

# ***Signed Minutes***



**Epping Forest  
District Council**

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***Cabinet  
Monday 2nd September 2024***

**4. SIGNED MINUTES (Pages 2 - 12)**

# Agenda Item 4

## EPPING FOREST DISTRICT COUNCIL CABINET MEETING MINUTES

Monday 2 September 2024, 7.00 pm - 8.52 pm

Council Chamber, Civic Offices, High Street, Epping

<b>Members Present:</b>	Councillors C Whitbread (Chairman), N Bedford (Vice-Chairman), P Keska, T Matthews, S Patel, K Rizvi, H Whitbread and K Williamson
<b>Other Councillors:</b>	Councillors C Amos, R Baldwin, R Brookes, B Cohen, M Dadd, S Jones, H Kauffman, S Murray, J H Whitehouse and J M Whitehouse
<b>Other Councillors (Virtually):</b>	Councillors L Mead, C Nweke, C C Pond and S Rackham
<b>Apologies:</b>	Councillor R Balcombe
<b>Officers In Attendance:</b>	Jennifer Gould (Strategic Director and Chief Operating Officer), Tunde Afolabi-Brown (Interim Major Works Project Manager), Surjit Balu (Interim Housing and Property Director), Tom Carne (Corporate Communications Team Manager), Nichola Gambrell (Continuous Improvement Specialist), Christopher Hartgrove (Interim Director Finance / Deputy 151 Officer (Shared Services)), John Taphouse (Interim Service Manager (Assets Strategy)), Melissa Kemp-Salt (Service Director - ICT & Transformation (Shared Services)), Paula Maginnis (Service Director (Corporate Services)), Vivienne Messenger (Democratic Services Officer), Steven Mitchell (PR Website Editor), Nigel Richardson (Service Director (Planning Development)) and James Warwick (Service Director (Contracts, Partnerships and Procurement))
<b>Officers In Attendance (Virtually):</b>	Laura Kirman (Democratic Services Officer)
<b>Also in Attendance:</b>	S Jevans (Qualis Group Managing Director) and A Howarth (Qualis Group Finance Director)

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**[A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING](#)**

**29 WEBCASTING INTRODUCTION**

The Leader of Council made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

**30 DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Members' Code of Conduct.

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**31 MINUTES****Decision:**

That the minutes of the Cabinet meeting held on 15 July 2024 be taken as read and signed by the Leader as a correct record.

**32 REPORTS OF PORTFOLIO HOLDERS**

There were no verbal reports made by Members of the Cabinet on current issues affecting their areas of responsibility.

**33 PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET**

The Cabinet noted that no public questions or requests to address the Cabinet had been received for consideration at the meeting.

**34 OVERVIEW AND SCRUTINY**

The Chairman of the Committee, Councillor R Baldwin, advised that the meeting on 29 October would be a dedicated meeting with Transport for London (TfL) that had accepted an invitation to attend. Members were requested to submit questions before this meeting. An extra committee meeting would be organised to ensure adequate scrutiny of Cabinet business, as well as finance and organisational performance.

The Community Health & Wellbeing Portfolio Holder (Councillor K Rizvi) was pleased to hear about TfL's attendance and asked who their representative would be, but Councillor R Baldwin had not received this information yet.

Councillor S Murray stressed that a realistic timetable needed to be organised for members to submit questions beforehand, so that TfL had sufficient time to reply to them. Councillor R Baldwin agreed to let members know the date.

**35 CORPORATE PLAN**

The Leader introduced the report on the Corporate Plan. This was a live document and over the past 12 to 18 months the Council had embarked on a journey of shared services, shared roles and transformational IT system delivery. The Transformation Portfolio of workstreams and projects provided the Council with an opportunity to survive these very challenging financial times for local government, whilst continuing to meet the needs of our residents. The Leader thanked officers for their work in amending the Corporate Plan to reflect the Fit for the Future programme agreed by Cabinet, in addition to specific objectives for Housing, Planning and Finance.

The Finance & Economic Development Portfolio Holder (Councillor H Whitbread) remarked this was a good report, but it was also important for Corporate Communications to publicise to our residents the Council's future missions and what had been achieved.

