivery vehicle options were under consideration and included a minimal option, which left all development work in the hands of commercial developers, through to the formation of a locally-led development corporation (LLDC) to oversee development. It was confirmed that the Panel could request to scrutinise the draft business case and that it would be looked at as to when this would be possible.

A Panel member asked if contact had been made with the new ministerial team at the Ministry of Housing, Communities and Local Government. The Group Managing Director confirmed that the new ministerial team had been written to and that a meeting was being requested with them. It had been noted that Robert Jenrick MP, Secretary of State, was supportive of LLDCs and that NEGC Ltd continues to meet with senior civil servants in his ministry.

Regarding the submission of evidence to the Inspector of the Emerging Local Plan, a Panel member asked whether the evidence submitted by the local authority and NEGC Ltd should be the same. It was explained that it was not unusual for companies in a position such as that of NEGC Ltd to provide advice and evidence above and beyond the standard local authority submission. The Group Managing Director posited that it would usually take two to three years for a company to reach the point at which NEGC Ltd now finds itself and timings were now structured to move forward as soon as possible after the Inspector gives his opinion on Section 1 of the Emerging Local Plan.

The Panel asked for an explanation as to what added value NEGC Ltd provided, over and above what could have been achieved by officers in-house at the local authorities involved, and what the cost implications were of the staff and resources which had been seconded. The Group Managing Director explained that companies such as NEGC Ltd provided value for money through the co-existence of the work they carried out, and clarified that work on Local Plan issues were carried out in-house by the local authorities themselves, with evidence and support from NEGC Ltd. Masterplanning work carried out within NEGC Ltd had provided useful information to the local authorities, including feeding in to planning and proposed drafting of DPDs. Similar input can also come from commercial developers feeding into the Local Plan process.

In response to questions regarding the spending of NEGC Ltd, and the auditing of the Company, it was confirmed that a mechanism for this was in place, with external auditing of the Company's finances and financial statements being carried out by Scrutton Bland.

The Group Managing Director was questioned as to whether NEGC Ltd had a communications plan which could be seen by the Scrutiny Panel. It was explained to Panel members that the Company had previously adopted a non-proactive approach to communications, but that this is now changing, and the Company is looking to commence pro-active communications following the current Local Plan inspection

process. The full communications programme is due to go to the NEGC Ltd Board for approval on 19 September. This will then be discussed with the shareholding local authorities.

The Chair thanked The Deputy Leader of the Council, the Strategic Director of Policy and Place, and the Group Managing Director of NEGC Ltd for appearing before the Panel and for answering the questions asked of them.

RECOMMENDED to CABINET that:-

- (a) Cabinet seek further evidence and assurance regarding progress delivered, and future deliverability by, North Essex Garden Communities (NEGC) Ltd and provide this information and assurance to Full Council, before Full Council is asked to approve committing the £350,000 already reserved in the 2019/20 Budget and the associated delegations to enable phased drawdowns upon a formal request by way of an NEGC Board resolution in accordance with the agreed milestones.
- (b) Cabinet ensure that there are contingency plans relating to the Council's Emerging Local Plan 2017-2033 which could be considered for use should the Planning Inspector not conclude that the Section 1 Plan of the Emerging Local Plan is sound and compliant with relevant legal requirements.
- (c) Cabinet request NEGC Ltd to provide to elected members clear details of the Company's preferred delivery model as a matter of urgency.

RECOMMENDED to the PORTFOLIO HOLDER FOR BUSINESS AND RESOURCES that he provide information to all elected members regarding positive engagements, progress and potential private-sector investors which developed at or from participation in the MIPIM real estate conference.

229. Scrutiny Work Programme 2019-20

It was confirmed that the Colchester Business Improvement District was to be invited to present an update on its work to the Panel on 17 March 2020.

The Chair suggested that the Panel should report back to Cabinet on its experiences with paperless meetings.

RESOLVED that:-

- (a) The Work Programme be amended to add an item for 17 March to allow a report to be prepared by the Scrutiny Panel to give feedback to Cabinet regarding the Panel's paperless working.
- (b) The duly amended Work Programme 2019-20 be noted.

15 October 2019

Report of	Assistant Director of Policy and Corporate	Author	Owen Howell ☎ 282518
Title	Decision Made Under Special Urgency Provisions – Contract for Fleet Maintenance		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report provides Scrutiny Panel members with information relating to a decision taken on 30 September 2019 under special urgency provisions. The awarding of the contract for fleet maintenance was certified by the Proper Officer, and by the Chair of the Scrutiny Panel, as an urgent decision in accordance with the Overview and Scrutiny Procedure Rule 14. This certification is shown in the Urgency Authorisation found as Appendix C to this report.

