

CABINET

10 March 2021

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

Also in attendance: - Councillors Barber, Barlow, Coleman, McCarthy, G. Oxford and Willetts

547. Minutes

RESOLVED that the minutes of the meeting held on 27 January 2021 be confirmed as a correct record.

548. Have Your Say

Fabian Green addressed Cabinet pursuant to the provisions of paragraph 5(1) of the Remote Meetings Procedure Rules. He noted that Cllr Goss had stated publicly that lost parking spaces at Britannia car park must be replaced and had mooted an idea of a multi-storey car park. Was this a plan other Cabinet members supported? Was it correct parking had to be replaced and if so, what sort of ideas did the Cabinet have for this and where?

Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety explained that both Vineyard Street and Britannia had been identified as sites for housing in the Local Plan since 2005. A review of parking provision across Colchester would be undertaken, looking at the entire parking estate and would identify whether other sites were needed. Some sites, such as St Johns and St Marys, were currently underused. The Council would also work with BID to understand their views on parking provision. The Council was also looking to bring make other parking sites available to the public at weekends, such as Rowan House and the Institute. Building a new multi-storey car park would very expensive. The review would report in summer 2021.

Councillor G. Oxford attended and with the consent of the Chair, addressed Cabinet on the redevelopment of Vineyard Street and Britannia car parks. He expressed concern about the density of the developments and the proximity of development to heritage assets. Concern was also expressed about the potential loss of income from the two car parks and the economic impact on the town centre of the loss of parking provision. The inclusion of commercial units within the developments was noted, but it was hoped that this would not include fast food units. Car free developments were unrealistic. In terms of parking it was important that existing provision for accessible parking be retained and highlighted that height limiters in car parks prevented access for those with disabilities, who often drove taller vehicles.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, explained that bringing housing into the town centre would increase footfall and stimulate economic development. The developments would be mixed use, including commercial, although the concerns about the possibility of fast-food developments were noted. Heritage would be protected, and the developments were aimed to improve access to St Botolph's Priory and the Roman Wall.

Councillor Barber attended and with the consent of the Chair, addressed Cabinet to invite the Portfolio Holder for Waste, Environment and Transportation or other Cabinet member to meet with residents and the Environment Agency to discuss issues relating to flooding at Middle Mill, as he did not feel that the issues were properly understood.

Councillor Goss, Portfolio Holder for Waste, Environment and Transportation, explained that he would be providing a full response to Councillor Barber shortly, which he could share with residents. However, he had discussed these issues with Environment Agency and Brandon's. All operating procedures had been complied with and no changes in procedures were required by the Environment Agency. If sufficient budget was available, the Environment Agency had committed to the installation of a gauge in a suitable location. The Environment Agency had also invested heavily in flooding software and its processes were largely data driven.

549. Redevelopment of Vineyard Street and Britannia Car Parks

The Assistant Director, Place and Client Services, submitted a report a copy of which had been circulated to each Member.

Councillor Higgins, Portfolio Holder for Commercial Services, introduced the report and highlighted that both sites had been allocated for housing led redevelopment in the Local Plan in 2005 and the St Botolph's Masterplan. The Vineyard Street redevelopment would restore previous the street scape that had ben destroyed to build the car park. Access to the Roman Wall would be enhanced. Accessible car parking would be retained and there was other car parking available nearby and on the outskirts of the town centre such as Napier Road. The car free aspect was important, as it would help improve air quality, which was a major concern in the town centre. In terms of Britannia, it had never been intended to be a permanent car park site. Again, the redevelopment would help improve air quality in the town centre. Both sites were sustainable with good access to public transport links, and the increase of housing in the town centre would help generate footfall and economic development. This was the start of a process and there would be further consultation and the precise nature of the development would be decided following a feasibility study.

Councillor Willetts attended and with the consent of the Chair addressed the Cabinet. He considered that there was considerable conflict between some of the Council's policies in the town centre, such as the desire to generate income from car parking and stimulating economic development whilst also seeking to reduce car access to the town centre and converting shops and offices to residential uses.. The administration had a history of closing car parks such as Sheepen Road. These developments were based on a Plan from 2005 so were not forward thinking. The town centre would only survive if it

succeeded in attracting medium and high spenders, whose preference was to use private transport or trains and trams. The Council was proposing to reduce car parking and rely on walking, cycling and scooters, which would not attract this demographic. To survive the town centre needed more rather than less car parking. The administration should do whatever it took to attract footfall to the town centre and should support the modes of transport that shoppers and visitors wanted to use.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, stressed that partners and external stakeholders supported the Council's vision for the town centre, as was demonstrated by the significant external investment that had been secured. It was backed by public, private and third sector organisations and the Council enjoyed an excellent relationship with the BID. The review of parking would assess the need for parking in the town centre.