The following questions were raised by other councillors at the meeting.

Acknowledging this was a high-level document, Councillor S Murray emphasised that to have pride in place the objectives must include our housing estates, which the Council was responsible for. The Leader stressed that the Council did champion and take improvement of its estates seriously.

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Councillor C Amos asked how the Council ensured its values were espoused by those who delivered our services? The Leader replied that we held officers to account and residents through scrutiny, for example of the leisure centres and the Ninefields estate improvements, so it was important councillors held the Cabinet to account.

Councillor R Brookes queried trust and in being open and honest, as trust in politicians was very low. It was very important the way the Council treated its residents and staff. The Leader agreed it was important the Council was as open as possible and therefore, held public meetings and facilitated webcasting arrangements. A pre-Cabinet meeting held beforehand was looking at housing numbers and a consultation on the scrutiny of this with the Cabinet and other members would be held very shortly. It was also important to address challenges and why it was necessary to make those decisions, such as on the budget and changes to the planning committees.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet agreed the amended Corporate Plan for the period 2023 – 2027; and
- (2) That the Cabinet recommended Council adopt the amendments to the Corporate Plan 2023-2027 reflected in Appendix A.

### 36 ORGANISATION PERFORMANCE - KPI SUITE AND PRIORITY PROJECTS

One of the main responsibilities of the scrutiny function was to have oversight of and provide challenge to the Council's performance. To this end, officers had developed a Key Performance Indicator (KPI) Suite to effectively deliver this oversight in key areas, focussing on what was collated nationally by either the Local Government Association or the Office for Local Government, as well as what was important to the Council to deliver the Corporate Plan. The Overview and Scrutiny Committee had recently scrutinised the KPI Suite, and the three priority projects identified by officers in agreement with the Cabinet that were integral to the delivery of the Corporate Plan objectives. The priority projects were Fit for the Future, Waste collection services and the new Epping Leisure Centre.

Councillor R Baldwin reported that the Overview and Scrutiny Committee were recommending a fourth priority project, The Broadway Refurbishment Project, as this would have significant local impact, in addition to other scrutiny comments he hoped the Cabinet would approve. Councillor S Murray added that he had proposed The Broadway Refurbishment Project because it would have a big impact on that part of the District including to the residents, businesses and users.

The Leader underlined the important of scrutiny items going to Overview and Scrutiny, as this was what held the Council to account.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1a) That the Cabinet agreed the KPI Suite, as set out in paragraph 9 of the agenda report, was adequate and robust in giving oversight of the overall effectiveness and measure of the Council's performance;

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- (1b) That the Cabinet agreed the 3 projects identified in the report were of the highest strategic importance for scrutiny in demonstrating the overall delivery of the Council's objectives in the Corporate Plan;
- (1c) That the Cabinet agreed The Broadway Refurbishment Project was included as a fourth project, as recommended by the Overview and Scrutiny Committee;
- (2) That the Cabinet agreed the proposal for Overview and Scrutiny to scrutinise the KPI Suite in paragraph 9 making comments, raising concerns and to challenge Cabinet, as appropriate; and
- (3) That the Cabinet agreed the ongoing work to further develop the KPI Suite was both adequate and robust.

### 37 NORTH ESSEX SHARED SERVICES

Recognising the pressure on local government finances, the Leader remarked that the Council was making beneficial improvements working in partnership, so that back-office areas were working in a functional way. It was positive for the Council to work in this way with Colchester City and Braintree District councils. The Cabinet report set out the parameters of shared services for North Essex.

The following questions were raised by other councillors at the meeting.

Councillor S Murray asked who was responsible for monitoring the workload of officers working across shared services with other councils. The Leader replied that one of the biggest issues was the capacity and retention of staff post-Covid. Balancing the workload was the responsibility of the Chief Executive Officer / Head of Paid Service. EFDC was making small steps in progressing shared services with Essex County Council, and other partners which included Broxbourne, Harlow Council and Harlow and Gilston Garden Town. Therefore, the right balance was fundamental to delivering services to residents.