2. Action Required

- 2.1 To note the decision, to award the contract for fleet maintenance, that was taken under special urgency provisions.

3. Reason for Scrutiny

- 3.1 As stated within the constitution, decisions taken under special urgency provisions shall be reported to the next meeting of the Scrutiny Panel for information.

4. Background Information

- 4.1 A copy of the Record of Decisions Taken under Delegated Powers form and the Urgency Authorisation form, which is signed by the Deputy Monitoring Officer and the Chairman of the Scrutiny Panel, are included within the appendices.
- 4.2 A copy of the Part B confidential report is included as Agenda Item 14.
- 4.3 The decision was published on the Colchester Borough Council Committee (CMIS) website on Tuesday 1 October 2019.

https://colchester.cmis.uk.com/colchester/Decisions/tabid/67/ctl/ViewCMIS_DecisionDetails/mid/391/Id/2239/Default.aspx

Appendices

Appendix A - Record of Decisions Taken Under Delegated Powers – Contract for Fleet Maintenance.

Appendix B – Contract for Fleet Maintenance – Portfolio Holder Report (CONFIDENTIAL – Listed as Agenda Item 14. Decisions Taken Under Special Urgency Provision).

Appendix C – Colchester Borough Council Urgency Authorisation

COLCHESTER BOROUGH COUNCIL

RECORD OF DECISIONS TAKEN UNDER DELEGATED POWERS

Explanatory Note

The Leader of the Council has established Delegation Schemes by which certain decisions may be made by the relevant cabinet member or specific officers.

Cabinet member decisions are subject to review under the Call-in Procedure.

From the date the notice of the decision made is published there are five working days during which any five Councillors may sign a request for the decision to be reviewed (called in) and deliver it to the Proper Officer.

If, at the end of the period, no request has been made, the decision may be implemented. If a valid call- in request has been made, the matter will be referred to the Scrutiny Panel

Part A – To be completed by the appropriate Cabinet Member/Officer

Title of Report

Contract for Fleet Maintenance

Delegated Power

Pursuant to minute 219 of the Cabinet meeting of 22 November 2017, Cabinet agreed delegated authority to the Chief Operating Officer in consultation with the Portfolio Holder for Waste and Sustainability to award the fleet contract.

Decision Taken

To accept the tender submitted by Riverside Truck Rental for Fleet Maintenance.

Key Decision

This is a key decision.

Forward Plan

Prior notice of this decision has been provided in the forward plan.

Reasons for the Decision

The tender scored highest against the evaluation criteria including cost and quality, which means it will best meet the requirements of the council to maintain fleet.

Alternative Options

No alternative tenders were received so there is not an option to award to an alternative bidder.

If we do not appoint Riverside Truck Rental we would have no maintenance contractor as the current fleet maintenance contract ends in October 2019. Having no supplier to maintain the fleet, would put at risk the Council's health and safety obligations, potentially increase costs and is not practicable from a service delivery perspective.

Conflict of Interest

N/A

Dispensation by Head of Paid Service

N/A

Dispensation by Monitoring Officer

N/A

Approved by Officer (Designation) –

Signature Dan Gascoyne, Chief Operating Officer

Date 1 October 2019

(**NB** For Key Decisions the report must be made available to the public for five clear days prior to the period for call-in commencing)

Part B – To be completed by the appropriate Portfolio Holder

I confirm that the above-named officer consulted me in relation to the above matter.

Councillor Martin Goss

Portfolio Holder for Waste, Environment and Transportation.

Signature Martin Goss

Date 1 October 2019

PART C - To be completed by the Proper Officer (Democratic Services)

Officer/Portfolio Holder Decision Reference Number

OFF-001-19

Implementation Date

This decision can be implemented on **1 October 2019**

Call-in Procedure

This decision is not subject to call as the decision has been certified as urgent by the Proper officer and the Chairman of the Scrutiny Panel in accordance with Overview and Scrutiny Procedure Rule 14

Signature of Proper Officer: Richard Clifford

Report of	Assistant Director of Environment	Author	Richard Block
Title	Contract for Fleet Maintenance		
Wards affected	All wards		

1. Executive Summary

- 1.1 At the Cabinet meeting of 22 November 2017 the Cabinet delegated authority to the Chief Operating Officer in consultation with the Portfolio Holder for Waste and Sustainability to award the fleet maintenance contract. A procurement process has taken place, the results of which are set out in this report.

