

Council Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 18 July 2018 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>.

Audio Recording, Mobile phones and other devices

The Council audio records public meetings for live broadcast over the internet and the recordings are available to listen to afterwards on the Council's website. Audio recording, photography and filming of meetings by members of the public is also welcomed. Phones, tablets, laptops, cameras and other devices can be used at all meetings of the Council so long as this doesn't cause a disturbance. It is not permitted to use voice or camera flash functions and devices must be set to silent. Councillors can use devices to receive messages, to access meeting papers and information via the internet. Looking at or posting on social media by Committee members is at the discretion of the Chairman / Mayor who may choose to require all devices to be switched off at any time.

Access

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

Facilities

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www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL
Council
Wednesday, 18 July 2018 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 13/07/2018

You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Wednesday, 18 July 2018 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 23 May 2018 be confirmed as a correct record.

23-05-18 minutes

7 - 12

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 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.

6 Mayor's Announcements

The Mayor to make announcements.

7 Recommendations of the Cabinet, Panels and Committees

Council will consider the following recommendations:-

7(i) Review of Meetings and Ways of Working - Digital Update

B... Motion that the recommendations contained in the minute of the meeting of the Governance and Audit Committee on 10 July 2018 be approved and adopted (to follow).

7(ii) Annual Scrutiny Report 2017-18

C... Motion that the recommendation contained in the minute of the Scrutiny Panel meeting on 17 July 2018 be approved and adopted (to follow),

7(iii) Mandatory Member Development

D... Motion that the recommendation contained in the minute of the Member Development Group meeting of 18 July 2018 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 then move straight to the vote.)

8(i) Modern Slavery and Procurement

E.... Proposer: Cllr Liddy

This Council resolves:

1. To ensure that the Council's procurement practices do not support modern slavery the Council will adopt and apply the Co-operative Party's Charter Against Modern Slavery (as far as is legally possible), by

- Training its corporate procurement team to understand

modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.

- Requiring its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- Challenging any abnormally low-cost tenders to ensure they do not rely upon a potential contractor practising modern slavery.
- Highlighting to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
- Publicising its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
- Requiring its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
- Reviewing its contractual spending regularly to identify any potential issues with modern slavery.
- Highlighting for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies.
- Referring for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
- Reporting publicly on the implementation of this policy annually, in accordance with CBC Modern Slavery Act 2015 Transparency Statement 2016/17.

2. Ensure that it will do everything reasonably possible to tackle modern day slavery in line with the Local Government Association's guidance and that it will also seek to ensure that any company that it has shares in will also do everything reasonably possible to tackle modern day slavery in line with the Local Government Association's guidance.

3. Write to government to ask that support for victims of modern day slavery is extended beyond the current 45 days.
As the motion relates to an executive matter, it will stand referred to Cabinet unless Procedure Rule 11(2) is suspended.

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)).

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|----|---|---------|
| 10 | Renaming the Policy Review Panel
F.... Motion that the decision set out in the report by the Assistant Director, Policy and Corporate, be approved and adopted. | 13 - 14 |
| 11 | Schedule of Portfolio Holder Decisions
To note the Schedule of Portfolio Decisions for the period 6 February 2018 - 29 June 2018. | 15 - 24 |
| 12 | 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. | |
| 13 | 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:

<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 80%;"> Review of Meetings and Ways Of Working - Digital Agendas Update - report to Governance and Audit Committee 10 July 2018

 Annual Scrutiny Report 2017-18 - report to Scrutiny Panel 17 July 2018 </div> <div style="width: 15%; text-align: right; vertical-align: top;"> 25 - 30

 31 - 36 </div> </div> | |
| 14 | 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, 23 May 2018

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 Vic Flores, Councillor Adam Fox, 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 Darius Laws, Councillor Cyril Liddy, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Andrea Luxford Vaughan, Councillor Fiona Maclean, Councillor Jackie Maclean, 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

251 Prayers

The Reverend Hannah Cooper opened the meeting with Prayers.

The Retiring Mayor chaired the meeting for the items at minutes 251-253.

252 Apologies

Apologies were received from Councillors Bourne and Scott-Boutell for the Mayor Making ceremony only.

Apologies were also received from Honorary Aldermen Bober, Cooke, Fairhead, Green, Holt, Kimberley, Sykes, Trusler and Wheeler.

253 Election of the Mayor

It was PROPOSED by Councillor Chapman, seconded by Councillor Goss and supported by Councillor Pearson and Councillor B. Oxford and:-

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

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

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

254 Minutes of the Previous Meeting (Council)

RESOLVED that the minutes of the meeting held on 21 February 2018 be confirmed as a correct record.

