

Council Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 17 July 2019 at 18:00**

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.

Have Your Say!

The Council welcomes contributions and representations from members of the public at most public meetings. If you would like to speak at a meeting and need to find out more, please refer to the Have Your Say! arrangements here: <http://www.colchester.gov.uk/haveyoursay>.

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Access

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COLCHESTER BOROUGH COUNCIL
Council
Wednesday, 17 July 2019 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 08/07/2019

You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Wednesday, 17 July 2019 at 18:00 for the transaction of the business stated below.



Chief Executive

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

Please note that the business will be subject to short breaks at approximately 90 minute intervals.

Please note that Agenda items 1 to 6 are normally dealt with briefly.

1 Welcome and Announcements (Council)

The Mayor will welcome members of the public and Councillors and will ask the Chaplain to say a prayer. The Mayor will also remind everyone to use microphones at all times when they are speaking, explain action required in the event of an emergency, mobile phones switched to silent and audio-recording of the meeting.

2 Have Your Say! (Council)

The Mayor 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 business of the Council. Please indicate if you wish to speak at this point if your name has not been noted by Council staff.

3 Minutes of the Previous Meeting (Council)

A.... Motion that the minutes of the meeting held on 22 May 2019 be confirmed as a correct record.

Minutes 22-05-19

9 - 14

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 Mayor's Announcements

The Mayor to make announcements.

6 Items (if any) referred under the Call-in Procedure (Council)

The Council consider any items referred by the Scrutiny Panel under the Call-in Procedure because they are considered to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.

7 Recommendations of the Cabinet, Panels and Committees

Council will consider the following recommendations:-

7(i) Annual Scrutiny Report

B... Motion that the recommendation contained in the draft minute of the Scrutiny Panel meeting on 16 July 2019 be approved and adopted (to follow).

8 Notices of Motion pursuant to the provisions of Council Procedure Rule 11

Council will consider the following Motions:-

(Note: The maximum length of time for the consideration of all such motions shall be 80 minutes. In the event that a motion is still being debated when the 80 minutes have elapsed the Mayor shall invite the proposer of the motion to respond to the debate and the move straight to the vote.)

8(i) School Funding Cuts

Proposer: Councillor Bourne and Councillor Goss

C... Motion that:-

This Council notes as a result of ongoing Government cuts to education, 71 schools across the Colchester Borough:

(i) Will have lost £17.7 million in overall funding between 2015-2020;

(ii) Will have lost an average of £271 per pupil;

(iii) Have seen 25 of 71 schools have classroom sizes increase;

(iv) Are having to bear the full costs of the unfunded National Insurance increases;

(v) Are receiving inadequate High Needs Block Funding, leaving our most vulnerable pupils without the support they need.

Colchester Borough Council resolves to:

- (i) Lobby against the Government's ongoing cuts to school budgets and call for more funding to be invested in education, while making our communities aware of local impacts
- (ii) Support the coalition of trade unions campaigning against school cuts;
- (iii) Call on the Government to fully fund and fully implement the recommendations of the School Teachers' Review Body on teachers' pay;
- (iv) Present the dire facts listed above to the Department for Education and our three MPs representing our 62 schools across the Borough of Colchester.

As the motion relates to a non-executive function, it will be debated and determined at the meeting.

8(ii) **Climate Emergency**

Proposer: Councillor Cory and Councillor Whitehead

D.. Motion that:-

This Council notes:

The United Nations Intergovernmental Panel on Climate Change's warning that we have 12 years to make the necessary changes to limit a rise in global temperatures to 1.5C. Failure to act will see a marked increase in sea levels and flooding, extreme and abrupt changes to weather patterns, crop failures, extinctions of plant, insect and animal species, and global economic disruption and crisis. Total populations of mammals, birds, fish and reptiles have declined globally by 60% since 1970, and all of the 20 warmest years on record, have occurred in the past 22 years. Failure to take immediate and decisive action on this will detrimentally impact on the well-being of the people of Colchester Borough and billions of people around the world.