2. Recommended Decision

- 2.1 It is recommended that the contract for Fleet Maintenance be awarded to Riverside Truck Rental for 7 years with the ability to extend for up to a further 7 years.

3. Reason for Recommended Decision

- 3.1 Following the invitation to tender via the Yorkshire Purchasing Organisation's Framework for Fleet, Riverside Truck Rental submitted a tender which passed the criteria for being able to deliver against the specification. It also allows the Council to maintain fleet from within the existing budget.

4. Alternative Options

- 4.1 No alternative tenders were received so there is not an option to award to an alternative bidder.
- 4.2 If we do not appoint Riverside Truck Rental we would have no maintenance contractor as the current fleet maintenance contract ends in October 2019. Having no supplier to maintain the fleet, would put at risk the Council's health and safety obligations, potentially increase costs and is not practicable from a service delivery perspective.

5. Background Information

- 5.1 Pursuant to minute 219 of the Cabinet meeting of 22 November 2017, Cabinet agreed delegated authority to the Chief Operating Officer in consultation with the Portfolio Holder for Waste and Sustainability to award the fleet contract.
- 5.2 Following a fleet maintenance suppliers open day, a specification and associated contract/bidder documents were prepared. A procurement process was then conducted electronically via the Yorkshire Purchasing Organisation's Framework for Fleet. 7 companies were invited to tender with one tender being received from Riverside Truck Rental, who submitted a maximum tender value.
- 5.3 The bid was evaluated by a group of officers, based on the criteria detailed in the Invitation to Tender. The bid passed the technical and quality criteria. The tender prices are shown in appendix A 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). The contract will be for 7 years with the ability to extend up to a further 7 years.

6. Equality, Diversity and Human Rights implications

- 6.1 There are no equality, diversity or human rights issues in relation to this contract.

7. Strategic Plan References

- 7.1 The decision relates directly to the Responsibility theme of the [Strategic Plan 2018-21](#) through the objective to encourage re-use and recycling to reduce waste to landfill.

8. Consultation

- 8.1 There are no direct consultation requirements as a result of this decision.

9. Publicity Considerations

- 9.1 There are no publicity or communication requirements over and above the normal process of publicising contract awards.

10. Financial implications

- 10.1 The price submitted by Riverside Truck Rental will ensure the service can operate within the Budget agreed for 2019/2020.

11. Health, Wellbeing and Community Safety Implications

- 11.1 The contractor will be required to comply with the Council's processes and procedures whilst on Council property and as such, meet the requirements of the Council's Operators Licence. This licence ensures community safety in relation to fleet operations.

12. Health and Safety Implications

- 12.1 As part of the procurement process Health and Safety was included as a pass/fail response where bidders confirmed that they have a written Health and safety policy and that they operate a Health and Safety at work system. They will abide by the Council's Health and Safety processes and procedures when operating the contract.

13. Risk Management Implications

- 13.1 The Council will seek to mitigate against any potential risks by following the compliant procurement process and putting in place a robust contract.

Appendices

Appendix A – Financial Evaluation of Tenders

Background Papers

There are no background papers.

Appendix A – Financial evaluation

BIDDER	Maximum total value of contract for 7 years.
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Riverside Truck Rental	£5,332,206 (maximum tender value)
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COLCHESTER BOROUGH COUNCIL

URGENCY AUTHORISATION

(Decisions that require urgent determination made in accordance with Overview and Scrutiny Procedure Rule 14 are not subject to the call-in procedure).

I hereby certify that the decision indicated below is urgent, that executive action cannot be delayed for the usual five working day period, and it will not be possible to provide five clear days' notice of the decision to be taken.

Signed: 
Proper Officer

Dated: 30/9/19

Signed: 
Chairman of the Scrutiny Panel

Dated: 30/9/19

TITLE OF REPORT Contract for Fleet Maintenance

RECORD OF DECISIONS TAKEN UNDER DELEGATED POWERS - REF NO:

OR CABINET MEETING DATE: 22 November 2017 ITEM NO: 10 i.