255 Election of the Deputy Mayor

It was PROPOSED by Councillor Goss and seconded and supported by Councillors Laws, T. Young and B. Oxford and:-

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

Councillor Cope then signed the declaration of acceptance of office and returned thanks for his election as Deputy Mayor.

256 Vote of Thanks to Retiring Mayor

It was PROPOSED by Councillor B. Oxford and seconded and supported by Councillors Laws, Goss and T. Young and:-

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

257 Mayor's Chaplain and Other Announcements

The Mayor announced that he had appointed the Reverend John Richardson to be his Chaplain for the ensuing municipal year.

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

- Action for Family Carers;
- Army Benevolent Fund;

- Cancer Centre Campaign;
- Colchester Emergency Night Shelter;
- Essex and Hertfordshire Air Ambulance;
- Essex Air Ambulance

Grassroots would also provide help including acting as the Charity Committee Treasurer and consequently would receive some financial support.

The theme of his Mayoralty would be "Town Meets Country".

258 Adjournment

RESOLVED that the meeting be adjourned until 12.00 noon and be resumed in the Council Chamber

259 Have Your Say! (Council)

Sir Bob Russell addressed Council pursuant to the provisions of Council Procedure Rule 6(5) and offered his congratulations to the Mayor on his election. In view of his long experience on the Council he advocated the benefits of the Committee system, which gave all Councillors an equal say, which reflected their equal mandate. Councillors should put service before self and personal conscience should determine how votes were cast. He believed that if the matters before the Council at this meeting were put to a secret ballot then this may lead to a different outcome.

Alderman Lewis addressed Council pursuant to the provisions of Council Procedure Rule 6(5) and offered her congratulations to the Mayor and also to Councillors Gerard and Beverley Oxford for their successful year. She had raised the issue of the safekeeping of the plaques from the Avenue of Remembrance at Cabinet in October 2016 and at the Annual Meeting on 2017. She had been assured that the matter would be considered by the 1918 Commemoration Task and Finish Group, but she considered that this was a separate issue. She had also raised concerns about the condition of the Commemoration Wall on the junction of North Station Road and Colne Bank Avenue and this needed to be addressed urgently. Despite assurances, she had not been kept informed.

The Mayor, as Chair of the 1918 Commemoration Task and Finish Group, explained that the matter had been discussed but no final decision had yet been reached.

260 Appointment of the Leader of the Council

It was *PROPOSED* by Councillor Goss that Councillor Mark Cory be appointed as the Leader of the Council for the remainder of his period of office.

Councillor Davies moved a SECONDARY AMENDMENT that the motion be amended by substituting the name Darius Laws for Mark Cory. Councillor Goss indicated the secondary amendment was not accepted.

Council indicated that it did not wish to treat the secondary amendment as a main amendment.

On being to the vote the secondary amendment was LOST (TWENTY FOUR voted FOR, TWENTY FIVE voted AGAINST and TWO ABSTAINED from voting).

A named vote having been requested pursuant Council Procedure Rule 15(2) the voting was as follows:-

FOR: Councillors Arnold, Barber, Bentley, Buston, Chapman, Crow, Davidson, Davies, Dundas, Elliott, Ellis, Flores, Hayter, Hazell, Jarvis, Jowers, Laws, Lissimore, Loveland, F. Maclean, J. Maclean, Moore, Willetts and Wood.

AGAINST: Councillors Barlow, Barton, Bourne, Chuah, Coleman, Cory, Fox, Goss, Harris, Higgins, Hogg, King, Liddy, Lilley, Luxford Vaughan, B. Oxford, G. Oxford, P. Oxford, Pearson, Scordis, Scott-Boutell, Warnes, Whitehead, J. Young and T. Young.

ABSTAINED FROM VOTING: The Mayor (Chillingworth), the Deputy Mayor (Cope).

The original motion was then put to the vote and was CARRIED (TWENTY FIVE voted FOR, TWENTY FOUR voted AGAINST and TWO ABSTAINED from voting).

261 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.

262 Amendments to the Constitution

RESOLVED that the decisions set out in the Monitoring Officer's report be approved and adopted.

263 Appointment of Panels, Committees and Sub-Committees

RESOLVED that:-

- (i) 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 Governance and Audit Committee, Licensing Committee, Local Plan Committee, Planning Committee, Policy Review 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 Task and Finish Groups not be on a group basis and be as set out in the Supplementary Information for the meeting.

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

264 Former Councillors

RESOLVED that the Council recorded its grateful thanks to former Councillors Chaplin, D. Ellis, Feltham, Graham, Scott, J. Scott-Boutell and Smith for the public service rendered by them to this Borough and 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.

Report of	Assistant Director of Policy and Corporate	Author	Richard Clifford
Title	Renaming of Policy Review Panel		☎ 507832
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report proposes that the Policy Review Panel be renamed as the Policy and Public Initiatives Panel. This will reflect the importance of the Panel's role as a forum for public involvement and in particular where members of the public can make suggestions to the Panel about its work programme.