At the Global Climate Talks in Poland last December the UK along with over 200 nations agreed action on climate change with a much greater role strongly implied for local and regional authorities, like Colchester, in assisting governments to achieve their carbon emission savings.

So far, 85 local and regional authorities have passed Climate Emergency motions in a bid to spur urgent action to reduce their carbon footprint and promote sustainable urban environments and economies. In passing and following through on this motion, we can take a radical step forward in tackling climate change and conservation as a local authority. Tackling climate change cannot just be left to national government. It is everyone's duty to do what

they can to stop this existential threat to our planet.

This Council therefore resolves to:

1. Declare a climate emergency and publicise this to the people of Colchester Borough to raise awareness and support the public to take effective action.
2. Support the newly formed Conservation and Environmental Sustainability Task and Finish Group to consider the following actions:
 - a. Commission an environmental audit which identifies pollution hotspots, wildlife biodiversity and environmental health issues, and an urban impact assessment with an aim to identify areas of improvement across the borough.
 - b. Consult expert opinions in the field, as appropriate.
 - c. Collaborate with regional and neighbouring local authorities, as well as communities, to encourage practical measures to reduce emissions, reduce carbon footprints and develop community-based renewable energy projects.
 - d. Encourage all sectors of the economy across the borough to take steps to reduce waste and become carbon neutral.
 - e. Develop a roadmap for Colchester Borough Council to go carbon neutral by 2030.
 - f. Report to Cabinet and Full Council within six months with an action plan setting out conservation and environmental sustainability goals to address targets by 2030; incorporating proposals on the investment implications of this proposed activity.
3. Pledge to ensure future housing and community development projects meet a carbon-neutral standard by 2029.
4. Call upon the Leader of the Council to write to the Minister of State for Energy and Clean Growth requesting that national policy is urgently developed to reflect the seriousness of the current emergency, and to release funds to local authorities, encouraging them to take the necessary measures at local level.

As the motion relates to an executive function. it will stand referred direct to Cabinet, unless a motion to suspend Council Procedure Rule 11(2) is passed.

9 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Cabinet members and Chairmen will receive and answer pre-notified questions in accordance with Council Procedure Rule 10(1) followed by any oral questions (not submitted in advance) in accordance with Council Procedure Rule 10(3).

(Note: a period of up to 60 minutes is available for pre-notified questions and oral questions by Members of the Council to Cabinet Members and Chairmen (or in their absence Deputy Chairmen)).
At the time of the publication of the Summons no pre-notified questions had been submitted.

- 10 **Schedule of Portfolio Holder Decisions** 15 - 20
Council is invited the Schedule of Portfolio Holder Decisions covering the period 9 February 2019 - 1 July 2019.
- 11 **Urgent Items (Council)**
Council will consider any business not specified in the Summons which by reason of special circumstances the Mayor determines should be considered at the meeting as a matter of urgency.
- 12 **Reports Referred to in Recommendations**
The reports specified below are submitted for information and referred to in the recommendations specified in item 7 of the agenda:
Annual Scrutiny Report 2018-19 -report to Scrutiny Panel 16 21 - 28
July 2019
- 13 **Exclusion of the Public (not Scrutiny or Executive)**
In accordance with Section 100A(4) of the Local Government Act 1972 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).

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

Council

Wednesday, 22 May 2019

Attendees:

Councillor Christopher Arnold, Councillor Lewis Barber, Councillor Nick Barlow, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Tina Bourne, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Peter Chillingworth, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Nick Cope, Councillor Mark Cory, Councillor Simon Crow, Councillor Robert Davidson, Councillor Beverly Davies, Councillor Paul Dundas, Councillor John Elliott, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Dave Harris, Councillor Chris Hayter, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Mike Hogg, Councillor Brian Jarvis, Councillor John Jowers, Councillor David King, Councillor Cyril Liddy, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Andrea Luxford Vaughan, Councillor Jackie Maclean, Councillor Sam McCarthy, Councillor Patricia Moore, Councillor Beverley Oxford, Councillor Gerard Oxford, Councillor Philip Oxford, Councillor Chris Pearson, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Martyn Warnes, Councillor Lorcan Whitehead, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

316 Prayers

The Reverend John Richardson opened the meeting with prayers.

