

Cabinet

Wednesday, 12 October 2016

Attendees: Councillor Tina Bourne (Portfolio Holder for Housing and Public Protection), Councillor Mark Cory (Portfolio Holder for Resources), Councillor Annie Feltham (Portfolio Holder for Business, Leisure and Opportunities (and Deputy to the Leader of the Council)), Councillor Dominic Graham (Portfolio Holder for Waste and Sustainability), Councillor Michael Lilley (Portfolio Holder for Safer Communities and Licensing), Councillor Beverley Oxford (Portfolio Holder for Customers), Councillor Paul Smith (Chairman and Portfolio Holder for Strategy), Councillor Tim Young (Portfolio Holder for Culture and Regeneration (and Deputy Leader of the Council))

Substitutes: No substitutes were recorded at the meeting

Also in attendance: Councillors Buston, Coleman, Davies, Hazell, Laws, G. Oxford and Willetts

Call in and Publication Arrangements

Date Published 13 October 2016

Date when decisions may be implemented (unless 'called in') 5pm 20 October 2016 NB
All decisions except urgent decisions and those recommended to Council may be subject to the Call-in Procedure.

Requests for the scrutiny of relevant decisions by the Scrutiny Panel must be signed by at least ONE Councillor AND FOUR other Councillors to countersign the call-in form OR to indicate support by e-mail. All such requests must be delivered to the Proper Officer by no later than 5pm on Thursday 20 October 2016.

106 Minutes

RESOLVED that the minutes of the meeting held on 7 September 2016 be confirmed as a correct record.

107 Have Your Say!

Alderman Lewis addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) on behalf of Lexden History Group. Memorial plaques had been placed on the Avenue of Remembrance when it was opened in 1933. These had subsequently been removed. Lexden History Group had managed to locate 31 of the plaques, but she requested that as Colchester Museum service began to prepare to

move its stock from the Museum Resource Centre, it should look out for more of the plaques. A suitable home for the plaques should be found in Colchester.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, thanked Alderman Lewis for her comments. He would ensure that if any further plaques were found, they would be preserved and looked after. As the centenary of the end of the First World War was approaching, he would welcome the input of the Lexden History Group into suitable commemorative events.

Councillor Laws attended and with the consent of the Chairman addressed the Cabinet. He endorsed Alderman Lewis' comments and indicated that the memorial wall on Colne Bank Avenue was suffering from weathering and needed some attention. There was a CCTV black spot in the area around Jumbo and if new CCTV cameras were to be installed, the opportunity should be taken to install cabling that would allow Jumbo to be lit in the future. In addition, the opening times of the Tourist Information Office needed to be reviewed to ensure it was open at times of peak demand and on occasions such as the Heritage Open Day.

Councillor T. Young, Portfolio Holder for Culture and Regeneration, confirmed that the opening hours of the Tourist Information Office were already under review and further proposals would be made in due course. He would look into the suggestion made about cabling.

Mark Goacher addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to express concern about Colchester library. The removal of the Crucifixion of Mankind was symptomatic of wider issues with the library. The book stock was also decreasing and he feared this was part of move to convert the library to a Council office by stealth. Colchester Borough Council should use its influence to ensure the library remained as a library. Concern was also expressed about the state of the streets in New Town, which were not cleaned weekly. Particular concern was expressed about Morant Road and Brook Street.

Councillor Lilley, Portfolio Holder for Safer Communities and Licensing, explained that he would look into the issues raised about New Town. Councillor Annie Feltham, as ward councillor for Christchurch and New Town, indicated that problems with parked cars often made access to the roads difficult, but she had arranged a meeting with the Zone Leader to address the issue. Councillor B. Oxford, Portfolio Holder for Customers, stressed that the way to retain libraries was to work together with Essex County Council. By locating Council services in the library, footfall had increased which justified its continued presence in the town centre.

Christopher Lee addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). He contrasted the funding provided by the Council to arts organisations such as the Mercury and Firstsite with that provided to charities such as

the Women's Refuge, Age UK and the Night Shelter, who received considerably less.