Councillor J. Young, Portfolio Holder for Culture and Performance, stressed the heritage aspect of the developments. Advice was being sought from Historic England and the developments would seek to preserve and protect historic assets. The Britannia development would give better access to St Botolph's Priory and the Roman Wall and restore the medieval street pattern.

Councillor Lilley, Portfolio Holder for Communities, Wellbeing and Public Safety, highlighted that the 2005 Local Plan had been drafted by a Conservative administration. The administration was not closing car parks: Sheepen Road remained open and it was looking to increase provision on other sites. It was also developing an app in conjunction with the BID which would offer discounts and offers linked to town centre parking, whilst it was also developing and promoting sustainable public transport options.

Councillor Fox, Portfolio Holder for Housing highlighted, the contribution the developments could make to providing affordable housing in the town centre. Housing development in the town centre would bring guaranteed footfall to town centre businesses. Councillor King, Portfolio Holder for Business and Resources, thanked the speakers for their contributions. There was a need to have a balance between car parking and other transport options, and to secure safe routes for cyclists and pedestrians into the town centre. It was important that residents had confidence that the final schemes, which would be developed after consultation, were well designed developments with a high quality of architecture. The Council was sensitive to business needs and would continue to engage with business as plans developed.

Councillor Goss, Portfolio Holder Waste, Environment and Transposition, highlighted the planning policy history of the sites, which were included in the Local Plan which had been subject to rigorous public examination and adopted by Full Council, with support from representatives of all groups. It was emphasised that this was just the beginning of the process with further consultation to come before final plans were brought forward.

RESOLVED that:-

(a) The development of Vineyard Street as a housing-led, mixed-use site with active and commercial ground floor uses and public realm improvements that will enhance the heritage and culture offer of the Town Wall, be explored.

(b) The development of Britannia Car Park as a housing-led, mixed-use site that could also accommodate some active uses, open spaces that enhance the setting of the Augustinian Priory and surrounding listed buildings, as well as maximise links to sustainable transport, be explored.

(c) It be noted that the sites would be explored as set out in the Assistant Director's report, then reviewed at the end of RIBA Stage 2 (viability), prior to proceeding to RIBA Stage 3 (planning application) at which time a more detailed business case and delivery model would be considered.

REASONS

The proposal meets two very specific Strategic Plan priorities relevant to this site and the Council's companies, as well as many wider priorities. Specifically, Strategic Plan states that the Council will agree some "Phase 2" housing sites to be developed by Colchester Amphora Homes Ltd (CAHL), the Council's wholly owned company, as well as "work to deliver a scheme redevelopment for Vineyard Gate car park to showcase the Town Wall and provide a welcoming arrival point for visitors to the historic town...".

There is a need for almost 1,000 new homes per year in Colchester; with the Council keen to see 30% affordable housing within new developments. The Council is taking a proactive lead in delivering high-quality homes through CAHL, which was set up in 2018. The agreement to develop these sites will provide a continuing pipeline in accordance with the company's objectives, to help Colchester deliver more, high-quality, sustainable, and affordable homes for the benefit of the local community.

The Council is also keen to act as a catalyst for the economic recovery of Colchester, through numerous measures that includes providing support for others as well as delivering direct growth and opportunities for employment. Several sources of national research highlighted in the Assistant Director's report have shown how town centres need to evolve and remain fit for the future, with mixed-use, sustainable, liveable neighbourhoods being created.

The strong rationale for building new residential development in highly walkable "liveable neighbourhoods" cannot be better met than in the town centre, as the most sustainable location. The sites can create places that are highly connected by active and sustainable modes of travel; near key services and assets that people need. This accessibility provides greater opportunity for people to live with less dependence on car use.

ALTERNATIVE OPTIONS

Not to develop the sites; which would retain direct income from car parking but would miss a wider-reaching opportunity to provide high quality housing and improvements to the public realm, as well as growth and employment opportunities. It would also be inconsistent with long-held regeneration proposals, the emerging Local Plan, sustainable transport projects and the overarching Climate Emergency Declaration (2019) as well as the recent Positive Parking Strategy.