The Retiring Mayor, Councillor Peter Chillingworth, chaired the meeting for the items at minutes 316-318.

317 Apologies

Apologies were received from Councillor F. Maclean and Honorary Aldermen Bober, Gamble, Gower, Green, Kimberley, Lewis and Sykes.

318 Election of the Mayor

It was PROPOSED by Councillor Goss, seconded by Councillor Jowers and supported by Councillor J. Young and Councillor G. Oxford and:-

RESOLVED UNANIMOUSLY that Councillor Nick Cope be elected as Mayor of Colchester for the ensuing municipal year.

Councillor Cope took the customary oath and signed the declaration of acceptance of office.

Councillor Cope then took the Chair and returned thanks for his election.

319 Minutes

RESOLVED that the minutes of the meeting held on 20 February 2019 be confirmed as a correct record.

320 Election of the Deputy Mayor

It was PROPOSED by Councillor G. Oxford and seconded and supported by Councillors Goss, Davidson and Bourne and:

RESOLVED UNANIMOUSLY that Councillor Beverley Oxford be elected Deputy Mayor of Colchester for the ensuing municipal year.

Councillor Beverley Oxford then signed the declaration of acceptance of office and returned thanks for her election.

321 Vote of Thanks to Retiring Mayor

It was PROPOSED by Councillor Chapman and seconded and supported by Councillors Goss, Bourne and G. Oxford and:-

RESOLVED UNANIMOUSLY that the best thanks of the Council are due and are hereby accorded to Councillor Peter Chillingworth for the admirable manner in which he has discharged the responsible duties of the Mayoralty during the past year and that a transcript of this resolution under the Common Seal be furnished to him.

322 Mayor's Chaplain and Other Announcements

The Mayor announced that he had appointed the Reverend Canon Paul Norrington to be his Chaplain for the ensuing municipal year.

The Mayor announced that he would be supporting the following charities:-

- Age Concern;
- Army Benevolent Fund;
- Colchester Chinese Society;
- Colchester Citizen's Advice Bureau;

- Colchester Food Bank;
- The Mercury Theatre;
- MIND
- Youth Enquiry Service.

The theme of his mayoralty would be Young and Old, building a healthy environment.

323 Adjournment

RESOLVED that the meeting be adjourned until 11.45m and be resumed in the Council Chamber.

324 Have Your Say! (Council)

Nigel Hildreth, Chair of Colchester Twinning Society, addressed Council pursuant to the provisions of Council Procedure Rule 6(5). He explained that twinning had undergone a renaissance over the last few years with visits to and from Imola, Wetzlar and Avignon. He expressed concern that the new road signs did not contain any reference to the twinned towns and called for this to be rectified. On 7 September a banquet would be held to commemorate the 50th anniversary of twinning with Wetzlar, which he hoped many Councillors would attend.

Councillor J. Young, Deputy Leader of the Council and Portfolio Holder for Culture and Performance, undertook to look into the issues of the road signs and thanked the Twinning Society for the work it undertook for the benefit of Colchester.

Sir Bob Russell addressed the Council pursuant to the provisions of Council Procedure Rule 6(5) to express his concern that an item for the exclusion of members of the public had been included in the Summons for the Annual Meeting. He also expressed his concern about the Cabinet model of local authority governance. All Councillors had an equal mandate from the electorate, but the Cabinet system excluded most Councillors from decision making. The Council should consider moving to a Committee system in which all 51 Councillors could be involved in decision making.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, confirmed that there were no items on the agenda that would be considered without the public present. He understood the arguments that were made about the Committee and Cabinet systems. It was important to keep an open mind on governance issues and this could potentially be an issue that the Policy and Public Initiatives Panel could look at. However the administration was committed to inclusive and open governance.

325 Appointment of the Leader of the Council

RESOLVED that Councillor Cory be appointed Leader of the Council for the remainder of his period of office.

326 Delegations Made by the Leader of the Council

RESOLVED that the appointment of the Deputy Leader of the Council, the appointment of Cabinet members and the allocation of responsibility for Portfolios, as determined by the Leader of the Council and as set out in the Supplementary Information for the meeting, be noted.