PARTICULARS OF MATTER: Pursuant to minute 219 of the Cabinet meeting of 22 November 2017, Cabinet agreed delegated authority to the Chief Operating Officer in consultation with the Portfolio Holder for Waste and Sustainability to award the fleet contract. A procurement process for a Fleet Maintenance Contract has been undertaken in line with the Council's Contract Procedure Rules and one supplier bid for the contract. Detailed negotiations have been undertaken with the supplier which have taken a significant period. A contract is now ready to be awarded and the Portfolio holder for Waste and Sustainability has been consulted regarding the decision.

REASONS FOR CONSIDERING THE MATTER TO BE URGENT

The amount of time it has taken to negotiate terms and conditions with the contractor has meant that a contract needs to now be awarded without delay as the existing contract expires on 30 September. The decision is urgent because any delay caused by the call in procedure would seriously prejudice the legal and financial position of the Council.

Report of	Assistant Director - Customer	Author	Kevin Bridge ☎ 508820
Title	Local Council Tax Support 2020 - 2021		
Wards affected	All Wards		

1. Executive Summary

- 1.1 Colchester Borough Council's Local Council Tax Support scheme provides a reduction in Council Tax Liability for eligible residents.
- 1.2 Each year the scheme is reviewed, and proposals are formulated to potentially update the scheme or to maintain the scheme in its existing form.
- 1.3 This report provides details of the proposals effective from 1 April 2020.

2. Action Required

- 2.1 The panel is invited to review and comment on the proposed Local Council Tax Support scheme commencing 1 April 2020.
- 2.2 Such review and comment will be considered ahead of the Cabinet meeting of 20 November 2019 and Full Council meeting of 5 December 2019 where approval of the scheme will be requested.

3. Reason for Scrutiny

- 3.1 It is recommended that current working age entitlement is maintained for the financial year effective 1 April 2020 to maximise ongoing support for residents.
- 3.2 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.
- 3.3 It is also recommended that continued consideration is given to progress of Universal Credit, its impact on Local Council Tax Support and banded income schemes, and other alternatives.

4 Background Information

- 4.1 Colchester Borough Council's Local Council Tax Support scheme provides a reduction in Council Tax Liability for eligible residents. Each year the scheme is reviewed ready for 1 April. Local Council Tax Support currently helps 9,000 residents reduce their Council Tax bill – 3,500 state pension age and 5,500 working age residents. The value of Local Council Tax Support being granted in 2019/20 is £8.5 million. National regulations still require local schemes to 'protect' those residents of state pension credit age from any reduction to their level of support as a result of the localisation of the scheme.
- 4.2 Local Council Tax Support entitlement in Essex, for those of working age, still overwhelmingly follows means-tested principles, based broadly on Housing Benefit legislation. Only one of the 14 Essex Authorities has a minimum contribution lower than 20%.
- 4.3 As Universal Credit expands, working age claims for Housing Benefit will begin to fall. However, the administration of Local Council Tax Support will still rest with Colchester Borough Council. In line with take-up of Universal Credit, and the fall in Housing Benefit claims, it is expected that the Department for Work and Pensions grants which partly cover the administrative cost of awarding Housing Benefit will also decrease, which will then increase the cost of administration within the Local Council Tax Support scheme.
- 4.4 However, the expected rate of conversion to Universal Credit has been slowed. The process of conversion referred to as Managed Migration, is now on a significantly longer timeline, with full migration tabled to be achieved between November 2020 and 2023. The national context sees few local authorities developing new schemes, such as banded schemes, due to the slowdown in this Managed Migration and because new software solutions are still underdeveloped.
- 4.5 Stability to the scheme is being recommended. This will provide residents with consistency within the context of an ongoing change to other forms of benefit. Stability of scheme entitlement will allow us to monitor the Universal Credit timeline and evolving models that may emerge.
- 4.6 The disregard of Windrush Compensation payments is in line with treatment of these payments throughout the wider Welfare Benefits system. This alteration allows us to exclude the payments when considering the relevant Income and Capital to be used in our calculation. It prepares us should a Resident, in receipt of these payments, claim Local Council Tax Support.

5 Equality, Diversity and Human Rights implications

- 5.1 No changes are being proposed to the current scheme other than prescribed / mandated national legislative amendments and the minor change to disregard Windrush Compensation payments. The existing Equality Impact Assessment has therefore not been revised.

6 Strategic Plan References

- 6.1 The Council's Strategic Plan sets out four themes, one of which being: 'Wellbeing - Making Colchester an even better place to live and supporting those who need most help'.