Only to develop one car park; which would retain some income and car parking, but would

miss wider-reaching, and cumulative impacts, of the combined opportunity to provide high quality housing and improvements to the public realm, as well as growth and employment opportunities. It would again be inconsistent with long-held regeneration proposals, the emerging Local Plan, sustainable transport projects and the overarching climate emergency declaration (2019) as well as the Colchester Future Transport Strategy and Positive Parking Strategy.

To develop in a different way; however, commercially led schemes have previously been explored at Vineyard Gate and have not proven viable, and with current market climates they would be unlikely to have improved since. Britannia car park has been anticipated to become a future housing site since the 2005 St Botolph's Quarter Masterplan.

550. "Turnstone" Development at Colchester Northern Gateway

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

Councillor Higgins, Portfolio Holder for Commercial Services, introduced the report and explained that it was necessary to amend the agreement with Turnstone to reflect some modifications needed because of the Covid 19 pandemic. This had led to a slippage in the timescales for the development.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, and Councillor King, Portfolio Holder for Business and Resources, emphasised the importance of the Turnstone development in terms of the economic recovery post Covid. It was a key element of the Northern Gateway and would complement other attractions such as the Sports Park and the Walk. The changes in the scheme would help ensure that it reflected changes in public demand following the pandemic, with an increased emphasis on leisure uses.

RESOLVED that:-

- (a) The new "Turnstone" Development Agreement be finalised to reflect changes since the Development Agreement was entered into with TEL, by the Council.
- (b) Authority be delegated to the Strategic Director of Policy and Place or other nominated officer of the Council to complete a Deed of Variation to the Development Agreement and other arrangements, in consultation, with the Portfolio Holder for Business and Resources, the Portfolio Holder for Commercial Services, the Monitoring Officer and the Head of Finance.

REASONS

The Colchester Northern Gateway is a flagship development for the Council, and the town, that has been planned over the last decade. This growth area is now coming forwards at an increasing rate, with the Council's new Sport Park now completed and due to open in April 2021, as well as commencement of "The Walk" linking to existing developments such as David Lloyd (opposite the Turnstone site). The "Turnstone" development therefore delivers a fundamental part of a much wider, strategic mixed-use development at the CNG South site with a heat network, and highway improvements including the Rapid Transit

System (RTS).

The development of this site is very important; as a visually prominent gateway location into Colchester from junction 28 on the A12, and a key catalyst for the wider development of the remaining land at the Northern Gateway. The development of this site has otherwise stalled since it was first agreed (in 2015), and planned for longer, and needs unlocking as it meets the Councils key objectives for the growth of the Northern Gateway to:

- support wider economic growth targets and deliver infrastructure to enable regeneration,
- create a new destination within the Borough to promote new sports participation and provide a regional quality leisure experience,
- generate significant new income streams to support the Council to maintain quality services with social value.

This development is even more important now, given the economic impacts of the global pandemic, and the economic road to recovery.

ALTERNATIVE OPTIONS

Colchester Borough Council could refuse to collaborate on any amendment to the approved scheme and maintain a status quo. This option would not see the site come forward at present, with the current operator that the Council has entered into the Agreement with in 2015.

The Council could sell the freehold of the land, which would generate a capital receipt; but would lose control of the site, have no guarantee that would bring development forward faster, or preserve as much control over quality, and would not provide an ongoing revenue stream to support Council services beyond the capital receipt.

The Council could refuse to amend the financial structure of the development as set out in the accompanying Part B report (not detailed in this public report due to the inherent commercial sensitivity of any land transactions and development proposals). However, this would constrain the development outcomes achieved on this important site, which would then remain a legacy for the lifetime of the development; or would mean a reduced income to the Council that would not meet best value for disposals of a site by a public authority (meaning such a deal would not be possible and the current agreement for developing the site would probably need to be abandoned entirely).

551. Colchester Town Deal

The Assistant Director, Place and Client Services, submitted a report a copy of which had been circulated to each Member.

Councillor Coleman attended and with the consent of the Chair, addressed the Cabinet to stress that a Youth Zone must be delivered from the Town Deal funding as this was the best opportunity the Council would have to develop a Youth Zone. The benefits of a Youth Zone were stressed. There was comparatively little provision of youth services within the borough and it would provide a safe place for young people to meet. It would help them develop academically, physically and mentally. There would also be benefits in terms of reduction in anti-social behaviour, improved health outcomes, potential regeneration of

town centre site, increased footfall in the town centre and the development of a feeling of unity amongst young people in Colchester. Youth Zones had proved resilient financially through the pandemic so there was nothing to fear in financial terms.