2. Recommended Decision

- 2.1 The Policy Review Panel be renamed as the Policy and Public Initiatives Panel.

3. Reason for Recommended Decision

- 3.1 To highlight the importance attached to public involvement in the work of the Panel and to make this visible to members of the public.

4. Alternative Options

- 4.1 Not to change the name of the Panel.

5. Background Information

- 5.1 At its meeting on 23 May 2018, Council agreed that the Trading Board be transformed into a new advisory panel to Cabinet, the Policy Review Panel. The role of the Panel would be to provide legislative, improvement and policy advice to Cabinet and Portfolio Holders on issues that may affect executive functions.

The terms of reference for the Policy Review Panel are set out below:-

(1) To proactively identify issues and legislative changes that may require review and improvement and to seek Cabinet's agreement as to whether and how they should be examined.

(2) To review strategies and policies at the request of the Cabinet and to make recommendations back to Cabinet for decision.

(3) To review issues at the request of a Portfolio Holder and to make recommendations back to the Portfolio Holder for decision.

- 5.2 A key role for the Panel will be to consider suggestions from members of the public about issues and initiatives that they wish to see the Council take forward. The Panel would consider these issues and decide whether they should recommend to Cabinet whether they should be included in the Panel's work programme. Public engagement and involvement will be key to this.
- 5.3 At its meeting on 20 June, the Panel agreed that it should include a standing item on its agendas, in addition to the usual Have Your Say! arrangements, to take suggestions from members of the public about items for its work programme. It also agreed that its meeting in September 2018 should be used as a forum specifically to hear suggestions from members of the public, and that the meeting should be promoted appropriately in advance.
- 5.4 In order to highlight the importance attached to this element of the Panel's work and to make this visible to members of the public, it is proposed that the Panel be renamed as the Policy and Public Initiatives Panel.

6. Standard References

- 6.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management implications.

Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018

Portfolio – Business and Culture					
Date	Number	Report Title	Author	Decision	Result
10 May 2018	BUS-004-17	National Planning Policy Framework	Laura Chase	To agree that the proposed response set out in Appendix A to the PH report is submitted to Government in response to their consultation on the National Planning Policy Framework.	Agreed 17 May 2018
16 May 2018	BUS-005-17	Contract Award for interim kitchen installation arrangements	Lynn Thomas	<p>To agree to appoint the contractor Seager Heating to complete the 53 kitchen installation under these interim arrangements.</p> <p>To enter with the successful bidder into an agreement under Colchester Borough Council's General Terms and Conditions of Contract.</p> <p>(Approved as Deputy Leader of the Council).</p>	Agreed 23 May 2018
16 May 2018	BUS-006-17	Grant funding to Winnocks and Kendalls Almshouse Charity to provide affordable rented housing	Ruth Newcombe/Tina Hinson	<p>Approval to grant up to £449,406 from the Council's reserve of Right to Buy Receipts, to the WKAC for gap funding to facilitate the redevelopment of their site at 1-7 Winnock Road.</p> <p>(Approved as Deputy Leader of the Council).</p>	Agreed 23 May 2013

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018**

31 May 2018	BUS-001-18	The award of the Enterprise Skills and Employment Grants for the financial year 2017-2018	Jan Warren	To award an additional round of funding from the 2017-18 Enterprise Skills and Employment Grant to local 'not for profit' organisations and also this year for the first time also to micro businesses. The total amount of funding available for 2017-2018 has been £75,500. In the first round of the 2017-2018 grant, over £37,000 was awarded leaving £38,396 available funding for this second round.	7 June 2018
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Portfolio – Commercial Services					
Date	Number	Report Title	Author	Decision	Result
12 February 2018	COM-001-17	Property Purchase in Vineyard Street	Mark Leonard	To approve the proposed purchase of a property in Vineyard St, Colchester to facilitate future delivery of a redevelopment scheme in the area	Agreed 20 February 2018
4 April 2018	COM-002-17	Contract Award for Borehole Testing	Jan Warren	<p>The decision required is to approve the contract spend and award the contract to enable the project to continue.</p> <p>To novate the contract for the borehole works to CAEL from Colchester Borough Council to enable delivery via the energy company.</p>	Agreed 11 April 2018

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018**

Portfolio – Customers					
Date	Number	Report Title	Author	Decision	Result
None in this period					