327 Appointment of Panels. Committees and Sub-Committees

RESOLVED UNANIMOUSLY that:-

(i) in accordance with the provisions of Section 17 of the Local Government and Housing Act 1989 the appointments to the Governance and Audit Committee for the ensuing municipal year shall not be on a Group basis and membership shall be as set out in the Supplementary Information for the meeting.

(ii) in accordance with the provisions of section 15 of the Local Government and Housing Act 1989 the number of seats, Group representation and membership of the Licensing Committee, Local Plan Committee, Planning Committee, Policy and Public Initiatives Panel and Scrutiny Panel (including the Crime and Disorder Committee) for the ensuing municipal year be as set out in the Supplementary Information for the meeting.

(ii) in accordance with the provisions of section 17 of the Local Government and Housing Act 1989 the appointments to the Task and Finish Groups shall not be on a group basis and be as set out in the Supplementary Information for the meeting.

(iv) that the membership of the Independent Remuneration Panel be as set out in the Supplementary Information for the meeting

(v) that the terms of reference for the Governance and Audit Committee be amended by deleting

“(27) Recommend the constitution and appointment of the Board of Directors of Colchester Commercial (Holdings) Limited to Cabinet.”

and that the constitution and appointment of the Board of Directors of Colchester Commercial (Holdings) Limited be agreed by Cabinet as part of the nominations to outside bodies.

328 Former Councillors

RESOLVED UNANIMOUSLY that the Council hereby records its grateful thanks to former Councillors Flores and Laws for the public service rendered by them to this Borough during their period of office as a Councillor and instructs that a transcript of this resolution be furnished to them under the Common Seal of the Borough as a permanent record of the appreciation of the Council.

329 Appointment of Interim Section 151 Officer

RESOLVED UNANIMOUSLY that Paul Cook be designated as the Council's Interim Section 151 Officer with effect from 22 May 2019.

330 Adoption of the Wivenhoe Neighbourhood Plan

RESOLVED UNANIMOUSLY that the Wivenhoe Neighbourhood Plan be made following its approval at referendum.

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
9 February 2019 – 1 July 2019**

| Portfolio – Business and Culture/Culture and Performance | | | | | |
|--|--------|--------------|--------|----------|--------|
| Date | Number | Report Title | Author | Decision | Result |
| None in this period | | | | | |

| Portfolio – Commercial Services | | | | | |
|---------------------------------|--------|--------------|--------|----------|--------|
| Date | Number | Report Title | Author | Decision | Result |
| None in this period | | | | | |

| Portfolio – Customers | | | | | |
|-----------------------|------------|--|-------------------------------------|---|---------------------------------------|
| Date | Number | Report Title | Author | Decision | Result |
| 8 April 2019 | CUS-001-18 | Direct Cremations – Increasing Volumes | Penny Stynes and Cassandra Clements | <p>To allow officers to negotiate one or more contracts with local funeral directors at a discounted rate</p> <p>If negotiations with local funeral directors do not result in a contract, the negotiating officers to be permitted to approach specialist, on-line funeral directors to negotiate a similar contract with them</p> | Decision Implemented 15 April 2019 |

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
9 February 2019 – 1 July 2019**

| Portfolio – Housing and Communities | | | | | |
|--|---------------|---|----------------|---|---------------------------------------|
| Date | Number | Report Title | Author | Decision | Result |
| 1 February 2019 | HOU-009-18 | Approval of New Heating Renewal Contract | Clare Lawrance | To award the new contract to Aaron Services | Decision Implemented 15 February 2019 |
| 20 February 2019 | HOU-010-18 | Response to Essex Future Library Services Consultation | Jo Besant | To respond to the consultation paper as proposed. | Decision Implemented 27 February 2019 |
| 1 March 2019 | HOU-011-18 | Approval of new Voids Contractor | Clare Lawrance | To award the new contract to Breyer Group. | Decision Implemented 15 March 2019 |
| 9 May 2019 | HOU-012-18 | Minor amendment to the Gateway to Homechoice Allocations Policy | Tina Hinson | To approve the revised allocations policy | Decision Implemented 16 May 2019 |