Councillor King, Portfolio Holder for Business and Resources, thanked Councillor Coleman for his work in promoting the concept of a Youth Zone in Colchester. The Heads of Terms which had been agreed by the We Are Colchester Board made reference to the provision of a youth facility, but there was still some way to go and a process to be followed before any schemes were agreed. Councillor King explained that the Cabinet were invited to agree the Heads of Terms in addition to the other recommendations in the Assistant Director's report.

Matthew Brown, Economic Development Projects Manager, made a presentation to Cabinet highlighting that Colchester had been awarded £18.6 million as part of the Town Deal. Whilst slightly less than was bid for this was an extraordinary opportunity for Colchester. Other sources of funding were being looked at so that all the projects identified by the Town Deal Board could be delivered. The range of the projects and the benefits they would bring was highlighted. These included town centre projects and a large scheme in Greenstead, together with projects to improve links to the town centre. Each specific project would be reviewed and projects prioritised to deliver the maximum benefits and outcomes for Colchester within the funding available.

Councillor Fox, Portfolio Holder for Housing, thanked the officers involved and the Town Deal Board for their work in securing this award. It would help the Council deliver its strategic priorities and help preserve iconic sites such as Holy Trinity Church and Jumbo. Councillor Coleman's arguments about the lack of youth provision on Colchester were endorsed. The digital skills hub would help provide support for young people. The improved cycling infrastructure was also welcomed, as was the support for affordable housing.

Councillor J. Young expressed her support for the investment in Greenstead, which was a community that had been left behind. The funding would provide the opportunity to revive the Tamarisk Way development scheme which would provide 139 high-quality new houses, a community hub and attractive public space in the centre of this community. It would also help provide more effective and joined up delivery of public services. The proposals had been developed with community involvement.

Councillor Higgins, Portfolio for Commercial Services, stressed the importance of provision of youth services and emphasised the need to ensure that the possibility of a Youth Zone was properly examined.

Councillor King, Portfolio Holder for Business and Resources, emphasised that this a transformational step change that would deliver improvements in a number of connected ways. Additional funding and the process to secure a Youth Zone would be looked at further. It had been a collective effort and he thanked both partners and officers for their work in securing the award. Cabinet was invited to take the next steps by agreeing the Head of Terms.

RESOLVED that:-

- (a) The principles of the 'We are Colchester' programme and its future governance and management be noted and agreed and the specific projects which were submitted within our Town Investment Plan be noted.
- (b) The draft Heads of Terms for the Colchester Town Deal be approved and authority to sign the Heads of Terms be delegated to the Chief Executive.
- (c) Colchester Borough Council's ongoing commitment to the Town Deal Programme be agreed, including contributing to and overseeing the development of a suite of business cases that build on the project concepts that were submitted within the Town Investment Plan; throughout 2021.
- (d) The proposed governance, committee, and accountability arrangements for Colchester Borough Council in its role as accountable body to the resultant capital programme including S151 approval, in the programme delivery timeframe to 2026 be agreed.
- (e) Colchester Borough Council's ongoing role as secretariat to Town Deal Board be noted.
- (f) It be noted that as part of the next stages work of developing full business cases, full consideration will be given to the ongoing revenue implications of for example the maintenance and management of physical assets created through this programme, notably enhanced public realm and green infrastructure.
- (g) The principle whereby the costs of developing business cases are recovered from the overall Town Deal funding allocations from Ministry of Housing, Communities and Local Government be noted
- (h) The partnership structures which are in place and planned to facilitate the development of next stages of work (Business Case) be noted.
- (i) It be noted that development of Business Cases (throughout 2021) will include significant and on-going engagement and consultation.

REASONS

The prompt acceptance and completion of our Heads of Terms Agreement with Government will enable Colchester Borough Council as the lead Local Authority to proceed to the delivery phase of the 'We are Colchester' programme quickly and effectively. Thereafter, delivery of this programme will greatly boost Colchester's

opportunities to realise its economic development, place-making, inward investment, and regeneration ambitions now and on a long-term basis, through delivery of a specific programme of coherent, targeted interventions.

ALTERNATIVE OPTIONS

No alternative options have been presented to Cabinet. Town Deal is recognised as a once in a generation opportunity for Colchester, and there are no other current or anticipated sources of funding and investment of comparable size and scope. Some of the interventions proposed in the Town Investment Plan see Town Deal as the funder of last resort as they are unlikely to attract suitable investment from other sources; and cannot be funded within the council's resources, particularly in the light of the current financial situation arising from Covid-19.