Portfolio – Housing and Communities					
Date	Number	Report Title	Author	Decision	Result
15 February 2018	HOU-016-17	Revised Housing Asset Management Strategy	Lynn Thomas	To approve the revised Housing Asset Management Strategy 2018-22	Agreed 22 February 2018
19 February 2018	HOU-017-17	Disposal of Land at Colne Bank Avenue	Cassandra Clements	To approval the disposal of 334.63 sqm (3,602 sqft) of Public Open Space land at Colne Bank Avenue, Colchester	26 February 2018
7 March 2018	HOU-018-17	Approval of new and amended Housing Policies	Geoff Beales	To approve the following Housing policies: <ul style="list-style-type: none"> • Housing Adaptations Policy • Motor Scooter Storage Policy • Boundary Definition Policy • Tenant Alterations Policy • Fixed Electrical Installations – Inspection and Testing Policy • Low Energy Rated Property Policy 	14 March 2018
14 March 2018	HOU-019-17	Fire Regulations Relating to Entrance Doors on Leasehold Flats	Lynn Thomas	Recommended Decision - Entrance Doors that were compliant at the time of construction which have not been subsequently modified or replaced:	21 March 2018

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018**

				<p>Counsel has advised that there would be no scope to impose a requirement on leaseholders to replace their entrance door if their property falls within the category of leasehold properties identified in paragraph 1.13 of this report. However, the Council can via consultation with the relevant leaseholder seek to persuade the leaseholder of the positive benefits of the enhanced protection that a 30 minute entrance door would provide to them and to other occupants. Permission is sought to offer the leaseholders the option to purchase entrance doors via the Council at favourable rates that the Council can achieve through its buying power. The Leaseholder would be charged for the cost of the work and could then either pay in one lump sum or should they wish to do so, enter into a payment agreement with extended terms. It should be noted that there is a risk that Leaseholders might agree to pay the full cost and then fail to do so after the works have been carried out. These payment arrangements could only be entered into when using the</p>	
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Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018

				<p>Council's contractor. It would not be possible for the Council to replace the entrance doors and recover the costs via the service charge provisions because the entrance doors form part of the demised premises for which the leaseholder is responsible.</p> <p>Recommended for Entrance Doors that have been replaced and/or modified by the Leaseholder:</p> <p>If the Council suspects via the risk assessment that the original entrance door has been replaced or modified without consent it is recommended that the Council gives notice to the leaseholder that it intends to exercise its right to inspect; and if satisfied that the new entrance door is non-compliant, to require it to be replaced with one that is compliant with current standards. Initially, it is recommended that the Council would seek to persuade the relevant leaseholder to replace their entrance door on a voluntary basis and where appropriate to offer them the same assistance as detailed in 2.2. Where the leaseholder refuses to replace the non-compliant entrance door on a</p>	
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**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018**

				voluntary basis the Council would then take appropriate action under the terms of the lease and /or under any relevant statutory provisions requiring the entrance door to be replaced. The above process would need to be expedited if significant risks had been identified for the building	
15 March 2018	HOU-020-17	Amendments to the Gateway to Homechoice Allocations Policy 2018	Tina Hinson	To approve the revised allocations policy	29 March 2018
19 March 21018	HOU-021-17	Contract Award for Cleaning in Communal Areas of HRA Blocks of Flats	Lynn Thomas	To agree with the recommended decision to appoint the contractor Hi-Spec Facilities Plc to deliver the Cleaning in Communal Areas of HRA Blocks of Flats To enter with the successful bidder a 1 year contract as set out in the Tender Document.	26 March 2018
21 June 2018	HOU-001-18	Contract Award for Housing Investment Programme kitchen installations	Lynn Thomas	To agree to appoint the contractor ENGIE regeneration to complete Housing Investment Programme kitchen installation under these interim arrangements. To agree to enter with the successful bidder into a JCT 1 year Medium Term Contract under the Colchester Borough Council General Terms and Conditions of Contract.	28 June 2018

Record of Decisions taken under Scheme of Delegation to Cabinet Members 6 February 2018 – 29 June 2018

Portfolio – Resources					
Date	Number	Report Title	Author	Decision	Result
13 March 2018	RES-009-17	Irrecoverable debts over £5,000	Michelle Tarbun	To approve the writing off of the following Sundry Debts totalling £5,905.97 which have proved irrecoverable.	20 March 2018
13 March 2018	RES-010-17	Irrecoverable Debts over £5,000 – Housing Benefit Overpayment	Michelle Tarbun	To approve the write off of the following Housing Benefit Overpayment debts totalling £11,574.56 which have proved irrecoverable.	Agreed 20 March 2018
13 March 2018	RES-011-17	Irrecoverable Debts over £5,000 – Council Tax	Michelle Tarbun	To approve the writing off of the following Council Tax debts totalling £10,999.23 which have proved irrecoverable	Agreed 20 March 2018
13 March 2018	RES-012-17	Irrecoverable Debts over £5,000 – Business Rates	Michelle Tarbun	To approve the writing off of the following Business Rates debts totalling £56,062.71 which have proved irrecoverable.	Agreed 20 March 2018
28 March 2018	RES-013-17	Local Authority Mortgage Rates	Michelle Tarbun	To set the locally determined Interest Rate as 4.71% for the 6 months starting 1 April 2018	Agreed 6 April 2018
29 March 2018	RES-014-17	Pay Award for 2018/19 and 2019/20		To determine the level of pay award for the years 2018/19 and 2019/20 for employees of Colchester Borough Council, agreed at a: <ul style="list-style-type: none"> • 1.5% consolidated increase on 1 April 2018 	Agreed 9 April 2018