| Portfolio –Planning, Public Safety and Licensing/Communities, Well Being and Public Safety | | | | | |
|---|---------------|---------------------|---------------|-----------------|---------------|
| Date | Number | Report Title | Author | Decision | Result |
| None in this period | | | | | |

| Portfolio – Resources | | | | | |
|------------------------------|---------------|---|-----------------|---|----------------------|
| Date | Number | Report Title | Author | Decision | Result |
| 14 February 2019 | RES-004-18 | Irrecoverable Debts over £5000 – Business Rates | Michelle Tarbun | To approve the writing off of the business rate debts totalling | Decision Implemented |

Agenda item 10

Record of Decisions taken under Scheme of Delegation to Cabinet Members 9 February 2019 – 1 July 2019

| | | | | | |
|------------------|------------|--|-----------------|--|---------------------------------------|
| | | | | £164,061.19 which have proved irrecoverable. | 21 February 2019 |
| 14 February 2019 | RES-005-18 | Irrecoverable Debts over £5000 – Council Tax | Michelle Tarbun | To approve the writing off of the following Council Tax debts totalling £9,451.27 which have proved irrecoverable. | Decision Implemented 21 February 2019 |
| 14 February 2019 | RES-006-18 | Irrecoverable Debts over £5000 – Housing Benefit Overpayment | Michelle Tarbun | To approve the write off of the following Housing Benefit Overpayment Debts totalling £29,198.92 which have proved irrecoverable. | Decision Implemented 21 February 2019 |
| 15 February 2019 | RES-007-18 | Disposal of Land at Junction 28, A12, Colchester | Stephen Brown | 1. To authorise the freehold sale of 0.44 acres situated at Junction 28 of the A12. 2. To agree that final terms and completion of the sale will be delegated to the Assistant Director Policy and Corporate in consultation with the PH for Resources. | Decision Implemented 22 February 2019 |
| 21 March 2019 | RES-008-18 | Local Authority Mortgage Rates | Michelle Tarbun | To set the locally determined interest rate applicable to council mortgages effective from 1 April 2019 at 4.71%. This is unchanged from the current rate charged to borrowers. | Decision Implemented 14 March 2019 |
| 26 March 2019 | RES-009-18 | Removal of Risk Based Verification | Kevin Bridge | To confirm the cessation of Risk Based Verification for 2019/2020 To agree the adoption of the Verification Framework for 2019/2020 onwards. | Decision Implemented 2 April 2019 |

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
9 February 2019 – 1 July 2019**

| Portfolio – Strategy | | | | | |
|-----------------------------|---------------|---------------------|---------------|-----------------|---------------|
| Date | Number | Report Title | Author | Decision | Result |
| None in this period | | | | | |

| Portfolio – Waste, Environment and Transportation | | | | | |
|--|---------------|--|--------------------|---|---------------------------------------|
| Date | Number | Report Title | Author | Decision | Result |
| 8 February 2019 | WAS-002-18 | Removal of Charges for clinical Waste Collection | Cassandra Clements | To remove the charge to residents in the Borough of Colchester for all clinical waste collections. | Decision Implemented 15 February 2019 |
| 21 February 2019 | WAS-004-18 | Response to ECC Consultation on proposed Cycle Safety Schemes | Jane Thompson | The Council recommends that the designs are reconsidered to ensure they meet the aim of reducing accidents at these locations | Decision Implemented 28 February 2019 |
| 28 March 2019 | WAS-005-18 | Supply of Sacks for Recycling and Waste Collection | Stephanie Christou | To accept the tender submitted by British Polythene Industries PLC for the supply of sacks for recycling collections. | Decision Implemented 4 April 2019 |
| 28 March 2018 | WAS-006-18 | ECC Local Bus Consultation | Rachel Forkin | Approval of Colchester Borough Council's response to the Essex County Council Local Bus Consultation | Decision Implemented 4 April 2019 |
| 17 June 2019 | WAS-001-19 | Gosbecks Archaeological Park and Hilly Fields Local Nature Reserve | Paul Vickers | To approve the proposed work plan for Gosbecks Archaeological Park | Decision Implemented |