552. Decarbonisation and Regeneration of Rowan House

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

Councillor King, Portfolio Holder for Business and Resources, introduced the report and explained that the proposals would be a great step forward in helping the Council meet its carbon reduction targets, would help transform a tired office building and would reflect changes in working practices, whilst providing a better working environment for officers. The proposals should be cost neutral and he paid tribute to officers for bringing forward the proposals so quickly, given the other priorities the Council was facing.

RESOLVED that:-

- (a) The works outlined in the Assistant Director's report to reduce the carbon footprint of Rowan House be approved.
- (b) Authority be delegated to the Assistant Director of Corporate and Improvement, in consultation with the Portfolio Holder for Business and Resources to undertake appropriate procurement in line with the Council's Contract Procedure Rules and to award contracts to contractors that score highest against evaluation criteria within the approved budget.
- (c) The revised use of Rowan House as detailed in the Assistant Director's report be approved, including transforming the way the Council uses the building and to release a floor that can be leased to generate income to fund regeneration of the building.

REASONS

To reduce the Council's carbon footprint and support the transformation of Rowan House and our model of office-based working.

ALTERNATIVE OPTIONS

The alternative would be to not conduct works to decarbonise Rowan House and to not transform the way the building is used. This would mean the Council would not be able to

deliver against net zero carbon commitments previously made.

553. Capital Expenditure Monitor Quarter 3 2020/21

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

Councillor King, Portfolio Holder for Business and Resources, introduced the report and explained that spend on the capital programme had been less than anticipated as a result of the Covid 19 pandemic. A number of projects had been significantly delayed. The forecast for 2021/22 had been adjusted to take account of these delays. The report also proposed new investment in medically qualified staff to enable the Disabled Facilities Grant programme to move forward.

RESOLVED that progress on the 2020/21 capital programme as set out in the Assistant Director's report be approved.

REASONS

To demonstrate that spending on projects is within agreed scheme budgets,

To evidence timely project delivery supporting service objectives.

To evidence that the Council makes good use of its available capital resources in accordance with the Council's Treasury Management Strategy and statutory requirements.

To provide assurance that key risks of the capital programme are being managed whilst achieving efficient and effective delivery.

ALTERNATIVE OPTIONS

No alternative options were proposed.

554. Approval of application for Homes England Investment Partner Status or to join a consortium for the opportunity to bid for Affordable Housing Grant

The Assistant Director, Place and Client Services, submitted a report a copy of which had been circulated to each Member.

Councillor Fox, Portfolio Holder for Housing, introduced the report and explained that the Council wanted to explore a funding opportunity from Homes England to maximise affordable housing provision over the longer term. Homes England Affordable Homes Programme would make £7.39 billion available to deliver affordable homes in England from April 2021. This could be applied for either by securing Investment Partner Status or through joining a consortium to bid with others. The Council had a good track record of securing funding and working with other parties to deliver its objectives.

RESOLVED that:-

- (a) The Council explore the option of an Investment Partner Status application or join a

consortium to enable the Council to bid for an allocation of grant funding from the Affordable Homes Programme 2021-2026 and other subsequent programmes.

(b) Authority be delegated to the Assistant Director of Place and Client Services to approve bids to Homes England for grant funding for the Affordable Homes Programme 2021-2026.

(c) Authority be delegated to the Assistant Director of Place and Client Services in consultation with the Portfolio Holder for Housing to consider the obligations and benefits of committing to a funding allocation with Homes England and to enter into a grant agreement as an Investment Partner or through a consortium, if it is beneficial for the Council to do so.

REASONS

In January 2019, the Council agreed to explore potential schemes that could deliver up to 350 new council homes over 5 years to 2024, borrowing up to £75m which would deliver the first newbuild Council Homes since the Phase 1 Garage sites were developed in 2015.

The Council's affordable homes programme is gaining pace and developing a track record with increasing certainty of delivery, so it is the appropriate time for the Council to explore the funding opportunities available to make best use of existing resources and maximise the number of affordable homes that can be delivered.

If the Council gains Investment Partner Status or joins a consortium, it can bid for Affordable Housing Grant to subsidise some of the affordable housing in its development programme up to 2026 and will also be well placed to bid for funding in future affordable homes programmes; ultimately reducing the borrowing requirement within the HRA.