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018**

				<ul style="list-style-type: none"> • 2.0% consolidated increase on 1 April 2019 	
29 March 2018	RES-015-17	Management Agreement and Service Level Agreement for the new commercial companies.	Matt Sterling	<p>1. To approve the Management Agreement for the provision of services from Colchester Commercial (Holdings) Ltd (CCHL) to the Council together with the Management Fee for 2018-19.</p> <p>2. To approve the Service Level Agreements for services to be provided by the Council to CCHL in return for the Service Level Agreement Fee.</p>	Agreed 9 April 2018

Portfolio –Public Safety and Licensing

Date	Number	Report Title	Author	Decision	Result
21 February 2018	PSL-001-17	Appeal against Fees and Charges for Taxi and Private Hire	Jon Ruder	To dismiss the objection, accept the current fees and introduce them on a new date, (within two months of the original date: 1st of January 2018).	Agreed 28 February 2018

Portfolio – Strategy


Date	Number	Report Title	Author	Decision	Result
13 March 2018	STR-002-17	To support the BANNG (Blackwater Against New Nuclear Group) response to the consultation by	Belinda Silkstone	To support the response by BANNG to the consultation on siting criteria and process for a new national policy	20 March 2018

Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2018 – 29 June 2018

		department for Business, Energy & Industrial Strategy on siting criteria and process for a new national policy statement for nuclear power with single reactor capacity over 1 gigawatt beyond 2025.		statement for nuclear power with single reactor capacity over 1 gigawatt beyond 2025.	
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Portfolio – Waste, Sustainability and Infrastructure					
Date	Number	Report Title	Author	Decision	Result
14 June 2018	WAS-001-18	Air Quality Management Area Amendments	Belinda Silkstone	<p>To approve the amendment to the boundary of Area 1 - Central Corridors Air Quality Management Area (AQMA) to extend along the High Street.</p> <p>To approve the revocation of Air Quality Management Area 3 - Harwich Road / St Andrew's Avenue Junction</p>	21 June 2018

10 July 2018

Report of	Assistant Director of Policy and Corporate	Author	Jonathan Baker 
			282207
Title	Review of Meetings and Ways of Working – Digital Agendas Update		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report provides an update on the digital agendas trial conducted by the Governance and Audit Committee and Scrutiny Panel which formed part of the Review of Meetings and Ways of Working. The report identifies issues identified during the trial and measures taken to assist with the transition to digital only meetings. It is intended that measures outlined in the report will allow for all Colchester Borough Council Committees to become digital.

2. Recommended Decision

- 2.1 To note the progress on the use of digital agendas in Committee meetings, as included in the report.
- 2.2 To RECOMMEND to Council that where appropriate facilities exist, meetings are conducted using digital technology to access agendas.
- 2.3 To RECOMMEND that Council assess the implications of using digital technology to access agendas in the Council Chamber and consider whether the facilities in the Council Chamber should be improved to enable agendas to be accessed digitally.
- 2.4 To note the cost of improving presentation facilities in the Grand Jury Room and Council Chamber.

3. Reason for Recommended Decision

- 3.1 Following the conclusion and success of the trial, it is suggested that all Committees using rooms that have suitable facilities, such as the Grand Jury Room, use digital technology to access agendas. This would assist in significantly reducing the cost of printing paper copies of agendas, the budget for which has already been significantly reduced.
- 3.2 To enable the use of digital technology to access agendas in the Council Chamber, the current facilities will need to be upgraded to provide power sockets and USB ports near each seat. The Governance and Audit Committee will need to consider whether this investment required to upgrade the facilities in the Council Chamber should be pursued and if so, to recommend that Council consider the issue.
- 3.3 The Governance and Audit Committee will also need to consider the cost of improving the presentation facilities in both the Grand Jury Room and the Council Chamber. The

intention behind upgrading the facilities is to provide greater visibility to screens for both Councillors and members of the public.

4. Alternative Options

- 4.1 The Committee could decide that they do not wish to further the roll out the use of digital technology to access committee agendas, however there is a significantly reduced budget for agenda printing during 2018/19. The Committee may also decide that the presentation facilities in the Grand Jury Room and Council Chamber are adequate and do not require improvement.