One of the five priorities under the Wellbeing theme is to:

'Target support to the most disadvantaged residents and communities'

- 6.2 Precepting authorities contributed additional funding to assist with the collection of Council Tax, recognising the additional number of residents we had to collect from and the potential difficulties we would experience collecting from residents who have either not previously paid Council Tax or who are paying an increased amount. This additional money has helped fund a proactive intervention programme which provides a range of services including flexible payment plans, debt and back to work advice as well as administration of an Exceptional Hardship fund.

7 Consultation

- 7.1 It is recommended that the current scheme is maintained so a consultation is not required.

8 Publicity Considerations

- 8.1 Local Council Tax Support is publicised via our website and we continue to provide information within our annual Council Tax bills and other mailings.

9 Financial implications

- 9.1 There is no specific funding for the Local Council Tax Support scheme. The cost is shared between the preceptors.

The medium-term financial forecast assumes a rise in Council Tax by the major preceptors of 5% in 2020/21. Based on this assumption the total cost of Local Council Tax Support is estimated at £8.750 million in 2020/21. Colchester Borough Council's share is £0.950 million. This will not require additional budget provision. The cost of the scheme can also be affected, negatively or positively by changes to entitlement, which in turn will affect tax base income.

Scheme Cost

	Total Local Council Tax support costs (£'000)	Colchester Borough Council share (£'000)
2019/20 (estimate)	8,511	936
2020/21 (estimate)	8,750	950

10 Health, Wellbeing and Community Safety Implications

- 10.1 The proposals contain provision for dealing with welfare concerns of residents, particularly vulnerable people. It is intended to limit hardship to avoid giving rise to crime and disorder.

11 Health and Safety Implications

- 11.1 There are no health and safety implications.

12 Risk Management Implications

- 12.1 Fundamental changes to the current criteria could potentially affect the collection fund position, especially in consideration of the introduction of Universal Credit.
- 12.2 The absence of an adopted Local Council Tax Support Scheme for 2020/2021 by March 2020 could lead to introduction of a prescribed default scheme which broadly represents the former Council Tax Benefit scheme with an additional funding requirement.

Background Papers

- Local Council Tax Support policy document 2020 -2021

Report of	Assistant Director, Policy & Corporate	Author	Paul Cook ☎ 505861 Samantha Preston
Title	Business Rates Retention and future arrangements		
Wards affected	All		

1. Executive Summary

- 1.1 The report sets out recent performance on business rates collection.
- 1.2 The report also summarises recent government policy on reforming the business rates system.

2. Recommended Decision

- 2.1 To update the Panel on business rates performance.
- 2.2 To determine the Scrutiny Panel's views on future business rates arrangements set out in the recent Ministry of Housing, Communities and Local Government (MHCLG) technical consultation on the 2020/21 Local Government Finance Settlement.

3. Reason for Recommended Decision

- 3.1 To ensure that this aspect of Council finances is scrutinised.

4. Alternative Options

- 4.1 Not applicable

5. Business Rates Performance

- 5.1 The current system has applied since 2013/14. Each authority is set a business rates baseline that is then increased annually for inflation. This is intended to be a fair assessment of the authority's collection potential.
- 5.2 A separate formulaic funding assessment for the local authority (unchanged in principle since before 2013/14) is made based on various factors.
- 5.3 The authority's 50% share of collecting the baseline when added to the Revenue Support Grant (RSG) and some other grants paid may be more or less than the authority has been assessed to need in funding. If higher, a tariff is paid to the government. If lower a top-up is received.

- 5.4 Colchester is a tariff authority. Furthermore, by regularly collecting more than the baseline it is able to retain some additional business rates.
- 5.5 Colchester's performance on business rate collection is very good as set out in the tables below.

Table – Business rates collection performance 2017/18 to 2019/20				
		Total to be collected £m	Target %	Actual %
	2019/20			
1	31 August 2019	65.233	TBC	50.00
2	31 August 2018 (same stage previous year)	66.040		49.71
3	We are confident that collection will remain strong throughout 19/20.			
	2018/19	66.283	98.5	99.36
4	Collection has exceeded both target and previous year, as well as an overall increase in RV of £1.7million. The team have shown excellent commitment in achieving this impressive result, they are consistently performing at a high standard and ensure that accounts are accurate and that debts are proactively pursued as early as possible.			
5	2017/18	64.602		99.14

- 5.6 A further aspect of the current system is for authorities to combine in a business rates pool. For technical reasons treating several authorities as a single authority reduces the share of rates collected returned to the government. In the case of the Essex Pool this has resulted in a £200k per annum budgeted gain in the Colchester Medium-Term Financial Forecast (MTFF). This level of pooling gain is expected to continue to be achieved. However, the arrangements after 2020/21 remain unclear.