The Council already has an ongoing relationship with Homes England. Delivering through the 2021-26 Affordable Homes Programme with Homes England will build on that relationship and will demonstrate that the Council is committed to delivering additional affordable homes in the borough and is willing to explore opportunities to maximise delivery.

ALTERNATIVE OPTIONS

Not to apply for Investment Partner Status or join a consortium to bid for Affordable Housing Grant. This would mean that the Council would not have the opportunity to receive funding from the Homes England Affordable Homes Programmes.

The Council can continue to deliver all newbuild affordable housing using its own resources and will not utilise any additional grant funding to make the Council's own resources go further.

The Council can decide to apply for Investment Partner Status or join a consortium and bid for funding in the future, but this will mean that it could miss out on the opportunity for grant funding towards the Phase 3 garage sites or the development of any other additional

homes in the immediate future.

555. Colchester Commercial Holdings Ltd (CCHL) Business Plans 2021 - 2024

The Assistant Director for Place and Client Services submitted a report a copy of which had been circulated to each Member together with draft minute 248 of the Governance and Audit Committee meeting of 21 January 2021.

Councillor Higgins, Portfolio Holder for Commercial Services, stressed that the Council's commercial companies' achievements had been remarkable. They had continued to deliver a dividend to the Council despite the challenges of the pandemic. The Business Plans for 2021-24 had been scrutinised by the Governance and Audit Committee in their role as the shareholder committee. She expressed her thanks to officers of both the Council and the Companies, but highlighted the contribution of Andrew Tyrrell, Client and Business Manager.

Councillor Barlow, Chair of the Board of Colchester Commercial Holdings Ltd, also addressed Cabinet. Whilst 2019-20 had been a very challenging year, Colchester Commercial Holdings Ltd and its subsidiary companies had coped very well. Thanks were due to the Governance and Audit Committee, for their work as shareholder committee, and to the staff of the companies. It was emphasised that the Council retained full control of the companies and was able to direct their activities to ensure the retention of a public sector ethos and to ensure the maximum benefits to residents.

RESOLVED that:-

- (a) The new Colchester Commercial (Holdings) Limited Business Plan for 2021-24, and those for the subsidiary companies be agreed.
- (b) Given current global uncertainties, to shift to a 'rolling' three-year Business Plan period model to replace the set three-year Business Plan period used for 2018-2021.
- (c) The achievements of the Council's companies in 2020/21 and the ongoing governance arrangements which are in place be noted.

REASONS

The Governance and Audit Committee, as the shareholder committee for Colchester Commercial (Holdings) Limited (and its subsidiaries), has recommended that the Business Plans be agreed. The Cabinet has reviewed this recommendation, alongside the performance information and Business Plans of the companies, and agrees with the views of the shareholder committee.

The Cabinet has satisfaction regarding the companies' performance to date and, importantly, the forecast continuation of their business over the next three years. The Business Plans align to the Strategic Plan of the Council and will lead actions on many of the priorities that Council wishes to advance. This includes, but is not exclusive to, the economic recovery of Colchester, place-making, climate change, housing event and other important development that provides the infrastructure that the community will need over coming years.

ALTERNATIVE OPTIONS

Not to agree the Business Plans which would mean that alternative Business Plans would then be required, contrary to the recommendations of the shareholder committee.

Not to change to a rolling Business Plan period which may mean that some of the assumptions made now have change over the next 3 years, but are not reflected as agilely, and again be contrary to the recommendations of the shareholder committee.

556. Corporate Key Performance Indicator Targets 2021/22

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

Councillor J. Young, Portfolio Holder for Culture and Performance, introduced the report and explained that Key Performance Indicators (KPIs) were part of the Council's robust corporate performance monitoring framework. The performance against KPIs was regularly reported and scrutinised by the Scrutiny Panel. It was proposed that a number of KPI targets be changed to make them more appropriate and to challenge and stretch performance. This supported the Council's ambition to deliver high performing services. The proposed targets would also be considered by the Scrutiny Panel at a meeting later in the month.

RESOLVED that the Corporate KPI Targets for 2021-2022 be set as proposed in the Assistant Director's report.

REASONS

To ensure there is a robust corporate performance monitoring framework.

ALTERNATIVE OPTIONS

To consider alternative KPI Targets than those proposed.

557. Climate and Ecological Emergency Bill

Draft minute 18 of the Environmental and Sustainability Panel meeting of 28 January 2021 was submitted. a copy of which had been circulated to each Member.