Councillor Janet Whitehouse was of the opinion there must be some impact on officers' workloads and that it would be useful to let councillors know via the Bulletin, which officers were doing shared services.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

#### **Decision:**

That the Cabinet noted the work undertaken to date and the proposed approach to the Colchester City, Braintree and Epping Forest District Council's Shared Service Programme.

### 38 APPROACH TO DIGITAL CUSTOMER IN PARTNERSHIP WITH COLCHESTER CITY COUNCIL - FIT FOR THE FUTURE

Within the council's Fit for the Future portfolio was a commitment to improve our customer experience offer under the remit of the Digital Customer programme. This commitment was mirrored in Colchester City Council's Transformation Portfolio. Both councils' programmes were sponsored by the shared service Director of ICT & Transformation. A similar report was being presented to Colchester's Cabinet in September. The Transformation Portfolio Holder (Councillor S Patel) pointed out that EFDC was trying its best with technology, but improvements were needed. Working with Colchester City Council provided an opportunity to invest in the delivery, accessibility and maintenance of the website and online platforms, which

were a priority. A key strategy was to bring residents online as much as possible thereby freeing up our services for residents and increasing capacity for those residents that required it.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet agreed the approach to the Digital Customer Programme which leveraged the partnership work in North Essex, and specifically across Epping Forest and Colchester City Councils.
- (2) That the Cabinet agreed delegated authority for the Portfolio Holder to approve the award of contracts in line with the approach and parameters detailed in this report.

### 39 COMMUNITY INFRASTRUCTURE LEVY

The Shaping our District Portfolio Holder (Councillor K Williamson) stated that the Community Infrastructure Levy (CIL) would be invaluable for providing financial support for additional work and funding for infrastructure for sites. The proposal included using specialist support and advice available from Essex County Council to commission a CIL viability study to assess the potential CIL rates, which could be applied .

The following questions were raised at the meeting.

Councillor Jon Whitehouse queried if Planning Services would be updating the [Consolidated and Updated Viability Evidence](#) published on the website in 2020 because other strategies had been delivered since then. The Portfolio Holder acknowledged this was a live document and although there were no changes to the policies, the Local Plan sites were updated. The Planning Services Director (N Richardson) confirmed the 2020 version was the only one available, but this would be part of the exercise. Moreover, the consultants tasked with this work were familiar with our Local Plan, as they had previously worked for EFDC.

Councillor S Murray asked if single large developments could get a S106 Legal Agreement, Epping Forest Special Area of Conservation (EFSAC) charge and a CIL. The Portfolio Holder advised that a S106 Legal Agreement would still be available while the CIL was looking at overall development in the District.

Councillor H Kauffman commented it was a complex subject. While a working mechanism was being put forward that looked good in theory, what were the practicalities behind it and a clear scale of charges was also needed. More development put greater pressure on existing services, especially GP surgeries. The practicalities were that more GP surgeries were needed but how much did they cost? Also, what was the Council's goal, and what was it trying to achieve? The Portfolio Holder replied that the Cabinet wanted to commission a CIL viability study. The CIL would be set up by professionals, independently assessed and signed off. A proportion of the CIL would go towards funding the delivery of new infrastructure and this was addressed in the [Infrastructure Delivery Plan](#) published in 2020.

Councillor H Whitbread remarked that health infrastructure was very important, and she was concerned, for example, by health provision for the South Epping Masterplan Area. Work needed to be done with our health partners because the NHS / Hertfordshire and West Essex Integrated Care Board would specify how much funding it wanted but this might be too low to deliver a GP surgery. The Portfolio Holder stated that a S106 Legal Agreement could still be used for this funding if specifically requested.

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Councillor C Pond commented that he was pleased the CIL was moving forward as it had been in the pipeline for several years. The Portfolio replied that the intention was for the Council to adopt the CIL policy by the winter of 2025.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet agreed the Council use financial and specialist support and advice being made available through Essex County Council to explore the potential for bringing forward a Community Infrastructure Levy (CIL) in the District.
- (2) That the Cabinet agreed the Council proceed with commissioning a CIL viability study to assess the potential for a levy to be applied to new development in the District and provide recommendations on appropriate potential CIL rates.