6. 2019 Spending Round

- 6.1 The chancellor's 2019 Spending Round did not make any major announcement on business rates other than that the 2020/21 baseline being increased again by inflation.
- 6.2 In the 2020/21 Finance settlement technical consultation published 3 October 2020, MHCLG confirms:
- Not making major local government funding reforms until after a full 2020 spending review with the results applying in 2021/22.
 - Government's intention of increasing the proportion of business rates retained by the sector, to ensure local authorities have more control over the money they raise and powerful incentives to grow and reinvest in their local economies
 - Introducing reforms to the business rates retention system, to increase stability and certainty

- Reviewing the funding formula that determines funding allocations through the annual local government finance settlement, based on a fairer and more up-to-date assessment of councils' relative needs and resources.
- That there would be no business rates retention pilot schemes in 2020/21.

6.3 The position on business rates has not therefore moved forward much from the 2017 *DCLG Self-sufficient local government: 100% Business Rates Retention Consultation: Summary of responses and Government response*. This set out Government policy as:

- Retained business rates to replace RSG, Public Health Grant and Rural Services Delivery Grant but not to replace Attendance Allowance.
- Business rates might be used to fund devolution deals
- To continue to apply the new burdens doctrine
- To include a fixed reset period in the new system, and to do further work on partial resetting
- To continue the present system of tariffs and top-ups
- Not categorical on protecting authorities from the impact of business rates revaluations
- Further consideration of pooling and the revenue-raising powers of Combined authorities
- Further review as to whether Fire should be funded outside the system
- Incentivisation proposals for authorities to enjoy the benefit of growth work in progress
- No area rating lists to reduce individual authority risk but some additions to the central list
- Further discussion on managing appeal risk and area-wide safety nets
- Further review of the safety net system
- Flexibility for individual councils to reduce the multiplier, but if so they must bear the cost
- Raising additional levies for infrastructure only available to combined authorities
- No annual local government finance settlement necessary under business rates retention
- Collection Fund accounting to continue
- Further review on what constitutes a balanced local authority budget

7. Colchester's position

7.1 As an authority experiencing and planning for an ambitious level of growth, the key aspects of any future MHCLG consultation will include:

- How much and for how long will Colchester retain the benefit of the additional business rates it generates?
- Why should new rating powers and abilities be restricted to Combined Authorities?
- Colchester would be affected by any major change in London business rates especially if business rates powers were fully devolved to London

8. Consultation

8.1 Not applicable.

9. Financial implications

9.1 As set out in the report.

10. Equality and Diversity Implications

10.1 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.

11. Risk Management Implications

11.1 As set out in the report

12. Other Standard References

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

Background documents

Spending Round 2019 – HM Treasury

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/829177/Spending_Round_2019_web.pdf

Local Government Finance Settlement 2020-21 Technical consultation – MHCLG

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836539/Local_Government_Finance_Settlement_2020-21_Technical_Consultation_.pdf

Self-sufficient local government: 100% Business Rates Retention Consultation: Summary of responses and Government -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/591908/Government_response_to_Self-sufficient_local_government-100_Business_Rates_Retention_consultation.pdf

15 October 2019

Report of	Assistant Director of Policy and Corporate	Author	Owen Howell
Title	Work Programme 2019-20		☎ 282518
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report sets out the current Work Programme 2019-2020 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

2. Action Required

- 2.1 The Panel is asked to consider and note the contents of Work Programme for 2019-2020.

3. Background Information

- 3.1 The Panel's work programme will evolve as the Municipal Year progresses and items of business are commenced and concluded. At each meeting the opportunity is taken for the work programme to be reviewed and, if necessary, amended according to current circumstances. The current work programme for 2019-20, is included at the end of the report.
- 3.2 At its meeting on 29 August 2019, the Scrutiny Panel resolved to add an item to its work programme for 17 March 2020, to allow a report to be prepared and agreed to provide feedback to Cabinet regarding the Panel's paperless working. This has been added duly to the programme contained within this report.
- 3.3 The Forward Plan of Key Decisions is included as part of the work programme for the Scrutiny Panel, and this is included an **Appendix A**.