5. Background Information

- 5.1 As part of the Review of Meetings and Ways of Working review, the Governance and Audit Committee, the Scrutiny Panel and the Revolving Investment Fund Committee agreed to undertake a digital agendas trial between January and April 2018. During this time, the Governance and Audit Committee met twice and the Scrutiny Panel met five times. Each of these meetings were conducted without Councillors receiving a paper copy of the agenda. A single paper copy of the agenda is still placed in the Library five clear working days before the meeting and a limited number of paper copies of the agendas are provided in the public gallery at the meeting.
- 5.2 In advance of the trial Democratic Services Officers ensured that all Councillors had a suitable device that could access agendas during meetings. Whilst the Council encourages the use of personal devices, those Councillors that did not have access to a device were loaned equipment to enable access to digital agenda. During the trial a total of five iPads were loaned to Councillors for use at meetings, with training provided upon collection of the device. In addition to the devices, Democratic Services Officers also devised a solution to provide power during meetings in the Grand Jury Room using power towers with USB connectors.
- 5.3 During the trial, no major issues occurred and Councillors were able to access agendas at all times. For the first digital meeting of each Committee, members of the Democratic Services team were on hand to provide support if necessary. Those members substituting were provided with guidance on accessing the agenda on their personal device, or given a device for the duration of the meeting.
- 5.4 The move to using digital technology to access agendas comes at a time when the Council is increasingly adopting and focusing on the use of digital technology. In line with this move, the 2018/19 Committee agenda printing budget has reduced by 69%. This, combined with a number of years where agenda printing cost exceeded the existing budget, highlights the pressing need to utilise digital technology to access agendas. The move to digital agendas also falls at a time when the devices and applications available are more versatile and allow for easy document manipulation.

Digital Agendas going forward

- 5.6 At the beginning of this municipal year the Chairmen of the Governance and Audit Committee, Scrutiny Panel, Policy Review Panel, Revolving Investment Fund Committee and Cabinet all agreed to access agendas digitally going forward. The purpose of this report is to formalise the use of digital technology to access agendas for all Committee meetings that use rooms with appropriate facilities.
- 5.7 Experience has shown that the majority of Councillors are content to use a suitable personal device to access agendas digitally. The Committee previously agreed that where Councillors did not have a suitable device, they be loaned a device by the Council. This device would only be for the duration of the Councillors remaining on the Council and would be redistributed if the Councillor is no longer in office. Councillors would be able to choose between an iPad, an Android tablet, or a Windows hybrid laptop, all of which would run both software for accessing agendas and Office365. If the policy to go digital were to be extended to cover all Committees that take place in the Grand Jury Room, it is expected that approximately 10 further devices would be required.
- 5.8 During the trial the predominant method for Councillors accessing Committee agendas was to download a copy of the PDF from the CMIS website prior to navigating the document through the Adobe PDF reader. Whilst this method was successful, following a

recent upgrade it is now recommended that Councillors use the widely available MyCMIS application. This is designed specifically for use in meetings, automatically downloads agendas (which means that the agenda can still be accessed without a Wi-Fi connection) and provides an increased level of security using a PIN code, timed log out and automatic deletion of agendas after a period of three months. A user guide has been created by Democratic Services Officers and further training opportunities will be provided outlining how to use MyCMIS. It is recommended that Councillors use PIN codes or passwords for their devices to further increase the security levels.

- 5.9 Going forward, it is intended that those Councillors with access requirements that would mean the use of a digital device in meetings would be difficult would still receive a printed copy of the agenda, if they so wished.
- 6.0 Consideration has also been given to contingency plans to enable meetings to proceed should the Wi-Fi connection be lost or if a Councillor does not bring a device. A solution to the issue of Wi-Fi connectivity is using the MyCMIS application which automatically synchronises with the server and downloads the agenda when it is ready. If a Councillors device fails, or a device is forgotten the Democratic Services team have a standby device available.
- 6.1 During the course of the trial, a further query was raised about the environmental issues of using devices. Using devices to access digital agendas significantly reduces the cost and environmental impact of printing Committee agendas, which following the conclusion of the meeting have limited uses. Devices also enable Councillors to utilise the entire Office365 package reducing the requirement to print other documents relating to their role as a Councillor. Microsoft, which produces the Office365 software package is Carbon Neutral and has an average power usage effectiveness at its data centres of 1.125, which is a third less than the industry average data centre. Whilst devices are provided on a loan basis and will be reissued where possible, any device that has reached its end of life will be wiped and recycled in accordance with the Waste Electronic and Electrical Equipment (WEEE) protocol.