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
9 February 2019 – 1 July 2019**

| | | | | | |
|--------------|------------|---|---------------|---|----------------------------------|
| | | | | for the period 2019 - 2022 and to release the funding needed to support this programme of work from the Gosbecks reserve. To approve the proposed management plans in respect of Hilly Fields Local Nature Reserve for the period 2019 – 2024. | 25 June 2019 |
| 25 June 2019 | WAS-002-19 | Contract for handling of recyclable materials | Richard Block | Award a contract for processing and sale of recycled paper, plastic and cans to James Heys and Son. | Decision Implemented 3 July 2019 |



Scrutiny Panel

Item
12

16 July 2019

| | | | |
|----------------|--|--------|----------------------------|
| Report of | Assistant Director of Policy and Corporate | Author | Owen Howell Tel. 282518 |
| Title | Annual Scrutiny Report | | |
| Wards affected | None | | |

This is a report setting out the work of the Scrutiny Panel during 2018/19

1. Executive Summary

- 1.1 This report sets out the work of the Scrutiny Panel during 2018/19 and requests that the Panel recommend the report to Council for approval on 17 July 2019.

2. Action Required

- 2.1 The Panel is asked to consider and comment on the draft Annual Scrutiny Report.
- 2.2 The Panel is asked to recommend this report to Council for approval on 17 July 2019.

3. Background Information

- 3.1 The Constitution states the Scrutiny Panel shall report annually to the full Council on its work and make recommendations for future work programmes and amended working methods if appropriate.
- 3.2 The purpose of the report is to inform the Council of the work undertaken by the Scrutiny Panel, and for the Council to form an opinion of the effectiveness of the scrutiny function. The final report will be submitted to full Council for consideration and approval following endorsement by scrutiny panel members.
- 3.3 This Scrutiny Report is a descriptive record of the scrutiny reviews undertaken by the Scrutiny Panel 2018/19.

4. Standard and Strategic Plan References

- 4.1 Scrutiny and challenge is integral to the delivery of the Strategic Plan 2018-2021 priorities and direction for the Borough as set out under the four themes of growth, responsibility, opportunity and wellbeing.
- 4.2 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.

Scrutiny Panel Annual Report 2018-19

This Annual Report demonstrates the contribution made by the Scrutiny Panel at Colchester Borough Council.

Scrutiny Panel Role

The role of the Scrutiny Panel is to examine 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 also 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.

The Scrutiny Panel in 2018/19

The function of the Scrutiny Panel continues to be important, given the challenge of providing services with limited resources. This requires the Council to innovate and look for different ways to deliver the same level of service.

The success of Scrutiny Panel reviews depended on the involvement of Councillors, Council officers, expert witnesses and members of the public, and the Chairman of the Scrutiny Panel would like to thank everyone for their contribution to the work of the Scrutiny Panel in 2018/19.

The low level of call-ins and matters of urgency on Scrutiny Panel agendas suggest that the governance arrangements within the Council are working effectively.

Portfolio Holders have continued to regularly attend to answer questions on items on the Scrutiny Panel's agendas that fall within their remit to take a lead on major reviews and to discuss policy, spending and performance.

During 2018/19 Scrutiny Panel members have considered and requested training in areas to help assist their scrutiny and overview work. Such training areas include on Treasury Management, which is to be scheduled in the 2019/20 municipal year.

Members are asked to consider whether the scrutiny and review process is a function that remains effective, ensuring the critical friend challenge to the executive policy and decision making that drives improvement in public services.

Prominent Reviews at Colchester Borough Council

The Scrutiny Panel held a number of reviews during 2018/19.