Councillor Cory, as Chair of the Environment and Sustainability Panel, explained that the Climate and Ecological Emergency Bill had been brought forward by Caroline Lucas MP and was currently supported by 108 MPs, representing all the major political parties. The Bill sought to introduce a legal framework to ensure the delivery of targets on carbon emissions which were currently aspirational.

RESOLVED that the following motion on the Climate and Ecological Emergency Bill be approved and adopted:-

“Motion to Support the Climate and Ecological Emergency Bill

Preamble

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. Global temperatures have increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO₂ levels are above 400 parts per million (ppm) and continue to rise. This far exceeds the 350ppm deemed to be a safe level for humanity.

Without more significant and sustained action, the world is set to exceed the Paris Agreement's 1.5°C limit between 2030 and 2040. Therefore the current UK target of net zero by 2050 is not satisfactory. It is too little too late.

The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. This is described by the Intergovernmental Panel on Climate Change's Special Report on Global Warming of 1.5°C published in October 2018. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities. The costs of failing to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities.

Council notes that

- i. This council has declared a climate and ecological emergency;
- ii. Many local authorities have established Citizens' Assemblies that are playing an important role in assisting them in their plans to achieve net zero by 2030 or before; and that
- iii. There is a Bill before Parliament—the Climate and Ecological Emergency Bill (published as the "Climate and Ecology Bill")—according to which the Government must develop an emergency strategy that:
 - a. requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees C above pre-industrial temperatures;
 - b. ensures that all the UK's consumption emissions are accounted for;
 - c. includes emissions from aviation and shipping;
 - d. protects and restores biodiverse habitats along overseas supply chains;
 - e. restores and regenerates the UK's depleted soils, wildlife habitats and species populations to healthy and robust states, maximising their capacity to absorb CO₂ and their resistance to climate heating;
 - f. sets up an independent Citizens' Assembly, representative of the UK's population, to engage with Parliament and Government and help develop the emergency strategy.

Council therefore resolves to:

- i. Support the Climate and Ecological Emergency Bill
- ii. Inform the local media of this decision;
- iii. Write to local MPs, asking them to support the Bill; and
- iv. Write to the [CEE Bill Alliance](#), the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk).

REASONS

Cabinet supported the Climate and Ecological Emergency Bill which sought to introduce a legal framework to ensure the delivery of targets on carbon emissions which were currently aspirational.

ALTERNATIVE OPTIONS

It was open to Cabinet not to approve and adopt the motion.

558. Policy Panel recommendation on Grounds Maintenance Contract Review

The Assistant Director, Environment, submitted a report a copy of which had been circulated to each Member together with the draft resolution from the Policy Panel meeting of 3 March 2021.

Councillor McCarthy, Chair of the Policy Panel, attended and addressed the Cabinet. He welcomed the collaborative approach that the Policy Panel had taken to their consideration of this matter and the contributions all members of the Panel had made. Grounds Maintenance was one of the Council's main externalized services. The contract with Idverde was due to expire in October 2023 and was worth £10.4 million. The Panel had been invited to review the possible future operating models and make a recommendation to Cabinet. In doing so it should consider aims of a community asset based service, a service that demonstrated exemplary management of the environment, ensured budget control and was transformative.

The Panel had held a number of workshops and had conducted a survey of 32 partners, members of the Panel and the Environment and Sustainability Panel. The Panel had also been well supported by the Association of Public Service Excellence. The conclusion of the review was that an in-house service model was the most appropriate way forward and the best way of securing the aims set out. It was felt this was the best way of enabling residents and ensuring they were able to report issues directly, so services reflected their priorities. This conclusion was not based on financial considerations alone. Whilst Idverde provided a generally good service there was evidence that KPI monitoring was not as effective as it could be.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, Councillor Goss, Portfolio Holder for Waste, Environment and Transportation and Councillor Fox, Portfolio Holder for Housing expressed their support for the proposals. An inhouse solution would secure community engagement and enable the most care to be taken with service delivery without reference to other priorities. It would also best secure the involvement of local residents in the delivery of the service and the upkeep of their local areas.

RESOLVED that:-

- (a) The recommendation of the Policy Panel, at this pre-business case stage, of a new in-house operating model to deliver grounds maintenance as described in Assistant Director's report, be supported.
- (b) A detailed business case be brought back to Policy Panel for review before final recommendations go to Cabinet for a formal decision on the operating model to be delivered at the end of the current Grounds Maintenance contract.