Council Chamber

- 6.2 Whilst there is a power solution for the Grand Jury Room, there are greater restrictions for the provision of power sources in the Council Chamber. Due to the design of the room and location of power sockets it is not feasible to set up a flexible solution. Following discussions with the Colchester Borough Homes Facilities team it was suggested that power sockets with USB charging ports could be installed at floor level near each seat.
- 6.3 It is estimated that the cost of such works would be £12,500, which would include the cost of providing the power sockets and lifting of the listed fixtures and fittings. It is also expected that such works would take approximately four weeks to complete, which is likely to impact on the number of private bookings for the Colchester Events Company. By way of comparison, printing Council agenda through a municipal year is just over £2k.
- 6.4 An alternative solution of battery packs was considered, however there are no UK suppliers of battery packs or docking stations. Due to uncertainty regarding battery quality and difficulty in terms of support and maintenance it is not considered a feasible option to procure a solution manufactured outside of the UK. Councillors will still be able to use their own battery packs during meetings, but a centrally administered system will not be provided.

- 6.5 The Committee will need to consider whether to recommend to Council that the Chamber be upgraded to allow Council meetings and other meetings that take place in the Council Chamber use digital devices to access agendas.

Presentation Facilities

- 6.6 The Committee may want to consider upgrading the presentation facilities in both the Grand Jury Room and the Council Chamber. Currently the Town Hall only has one widescreen television for presentation, which restricts the viewing angle and distance. This means that the current provision is not fit for purpose. Whilst a temporary solution for the Grand Jury Room, devised by the Democratic Services team, uses a PC monitor screen in the West Committee Room this is not a satisfactory long term solution.
- 6.7 Following discussions with ICT, it has been suggested that two large widescreen televisions and mobile stands be purchased so that they can be used in both the Grand Jury Room and the Council Chamber. With regards to the Grand Jury Room this would allow for one TV to be positioned for members of the Committee, and another to be based in the West Committee Room for members of the public. For the Council Chamber the two screens would be placed in opposing corners. If an upgrade of the power facilities in the Council Chamber is undertaken this could provide an opportunity to also lay HDMI cabling.
- 6.8 The cost of the new television and stands would not be in excess of £2k and could be used for other events in the Town Hall.

7. Standard References

At this time there are no particular references to the Strategic Plan; publicity or consultation considerations; equality, diversity and human rights; community safety; health and safety or risk management implications.

8. Financial implications

- 8.1 The costs of the works required to upgrade the Council Chamber are set out at paragraph 6.2 of the report. In addition providing 10 additional devices to loan to Councillors is likely to cost approximately £3,800. Should the Committee refer the issue to Council and Council consider that the Chamber facilities be upgraded, then Cabinet would need to consider whether the funding could be made available. However, the proposals need to be considered in the context of the savings to the printing budget that will be secured by maximising the use of digital agendas.

Scrutiny Panel

17 July 2018

Item
12

Report of	Assistant Director of Policy and Corporate	Author	Jonathan Baker Tel. 282207
Title	Annual Scrutiny Report		
Wards affected	None		

This is a report setting out the work of the Scrutiny Panel during 2017/18

1. Executive Summary

- 1.1 This report sets out the work of the Scrutiny Panel during 2017/18 and requests that the Panel recommend the report to Council for approval on 18 July 2018.

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 18 July 2018.

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 2017/18.

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. Scrutiny was also an integral part of delivering the 2015-2018 strategic plan vision themes of a vibrant, prosperous, thriving and welcoming Borough.
- 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 2017-18

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 2017/18

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 2017/18.

The low level of call-ins and matters of urgency suggested Councillors continued to take a responsible approach to Governance.

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

During 2017/18, a new Scrutiny Panel scoping form was devised. The intention behind the form was to ensure there is a process for reviews to be requested. The form required information from Councillors around the objective of a review, timescales and the information that would be required within a report. Forms received would then be reviewed by the Panel before inclusion on the work programme. The form led to the Panel undertaking two reviews towards the end of the municipal year, one of which is still in progress.

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 2017/18.

In September, an additional meeting of the Scrutiny Panel was arranged in order to receive a report providing an update on the Town Centre Public Space Protection Order and Advertising Boards. This followed an initial review that took place during the 2016/17 municipal year where the Panel requested further research into how the number of advertising boards in the town centre could be reduced. At the September meeting, the Panel were invited to provide feedback

to Cabinet members as part of the consultation process for a Town Centre PSPO. Discussions were had with regard to the area that the PSPO covered, the duration of the PSPO, the extent of the ban on advertising boards as well as comments on standardising forms of acceptable advertising for businesses.

The Panel also reviewed six month progress of the new in house ICT service in November 2017 and the current provision and future obstacles of refuse and recycling collections from flats on 27 March 2018. With regard to refuse collection and recycling in flats the Panel resolved that recycling collections provided to flats be increased, with the view to provide a similar service to that provided to other properties.