**40 ADOPTION OF THE ESSEX WASTE STRATEGY**

The Leader introduced the report on the Waste Strategy for Essex that set a clear ambition and commitment to reduce the impact on our environment of dealing with the things we threw away. This 30-year strategy for Essex had been jointly developed by the Borough, City and District Councils with Essex County Council (ECC). It provided a framework for waste management informing the future design of waste services and our joined-up approach to waste treatment and disposal. This report presented the findings of the recent public consultation on the draft strategy prepared by the Essex Waste Partnership (EWP) and was seeking approval to adopt the Waste Strategy for Essex 2024-2054. The strategy identified the things we needed to do, the challenges we needed to address and would shape our future work.

Councillor S Murray asked if the waste strategy would end up with comprehensive waste policies at the Essex recycling centres. The Contracts Service Director (J Warwick) advised that the strategy would be looking at this, but he would clarify this with the EWP.

Councillor Jon Whitehouse queried where the strategy dealt with the balance in recycling and the convenience of separating waste? The Contracts Service Director replied that as this was a County strategy it was not proposing how individual local authorities collected their waste. EFDC was looking to simplify waste collections. A report on using a blue wheeled bin for all recycling would go to Place Scrutiny Committee, then to the Cabinet meeting on 11 November 2024. EFDC's recycling credits might be less if the recycling was not of good quality. The frequency of our collections and the types of recycling that were going to be collected still had to be determined.

Councillor C Pond was concerned by the strategy as a lot of waste would be incinerated. Could the Council ensure the effects on residents were minimised as an extra wheelie bin was not ideal for smaller properties? This was also an opportunity for householders to buy into the process, but he did not agree with charging for collecting garden waste. The Leader advised that the next step was for EFDC to develop its own waste strategies. Members would be involved in this scrutiny as well as residents. EFDC's new waste company was not currently charging for green waste collections.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

CW

**Decision:**

That the Cabinet agreed to the adoption of the Waste Strategy for Essex 2024-2054 in the form appended to the agenda report (Appendix 1).

**41 WASTE MANAGEMENT OPERATIONAL POLICIES**

The Leader presented the report on the Council's Waste Management Service. It had several existing operational policies in the supply of the street cleansing, waste, and recycling collection services. With the start of Terra Verde Services Ltd in November 2024 it had been decided to review these five policies – Exception Policy, Flats and Communal Buildings Policy, Supply of Waste and Recycling Policy and Container Policy. The policies could be updated where necessary to be clearer in our expectations and ensure the extent of that service was understood. A full list of all the waste policies was on the Council's website. The report included the comments made by the Place Scrutiny Committee in July.

Councillor C Pond remarked that recycling should be made more convenient for residents but currently the list of rules was a bit strict on dirty or contaminated material, as these could not be recycled. Also, replacement sacks were difficult to find. The Contracts Service Director replied that clarifying our waste policies would make it clearer for residents. The Council wanted to work with residents. Hopefully contamination levels could be reduced by providing more information about what should go in each bin.

Councillor Janet Whitehouse asked what provision was there in the policies for residents of flats, as they did not have kerbside collections for small electricals and textiles. The Contracts Service Director advised that work was underway as a result of comments from the Place Scrutiny Committee. Communal purple bins for small electrical items were already in place for some flats. The plan was to implement purple bins for private flat residences as well.

Referring to the Container Policy, Councillor N Bedford asked if the last bullet point of the "Official container for glass collection service" could be clarified as it stated, "Any other container other than a wheelie bin". The Contracts Service Director replied he would amend this to make it clearer.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

That the Cabinet agreed the amendments to the five waste policies referenced in the agenda report.

**42 QUALIS QUARTERLY MONITORING REPORT – Q1 (YEAR 5) 2024/25**

The Commercial & Estates Portfolio Holder (Councillor T Matthews) stated that there were no surprises in this quarterly report as the report was in line with the business plan. Qualis was recording a trading surplus but when the amount of interest being paid to EFDC was taken into account, we moved into a net loss position. Qualis had also aligned its reporting year end to that of the Council.