(c) At this pre-business case stage, a report to Cabinet be taken forward with the recommendation of a new in-house operating model to deliver grounds maintenance as described in the report received by the Policy Panel its meeting on 3 March 2021.

REASONS

A review of the current service, consultation with various stakeholders on the objectives of a future delivery model of the ground's maintenance service and analysis on different operating models has been undertaken. The Policy Panel have determined an in-house operating model as described within the Assistant Director's report is the preferred route.

ALTERNATIVE OPTIONS

Alternative delivery model options have been explored by the Policy Panel as part of the review process and are set out within the Assistant Director's report.

A robust approach from outline to full business case development will be followed. If at any stage this process identifies the need to stop or review the progression of the recommended model of delivery, then arrangements will be put in place to consider again potential alternatives based on information that comes to light through the detailed business case planning process.

559. Progress of Responses to the Public

The Assistant Director, Corporate and Improvement Services, 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.

560. Councillor Higgins

Councillor Higgins indicated that this would be her last meeting before she retired at the local elections in May 2021. She wanted to take the opportunity to thank her Councillor colleagues and officers for the support and help they had provided to her in her long and enjoyable period of service. Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, thanked her for her service.

The Cabinet resolved under Section 100A(4) of the Local Government Act 1972 and the Local Authorities (Executive Arrangements)(Meetings and Access to

Information)(England) Regulations 2012 to exclude the public from the meeting for the following item as it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

561. Minutes – Not for publication extract

RESOLVED that the not for publication extract from the minutes of the meeting held on 27 January 2021 be confirmed as a correct record.

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

562. Update on the “Turnstone “ Development at Colchester Northern Gateway

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

RESOLVED that:-

- (a) The Council enter into the new “Turnstone” Development Agreement to reflect changes since the Development Agreement was entered into with TEL.
- (b) Authority be delegated to the Strategic Director of Policy and Place and the Chief Executive of the Council to finalise the negotiation of and complete a Deed of Variation to the Development Agreement and all other necessary legal documentation, in consultation, with the Portfolio Holder for Business and Resources, the Portfolio Holder for Commercial, the Monitoring Officer and the Head of Finance.

REASONS

The Colchester Northern Gateway is a prestigious development for the town provided by the Council, that has been planned over the last decade. This growth area is now coming forwards at an increasing rate, with the Council's new Sport Park now completed and due to open in April 2021, as well as commencement of “The Walk” linking to existing developments such as David Lloyd (opposite the Turnstone site). The “Turnstone” development therefore delivers a fundamental part of a much wider, strategic mixed-use development at the CNG South site with a heat Network, and highway improvements including the Rapid Transit System (RTS).

The development of this site is very important; as a visually prominent gateway location into Colchester from junction 28 on the A12, and a key catalyst for the wider development of the remaining land at the Northern Gateway. The development of this site has otherwise stalled since it was first agreed (in 2015), and planned for longer, and needs unlocking as it meets the Council's key objectives for the growth of the Northern Gateway to:

- support wider economic growth targets and deliver infrastructure to enable regeneration,
- create a new destination within the Borough to promote new sports participation and provide a regional quality leisure experience
- generate significant new income streams to support the Council to maintain quality services with social value.

This development is even more important now, given the economic impacts of the global pandemic, and the economic road to recovery.

ALTERNATIVE OPTIONS

The Council could refuse to collaborate on any amendment to the approved scheme and maintain a status quo. This option would not see the site come forward at present, with the current operator that the Council has entered into the Agreement with in 2015.

The Council could sell the freehold of the land, which would generate a capital receipt; but would lose control of the site and have no guarantee that would bring forward any development faster, or preserve as much control over quality, and would not provide an ongoing revenue stream to support Council services beyond the capital receipt.

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

563. Colchester Commercial Holdings Ltd (CCHL) Business Plans 2021 - 2024

The Assistant Director, Place and Client Services, submitted appendices to the report considered at minute 553, constituting the Business Plans of Colchester Amphora Trading Ltd, Colchester Amphora Energy Limited and Colchester Amphora Housing Limited, copies of which had been circulated to each Member.

RESOLVED that Cabinet noted that the updated Business Plans 2018-2021 for Colchester Commercial (Holdings) Limited and its 3 subsidiary companies had been approved under minute 553.

REASONS

As at minute 553.

ALTERNATIVE OPTIONS

As at minute 553.