Councillor T. Young, Portfolio Holder for Culture and Regeneration, responded and stressed that the funding provided to the Mercury Theatre was returned many times over in spend to the local economy. Considerable support was given to other charities and he considered the administration had the balance of its support to charities and the voluntary sector right. The funding provided to the Arts Centre for a Treasure Hunt had been allocated through a democratic ballot.

Other members of the Cabinet responded and stressed the support the Council gave to the voluntary and charitable sector. The Council provided core funding to a number of charities and supported others with grants and other one-off funding. A service level agreement was put in place with those who received core funding to ensure the funding was put to good use. However, funding was not always the solution and the Council had a track record of working with voluntary sector organisation to find innovative solutions to problems. Initiatives such as the Rent Guarantee Scheme were highlighted and the Council also had a strong Welfare Rights Team. In addition £200,000 had been allocated to improve opportunities for residents in line with the "Think Global, Act Local" principles.

Nick Chilvers addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). He highlighted that on-street litter bins did not encourage recycling as they did not provide for waste to be effectively separated. Concern was also expressed about the state of the streets in the St Botolph's area. Street Services needed better support and more funding so that it could purchase more advanced equipment. In respect of the proposals for changes in domestic waste collection, he sought clarification on the role of ward councillors in the decision making process.

Councilor Lilley, Portfolio Holder for Safer Communities and Licensing, explained that options for town centre waste collection and street cleaning were being looked into. Split bins for litter had not worked as well as hoped. He stressed the need for communities to talk to their ward councillors about the waste collection proposals so they could ensure their views were taken into consideration.

Councillor Graham, Portfolio Holder for Waste and Sustainability, explained that in terms of waste collection as far as possible the administration wanted to give communities what they wanted. They would consult with ward councillors as representatives of their communities and he urged residents to put their views forward. Every ward councillor had been written to and invited to submit their views. These would inform the proposals that would be put forward to Cabinet to consider.

108 Colchester Borough Council Events Policy

The Chief Operating Officer submitted a report a copy of which had been circulated to each Member.

Councillor Feltham, Portfolio Holder for Business, Leisure and Opportunities, introduced the Events Policy. It was built on the Council's experience of managing events and would help bring a greater commercial focus.

James Young, Operations Manager – Events, made a presentation to Cabinet which set out the huge potential of the Council's venues. The Events Policy would help secure events of national significance and build Colchester's reputation. It would enable a diverse range of events to be attracted to Colchester. This would generate income for the Council and also bring wider economic benefits to the borough as a whole. The policy would be implemented by a new Colchester Events Company which would be launched on 17 October

RESOLVED that the new Colchester Borough Council Events Policy attached at Appendix 1 to Chief Operating Officer's report be approved and adopted.

REASONS

To ensure that Commercial Services and the Events Management Team deliver events to the requirements of the Policy

ALTERNATIVE OPTIONS

To not approve the policy. However, this would mean that the Commercial Services and the Events Management Team would be working without the benefit of an agreed policy, which would impact on the efficiency and effectiveness of the service.

109 Rural Skills Training

Councillor Davies (in respect of her employment by the Rural Community Council for Essex) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Davies attended and with the consent of the Chairman addressed the Cabinet to welcome the Council's support for the rural skills training set out in the Assistant Chief

Executive's report.

RESOLVED that the progress providing rural skills training through section 106 funding in Colchester be noted.

REASONS

The Council's Strategic Plan includes a priority to support people to develop their skills for employment.

In 2009, Northumbrian Water Group Ltd was granted planning permission to extend the Abberton reservoir to meet increased demand for water supplies. As part of this agreement, the Council signed a 'Section 106' agreement with Northumbrian Water requiring them to provide financial and other forms of support for the provision of training for people from the borough in rural skills.

Since then the Council has been working with partners to implement this agreement and to secure the desired training.

ALTERNATIVE OPTIONS

The principal alternative to this decision would be to cease to support this work. However, the section 106 funding can only be used for this purpose and so this money cannot be redirected to other priorities.

110 2017/18 Revenue Budget Update

The Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Davies attended and with the consent of the Chairman addressed the Cabinet to ask that any consultancy work arising out of the "Think Global, Act Local" campaign be advertised and sourced locally and to suggest also that the campaign be considered by the Scrutiny Panel.