Councillor Jon Whitehouse asked if the quarter 2 report would include sales figures for Springwood Grove? Also, was the land being sold at the St John's site, the land under development or the land associated with the joint venture? The Portfolio Holder replied that the Springwood Grove site was moving forward in the right direction and a press release was due to be published in September. The Qualis Group Managing Director (S Jevans) advised



that the current development of ten properties had been agreed and Qualis was hoping to do a sale transfer on the rest of the site as a joint venture.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

That the Cabinet noted the report particularly the ongoing monitoring actions, but no additional measures were required.

**43 QUARTER 1 BUDGET MONITORING REPORT (2024/25)**

At the quarter 1 stage in terms of General Fund revenue expenditure, a budget underspend of £0.225 million, with projected net expenditure of £15.646 million against an overall budget provision of £15.871 million, was forecast. The Finance & Economic Development Portfolio Holder (Councillor H Whitbread) reported this had been to Overview and Scrutiny. There were underspends at a directorate level in ICT & Transformation and Customer & Communities. However, there was an anticipated shortfall in income from Planning Applications and also budget pressure on repairs but additional income from dwelling rents. Therefore, the quarter 1 position was positive with improved performance in the payment of invoices holding up, and a solid start to the year reflected in the collection of both Council Tax and Business Rates.

Councillor R Brookes commented that as the parking revenue was down, was the £1 minimum charge to park deterring people from using our car parks? The Portfolio Holder replied that parking revenue had never recovered following the Covid pandemic. The Deputy 151 Officer (C Hartgrove) clarified that as far as the budget was concerned, there was a small surplus on car parking. The Leader remarked that it was a revenue stream that had never recovered after the pandemic.

Councillor S Murray commented that he was helping to spend some monies from the HRA underspend for his ward on improvements to parking at the Oakwood Hill estate and improvements to communal land at the end of The Broadway.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet noted the General Fund revenue position at the end of Quarter 1 (30th June 2024) for 2024/25, including actions being undertaken or proposed to ameliorate the position, where significant variances have been identified (including Appendix A).
- (2) That the Cabinet noted the General Fund capital position at the end of Quarter 1 (30th June 2024) for 2024/25 (including Appendix B).
- (3) That the Cabinet noted the Housing Revenue Account revenue position at the end of Quarter 1 (30th June 2024) for 2024/25, including actions proposed to ameliorate the position, where significant variances had been identified.
- (4) That the Cabinet noted the Housing Revenue Account capital position at the end of Quarter 1 (30th June 2024) for 2024/25 (including Appendix C); and
- (5) That the Cabinet noted the wider position on Financial Performance and Risk at the end of Quarter 1 (30th June 2024), including the amended Prudential

Indicator (“Proportion of Financing Costs to Net Revenue Stream”) explained in Paragraph 7.3.14.

#### 44 **FINANCIAL PLANNING FRAMEWORK 2025/26 TO 2029/30**

The Finance & Economic Development Portfolio Holder remarked that the Financial Planning Framework started the budget process over the next five years. There was substantial continued pressure on Local Government finances nationally as evidenced by the rising number of high-profile “Section 114 Notices” but EFDC was not in that position. The Council faced its own financial pressures against a tough economic backdrop triggered by major external events. This was compounded by rising demand, and a steady fall in the value of Government support over several years. Despite the sale of land to Google at North Weald Airfield, the Council could not be financially dependent on this but needed to be financially sustainable. The Council would be looking to see where savings could be made and for new income streams. This was an excellent and detailed report on the challenges being faced. The Council also needed to continue with its housebuilding programme. Scrutiny of the budget was also vital.