At its August 2018 meeting, and following a request from the Panel's Chair, the Scrutiny Panel reviewed the operation of Locality Budgets and the spending carried out on items from them. Analysis of how these Budgets were spent by elected members was reviewed alongside control processes and restrictions in place to ensure that items of spending were appropriate and in line with the Council's guidelines regarding Locality Budgets. As a result of this review, the Panel resolved that Locality Budget guidelines be circulated to all councillors, and an all-member briefing be arranged to cover the rights and responsibilities

of councillors with regard to spending from these Budgets. Furthermore, the Panel resolved that research be carried out to assess the most effective way in which to monitor Locality Budget spending.

The Scrutiny Panel requested to review progress made in tackling homelessness and rough sleeping in the Borough, through the Colchester Homelessness Strategy 2014-19. This took place in October and gave Panel Members the opportunity to be briefed on work by Colchester Borough Homes and the Council to carry out their statutory duties under the Homelessness Reduction Act and to achieve homelessness prevention. The Panel was also briefed on the main drivers behind current homelessness.

During 2018/19 the Panel continued its review into bus service provision within the Borough. This involved further questions being sent to the stakeholders who had participated in the initial information-gathering session (Essex County Council, commercial bus service providers and Community360 (as a local not-for-profit provider of community transport)). This review is expected to conclude in 2019/20.

Pre-Decision Scrutiny

Pre-scrutiny enables the Scrutiny Panel to examine an issue in depth and make proposals to the Cabinet or portfolio holder in advance of that decision being taken.

The Scrutiny Panel each year undertakes pre-decision scrutiny of the budget, which was put to the Scrutiny Panel on 29 January 2019, and the six-monthly and year-end Performance Report and Strategic Plan Action Plan, which went to the Panel on 21 August 2018 and 11 December 2018.

In July 2018, the Panel reviewed the Environment and Communities Futures Business Case, consisting of proposals for service changes and financial savings, following a review of these directorates' service areas. The Panel resolved that it was satisfied with the proposed changes.

In January 2019 The Panel reviewed proposals for service changes within the Waste and Zones teams. These changes were designed to make savings and increase income, whilst preserving front-line services. They also took account of changes in demand and the market for recyclable materials. The Panel provided feedback and discussed the likely effects of growth in the Borough. Although concern was raised regarding the proposal to no-longer collect certain single-use plastics, although this was explained as being due to there being no current demand for these and no way for the Council to get rid of them. The Panel resolved not to make any recommendations relating to these proposals

Partnership arrangements

A review of Colchester Borough Homes (CBH) Performance 2018/19 took place at the meeting on 16 October 2018. The Chief Executive and Chair of Colchester Borough Homes attended with the Portfolio Holder with responsibility for housing. The Panel received a presentation on the performance of Colchester Borough Homes as well as information on the Homelessness Reduction Act and successful applications by the Council and CBH for government funding to cover the cost of carrying out statutory duties. An update was also provided to inform the Panel of progress in the substantial

fire risk assessment programme. Risk was relatively low, but further mitigating actions had been identified.

As part of the Crime and Disorder Committee, the Safer Colchester Partnership was reviewed on 11 September 2018, and at an additional meeting on 26 February 2019. This additional meeting had been scheduled by the Committee to reflect the increase in crime and anti-social behaviour matters and enforcement work for the Committee to consider. The review provided information on the work of the Safer Colchester Partnership during 2018-19, progress on the Town Centre Action Plan, the work of the Community Safety Team and provided updates from Police officers covering their work over the year. The introduction of additional Police Community Support Officers (through extra funding provided by Colchester Borough Council) was also covered. The Panel thanked the representatives for attending the meetings and responding to members questions and noted the work of the Partnership.

Call-in

One valid call-in was received during the 2018/19 municipal year, considered by the Scrutiny Panel on 22 February 2019. The call-in came from Councillor Lewis Barber, supported by four fellow councillors. It requested that Scrutiny Panel scrutinise the decision taken by Cabinet, on 30 January 2019, to adopt a new strapline. The Cabinet decision approved a new strapline which not consistent with a recommendation made by the Heritage and Tourism Task and Finish Group. The grounds given for this call in were:

- Failure to consider all options available
- Failure to have regard to due consultation
- Lack of clarity of aims and desired outcomes
- Lack of presumption for openness
- Proper procedures were not followed

The Panel considered the request submitted, representations made by councillors, members of the public and the MP for Colchester, and answers provided by Councillor T. Young, Portfolio Holder for Business and Culture.