4. Standard References

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

5. Strategic Plan References

- 5.1 Governance is integral to the delivery of the Strategic Plan's priorities and direction for the Borough as set out under the four themes of growth, responsibility, opportunity and wellbeing.
- 5.2 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self-governance

provides a clear and demonstrable lead. Effective governance underpins the implementation and application of all aspects of the Council's work.

Appendices

Appendix A – Forward Plan of Key Decisions – 1 August 2019 – 30 November 2019

Work Programme for 2019/20

Scrutiny Panel meeting - 11 June 2019
Scrutiny Panel Chairman's briefing – 6 June 2019
<ol style="list-style-type: none"> 1. North Essex Garden Communities 2. Financial Monitoring Report End of Year – 2018/19 3. Capital Expenditure Monitor 2018/19 4. Year End 2018/19 Performance Report including the Strategic Plan Action Plan 2018-21 5. Work Programme 2019-20
Scrutiny Panel meeting - 16 July 2019
Scrutiny Panel Chairman's briefing – 11 July 2019
<ol style="list-style-type: none"> 1. 2020/21 Budget Strategy, Medium Term Financial Forecast and Budget Timetable 2. Treasury Management – Annual Report 3. Annual Scrutiny Report 4. Bus Review: Further Actions. 5. Work Programme 2019-20
Scrutiny Panel meeting - 6 August 2019
Scrutiny Panel Chairman's briefing – 1 August 2019
<ol style="list-style-type: none"> 1. Review of Colchester Borough Homes Performance 2018/19 2. Colchester Business Improvement District 3. Work Programme 2019-20
Scrutiny Panel meeting – 29 August 2019
Scrutiny Panel Chairman's briefing – 27 August 2019
<ol style="list-style-type: none"> 1. Pre-scrutiny of draft NEGC Ltd Business Plan 2. Work Programme 2019-20
Scrutiny Panel (Crime and Disorder Committee) - 12 September 2019
Scrutiny Panel Chairman's briefing – 5 September 2019
<ol style="list-style-type: none"> 1. Safer Colchester Partnership (Crime and Disorder Committee) 2. Work Programme 2019-20

Scrutiny Panel – 15 October 2019
Scrutiny Panel Chairman's Briefing – 10 October 2019
<ol style="list-style-type: none"> 1. Local Council Tax Support – Year 2020/21 (Provisional) 2. Business Rate retention and future arrangements. 3. Work Programme 2019-20
Scrutiny Panel meeting - 12 November 2019
Scrutiny Panel Chairman's briefing – 7 November 2019
<ol style="list-style-type: none"> 1. 2019-20 Revenue Monitor, period April – September 2. 2019-20 Capital Monitor, period April – September 3. North East Essex Health and Wellbeing Alliance 4. Work Programme 2019-20
Scrutiny Panel meeting - 10 December 2019
Scrutiny Panel Chairman's briefing – 4 December 2019
<ol style="list-style-type: none"> 1. Half Year 2019 - 2020 Performance Report including progress on Strategic Plan Action Plan 2. Colchester Commercial Holdings Ltd 3. Work Programme 2019-20
Scrutiny Panel meeting - 28 January 2020
Scrutiny Panel Chairman's briefing – 23 January 2019
<ol style="list-style-type: none"> 1. 2020-21 Revenue Budget, Capital Programme, Medium Term Financial Forecast, Housing Revenue Accounts Estimate and Housing Investment Programme (Pre-scrutiny of Cabinet Decision) 2. Treasury Management Investment Strategy 3. Corporate Key Performance Indicator Targets for 2020-21 4. Work Programme 2019-20
Scrutiny Panel meeting - 17 March 2020
Scrutiny Panel Chairman's briefing – 12 March 2019
<ol style="list-style-type: none"> 1. Colchester Business Improvement District 2. Paperless working – Scrutiny Panel report to Cabinet

COLCHESTER BOROUGH COUNCIL

FORWARD PLAN OF KEY DECISIONS 1 November 2019 – 29 February 2020

During the period from 1 November 2019 – 28 February 2020* Colchester Borough Council intends to take 'Key Decisions' on the issues set out in the following pages. Key Decisions relate to those executive decisions which are likely to either:

- result in the Council spending or saving money in excess of £500,000; or
- have a significant impact on communities living or working in an area comprising two or more wards within the Borough of Colchester.