Councillor R Baldwin remarked that Overview and Scrutiny would be working on the draft budget proposals and in his opinion last year’s scrutiny of the budget process was excellent. The Portfolio Holder replied that the way the budget was refined by scrutiny last year was invaluable, especially on which services were our priorities.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

##### **Decision:**

- (1) That the Cabinet noted the backdrop to the Financial Planning process for 2025/26 to 2029/30, including the Balance Sheet trajectory in the light of the 2023/24 budget outturn and the latest 2024/25 spending forecast; and
- (2) That the Cabinet agreed the proposed approach to Financial Planning for 2025/26 to 2029/30, including the reporting and governance timetable summarised in Appendix A.

#### 45 **THE BROADWAY REFURBISHMENT PROJECT**

The Housing & HGGT Portfolio Holder (Councillor N Bedford) introduced the report which was seeking to award the works contract to Mulalley and Co. The Broadway estate required external refurbishment and maintenance works because of weathertightness and security issues. This would include full replacement of roof coverings, window replacements, balcony and walkway repairs and compliance work.

Councillor S Murray remarked it was important to get this project right, so the refurbishment only spanned one Christmas. This was why he had submitted a list of questions that the Housing Services Director (S Balu) had answered, which had been published as a supplementary agenda before this Cabinet meeting. Minimising the impact on the flats and businesses by doing the works in thirds would help. Having a sinking fund for maintenance would have been better.

The following questions were raised by Loughton councillors, which were answered by the Housing Services Director (S Balu) unless stated otherwise.

- Many businesses had struggled post-Covid, but no sinking fund had been built up over the years. Would the Council take away from this that having a sinking fund regime

was good estate management? The Portfolio Holder replied that discussions were being held around having sinking funds on other Council owned properties to build up for the future.

- Would there be a designated project officer? Tunde Afolabi-Brown was to be the project officer on site.
- How would the Council move from estimated bill timescales to the actual bill? Once this report was agreed, the actual charges would be worked out.
- Would the Council allow the longest repayment times under the law? The Council would always allow the longest repayment times allowed under the law.
- What if there was a dispute? The Council would look at dispute resolutions and talk with people on an individual basis to work these out.
- A direct interface was needed with tenants over repayments to enable ward members to intervene so people were dealt with fairly, but would repayments be operated by a third-party supplier? The Council had taken advice on service charges and the Council would still be the landlord for its lessees, so this was not going to a third-party supplier.
- Would there be signage on the changes to keep businesses and people informed? A Communications strategy would be launching soon to keep people informed, as well as on site signage about which shops were operating.
- Could a summary of the key parts of the service charges be circulated to help members understand? The Council would not be circulating details of the service charges out of respect to individuals' personal circumstances and did not want to contravene the GDPR laws.
- Reassurance about security during the works was sought. The Portfolio Holder appreciated these concerns and that details would be circulated to members, as security was a prime risk for the Council, as well as our tenants. The Service Director continued that key was the contractor's approach to the works to try to minimise the impact of security on residents.
- One-hour free parking at The Broadway would encourage traders during the disruption. The Portfolio Holder did not see how the Council could offer this unless officers could come up with an incentive scheme.
- Would there be a contractor site office on The Broadway? Yes, the contractor would have an on-site presence.
- Would there be sufficient access for pedestrians and vehicles during the works? The Portfolio Holder replied access to the shops would be maintained, as detailed in the agenda report.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

The Leader thanked Councillor S Murray for his questions that had been helpful and allowed answers to be provided in advance of the meeting.

**Decision:**

- (1) That the Cabinet agreed Epping Forest District Council (EFDC) award the refurbishment works contract at The Broadway to Mulalley and Co, with the agreed financial cap of c£4.8mn as detailed in restricted Appendix A – Tender Report.
- (2) That the Cabinet agreed officers and advisers be instructed to finalise negotiations with Mulalley and Co with a view to commencing works in October/November 2024.

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**46 ANY OTHER BUSINESS**

It was noted that there was no other urgent business for consideration by the Cabinet.

**47 EXCLUSION OF PUBLIC AND PRESS**

It was noted that the meeting did not need to go into private session for the following agenda items:

- 11b – Approach to Digital Customer in partnership with Colchester City Council – Fit for the Future: Appendix 1; and
- 18b – The Broadway Refurbishment Project: Appendix A

*Mr Whitbread*

**CHAIRMAN**