Following discussions and questioning, the Panel agreed that concerns remained regarding the ground raised that 'proper procedures were not followed' in regard to the lack of reasoning given for not following the recommendation of the Heritage and Tourism Task and Finish Group. The Panel referred the decision back to Cabinet in order for an explanation to be given as to its decision not to follow the recommendation made to it. Cabinet considered this recommendation on 13 March 2019 and provided an explanation covering this decision.

Councillor Call for Action (CCfA)

There were no CCfA issues brought to the attention of Scrutiny Panel during 2018/19.

Decisions taken as a matter of urgency

There was one decision taken as a matter of urgency during 2018/19. This involved a Portfolio Holder decision taken under Special Urgency Provisions to approve a financial settlement with a contractor on the Axial Way Pumping Station. This decision was made by Councillor Nick Barlow, Portfolio Holder for Commercial Services, and was noted by the Panel.

Task and Finish Group

There were no Task and Finish Groups commissioned by the Scrutiny Panel 2018/19.

Appendix

Appendix A – Schedule of Meetings and Reviews for 2018/19.

Schedule of meetings and reviews

Scrutiny Panel 2018/19

Councillor Davies (Chairman), Councillor Bentley (Deputy Chairman), Councillor Coleman, Councillor Hayter, Councillor Luxford Vaughan, Councillor Scordis, Councillor Wood.

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| 12 June 2018 | <ul style="list-style-type: none"> • Financial Monitoring Report – End of Year 2017/18 • Capital Expenditure Monitor 2017/18 |
| 17 July 2018 | <ul style="list-style-type: none"> • Environment and Communities Futures Business Case. • Implementation Plan to introduce Plastic Recycling Collections to Flats. • 2019/29 Budget Strategy, Medium Term Financial Forecast and Budget Timetable • Treasury Management - Annual Review 2017/18 • Annual Scrutiny Report |
| 21 August 2018 | <ul style="list-style-type: none"> • Year End 2017-18 Performance Report including progress on Strategic Plan Action Plan • Locality Budgets – analysis of spend • Strategic Plan Spending Priorities • Bus Review Letter – Further |
| 11 September 2018 (Crime and Disorder Committee) | <ul style="list-style-type: none"> • Safer Colchester Partnership (Crime and Disorder Committee) |
| 16 October 2018 | <ul style="list-style-type: none"> • Decision taken under Special Urgency Provision: Axial Way Pumping Station. • Review of Colchester Borough Homes Performance 2017/18. • Homelessness and Rough Sleeping. • Local Council Tax Support 2019-2020 |
| 27 November 2018 | <ul style="list-style-type: none"> • Strategic Plan Spending Priorities • Financial Monitoring Report – April to September 2018 • Capital Expenditure Monitor – April to September 2018 |
| 11 December 2018 | <ul style="list-style-type: none"> • Central Support Futures Review • Half-year 2018/19 Performance Report including progress on 2018-21 Strategic Plan Action Plan |

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|---|---|
| 29 January 2019 | <ul style="list-style-type: none"> • 2019/20 General Fund Revenue Budget, Capital Programme and Medium-Term Financial Forecast, Housing Revenue Accounts Estimate and Housing Investment Programme • Treasury Management Strategy 2019/20 • Waste and Zones Futures Business Case • Corporate Key Performance Indicator Targets for 2019/20 |
| 22 February 2019 (Additional Meeting) | <ul style="list-style-type: none"> • Call in of Cabinet Decision on the Recommendation of the Heritage and Tourism Task and Finish Group |
| 26 February 2019 (Crime and Disorder Committee - Additional Meeting) | <ul style="list-style-type: none"> • Safer Colchester Partnership |
| 19 March 2019 | <ul style="list-style-type: none"> • Review of Colchester Borough Council's Partnership Arrangements with the Mercury Theatre. Colchester Arts Centre and Firstsite • North Essex Garden Communities Project (NB This item was postponed until 11 June 2019). |