Two reviews during the year were requested using the new Scrutiny Panel scoping form. The first was a review of tourism marketing and the tourism experience. The report invited the Panel to review the work of the Council in marketing the Borough of Colchester to visitors, the current marketing campaign and the Council's wider role in delivering the tourism experience. The Panel were shown a number of videos of current marketing campaigns and informed about a new Sky TV advert that was due to be filmed.

The second review added to the Scrutiny Panel work programme following a request through the scoping form was to hold a review of bus services in the Borough. A formal scoping report was submitted to the Scrutiny Panel in September 2017, outlining the approach and objectives to the review. The original date for the review was scheduled for 27 February 2018, however due to severe weather this was rearranged for 16 April 2018. At the meeting, representatives of the main bus companies operating in Colchester attended as part of an information gathering session. The session was based around thematic questioning, covering issues around bus punctuality, increasing bus usage, communication with passengers, reducing emissions and services in the Borough of Colchester. This review is ongoing, and the next stages of the review will be determined during the next municipal year.

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 30 January 2018 and the 6-monthly and year-end Performance Report and Strategic Plan Action Plan, which went to the Panel on 18 July 2017 and 12 December 2018.

As the then Strategic Plan came to an end during 2018, the Panel also pre-scrutinised the new Strategic Plan 2018-2021. The Panel raised a number of queries in relation to the Plan as well as a series of suggestions for elements that could be included.

The Scrutiny Panel were also invited by the Cabinet to consider and comment on the Combined Service Review – Customer Futures 2 report at its meeting on 7 November.

Partnership arrangements

A review of Colchester Borough Homes Performance 2016/17 took place at the meeting on 18 July 2017. The Colchester Borough Homes Chief Executive and Chair were in attendance as well as 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.

As part of the Crime and Disorder Committee, the Safer Colchester Partnership was reviewed on 12 September 2017. The review provided information on the work of the Safer Colchester Partnership during 2016-17, the work of the Community Safety Support Officer and heard from the new Chief Inspector from Essex Police. The Panel thanked the representatives for attending the meeting and responding to members questions, and noted the contents of the report detailing the work of the Partnership.

Call-in

No valid call-in's were received during the 2017/18 municipal year.

Councillor Call for Action (CCfA)

There were no CCfA issues brought to the attention of Scrutiny Panel during 2017/18.

Decisions taken as a matter of urgency

There were no decisions taken as a matter of urgency during 2017/18.

Task and Finish Group

There were no Task and Finish Groups commissioned by the Scrutiny Panel 2017/18.

Schedule of meetings and reviews

Scrutiny Panel 2016/17

Councillor Davies (Chairman), Councillor Arnold (Deputy Chairman), Councillor Coleman, Councillor Fox, Councillor Hogg, Councillor Scordis, Councillor Wood.

13 June 2017	<ul style="list-style-type: none"> • Financial Monitoring Report – End of Year 2016/17 • Capital Expenditure Monitor 2016/17 • Creation of New Commercial Companies and Colchester Housing Development Company
18 July 2017	<ul style="list-style-type: none"> • Year End 2016-17 Performance Report including progress on Strategic Plan Action Plan • Review of Colchester Borough Council Performance 2016/17 • 2018/19 Budget Strategy, Medium Term Financial Forecast and Budget Timetable • Treasury Management - Annual Report • Annual Scrutiny Report
15 August 2017	<ul style="list-style-type: none"> • Meeting Cancelled
12 September 2017	<ul style="list-style-type: none"> • Safer Colchester Partnership (Crime and Disorder Committee)
27 September 2017 (Additional Meeting)	<ul style="list-style-type: none"> • Town Centre PSPO including A Board Update
7 November 2017	<ul style="list-style-type: none"> • Local Council Tax Support – Year 17/18 • Combined Service Review – Customer Futures 2 • ICT Service Update • 2017-18 Revenue Monitor period April – September • 2017-18 Capital Monitor, period April – September
12 December 2017	<ul style="list-style-type: none"> • Review of Waste Collection Strategy • Half Year 2017-18 Performance Report including progress and Strategic Plan Action Plan
30 January 2018	<ul style="list-style-type: none"> • 2018/19 General Fund Revenue Budget, Capital Programme and Medium Term Financial Forecast, Housing Revenue Accounts Estimate and Housing Investment Programme • Treasury Management Investment Strategy • Strategic Plan 2018-21

27 February 2018	<ul style="list-style-type: none"> • Bus Review – Meeting postponed due to severe weather
13 March 2018 (Additional Meeting)	<ul style="list-style-type: none"> • Vineyard Gate Briefing (Confidential)
27 March 2018	<ul style="list-style-type: none"> • Tourism Marketing update and discussion • Review of Waste and Recycling Collections for Flats
16 April 2018 (Additional Meeting)	<ul style="list-style-type: none"> • Bus Review