This Forward Plan should be seen as an outline of the proposed decisions and it will be updated on a monthly basis. Any questions on specific issues included on the Plan should be addressed to the contact name specified in the Plan. General queries about the Plan itself should be made to Democratic Services (01206) 507832 or email democratic.services@colchester.gov.uk

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the documents listed on the Plan and any other documents relevant to each decision which may be submitted to the decision taker can be viewed free of charge although there will be a postage and photocopying charge for any copies made. *All decisions will be available for inspection at the Library and Community Hub, Colchester Central Library, 21 Trinity Square, Colchester and they are also published on the Council's website, www.colchester.gov.uk*

If you wish to request details of documents regarding the 'Key Decisions' outlined in this Plan please contact the individual officer identified.

If you wish to make comments or representations regarding the 'Key Decisions' outlined in this Plan please submit them, in writing, to the Contact Officer highlighted two working days before the date of the decision (as indicated in the brackets in the date of decision column). This will enable your views to be considered by the decision taker.

Contact details for the Council's various service departments are incorporated at the end of this plan.

If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, 21 Trinity Square, Colchester or telephone (01206) 282222 or textphone users dial 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

*The Forward Plan also shows decisions which fall before the period covered by the Plan but which have not been taken at the time of the publication of the Plan.

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers)	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Revolving Investment Fund Capital Update	Yes	9 October 2019	Cabinet (Cllrs Cory, J Young, Fox, Goss, Higgins, King, Lilley and G Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Paul Cook Finance Manager 01206 505861 Paul.cookx@colcehster.gov.uk
Housing Revenue Account Fees and Charges 2019-2020 To agree the Housing Revenue Account fees and charges for 2019-2020	No	November 2019	Portfolio Holder for Housing Councillor Adam Fox. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Geoff Beales Client Services Manager 01206 506514 geoff.beales@colchester.gov.uk

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers)	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Potential Disposal of Land at the Hythe	Yes	13 November 2019	Revolving Investment Fund Committee (Cllrs Cory, J Young, Higgins and King) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Committeereport	Mandy Jones Assistant Director, Policy and Corporate 01206 282501 Mandy.jones@colchester.gov.uk
Budget 2020-21 Update, Reserves and Balances and Approval of Fees and Charges	No	20 November 2019	Cabinet (Cllrs Cory, J Young, Fox, Goss, Higgins, King, Lilley and G Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet Report, Schedule of Fees and Charges	Paul Cook Finance Manager 01206 505861 Paul.cookx@colcehster.gov.uk

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers)	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Bus Shelters Advertising and Maintenance Contract Arrangements from 2020	No	20 November 2019	Cabinet (Cllrs Cory, J Young, Fox, Goss, Higgins, King, Lilley and G Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report outlining the proposed new County-wide contract between Essex County Council and a new commercial operator (July 2020), and the Inter-authority collaboration agreement (April 2020), between ECC and 2 nd	Andrew Tyrrell Client Services Manager 01206 282390 Andrew.tyrrell@colchester.gov.uk
North Essex Economic Growth Strategy	No	20 November 2019	Cabinet (Cllrs Cory, J Young, Fox, Goss, Higgins, King, Lilley and G Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report, draft Economic Growth Strategy	Andrew Tyrrell Client Services Manager 01206 282390 Andrew.tyrrell@colchester.gov.uk

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Colchester's Homelessness and Rough Sleeping Strategy 2020-25. To adopt a new Homelessness and Rough sleeping Strategy for Colchester for 2020 to 2021 To recommend to full Council that the strategy be adopted as part of the Council's Policy Framework.	No	20 November 2019	Cabinet (Cllrs Cory, J Young, Fox, Goss, Higgins, King, Lilley and G Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet Report	Tina Hinson Housing Strategy Manager 01206 506903 tina.hinson@colchester.gov.uk – Karen Paton Housing Strategy Officer 01206 282275 karen.paton@colchester.gov.uk
Highway Ranger Service To transfer the Highway Ranger Service to Colchester Borough Council	No	20 November 2019	Cabinet (Cllrs Cory, J Young, Fox, Goss, Higgins, King, Lilley and G Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Richard Block Assistant Director, Environment 01206 282632 richard.block@colchester.gov.uk

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Matters relating to land transfer at Colchester Northern Gateway	Yes	20 November 2019	<p>Cabinet (Cllrs Cory, J Young, Fox, Goss, Higgins, King, Lilley and G Oxford)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report	<p>Ian Vipond Strategic Director, Policy and Place 01206 282992 ian.vipond@colchester.gov.uk</p>

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