Councillor Willetts attended and with the consent of the Chairman, addressed the Cabinet. He broadly supported the approach set out in the budget but that expenditure should be trimmed further and the budget rebalanced to meet the real needs of the borough. Balances should be kept at a minimum to so that essential public services were properly supported. A zero based approach should be taken to budgeting. The categorisation of the locality budget and the reduced use of New Homes Bonus as growth items was misleading. The offer of support with alternative budget proposals was

welcomed. The Conservative Group would wish to submit an alternative budget as a motion to Council in its own right, rather than as an amendment to the administration's budget proposal.

Councillor Cory, Portfolio Holder for Resources responded and introduced the report. No cuts to funding were proposed in the report. Income was increasing and efficiencies were being found through the Outturn Review. Officers and Councillors were working hard to close the budget gap. The growth items had been properly identified and categorised and therefore the report was not misleading. The funding for work in support of the "Think Global, Act Local" initiative would be used to tackle economic inequalities. Work had already been done identifying these inequalities and a further report would be submitted to Cabinet in due course, which could also be looked at by the Scrutiny Panel.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, Councillor T. Young, Portfolio Holder for Culture and Regeneration and Councillor Graham, Portfolio Holder for Waste and Sustainability, also indicated their support for the proposals. In particular the changes to procurement processes to make it easier for local firms to bid for Council work were stressed.

RESOLVED that:-

- (a) £200k be used as shown in section 5 of the Assistant Chief Executive's report and it be noted that a further detailed report will be submitted to Cabinet.
- (b) It be noted that officers are working towards delivering a balanced budget and that progress has been made to identify savings to assist with the delivery of the budget strategy and that the budget gap currently stands at £325k.
- (c) The cost pressures and growth items be included in the 2017/18 budget forecast.
- (d) The provisional savings be included in the 2017/18 budget forecast.
- (e) The main 2017/18 budget forecast variables and risks set out in Section 11 of the Assistant Chief Executive's report be noted.
- (f) It be noted that Colchester will remain in the Essex business rates pool in 2017/18.

REASONS

The Council is required to approve a budget strategy and timetable in respect of the year. This report relates to the budget update and business rate pooling.

ALTERNATIVE OPTIONS

There are different options that could be considered and as the budget progresses changes and further proposals will be made and considered by Cabinet and in turn Full Council.

111 2015/16 Year End Review of Risk Management

The Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Davies attended and with consent of the Chairman addressed the Cabinet. In view of the recent problems with the Council's telephony system, risk 6e needed to be reviewed and its probability scoring increased to five.

Councillor Mark Cory, Portfolio Holder for Resources, explained that Councillor Davies concerns would be considered when the risk register was next reviewed. The reduced probability in risk 6c – inability to deliver the budget strategy as planned - was highlighted.

RESOLVED that:-

- (a) The risk management work undertaken during 2015/16 be noted.
- (b) The current strategic risk register be noted.
- (c) The proposed risk management strategy for 2016/17 be approved and *RECOMMENDED TO COUNCIL* that it be included in the Council's Policy Framework.

REASONS

Cabinet has overall ownership of the risk management process and is responsible for endorsing its strategic direction. Therefore the risk management strategy states that Cabinet should receive an annual report on progress and should formally agree any amendments to the strategy itself.

During the year progress reports are presented to the Governance and Audit Committee detailing work undertaken and current issues. This report was presented to the Governance and Audit Committee on 26 July 2016, where they approved its referral to this meeting.

The Risk Management Strategy is one of the key corporate governance documents that

supports the Constitution of the Council and forms part of the Policy Framework. Accordingly any amendments have to be approved by Full Council.

ALTERNATIVE OPTIONS

Not to approve the risk management strategy or to approve it with amendments.

112 North Essex Parking Partnership - Extension of Joint Committee Agreement

The Head of Operational Services submitted a report a copy of which had been circulated to each Member.

Councillor Lilley, Portfolio Holder Safer Communities and Licensing, highlighted the success of the North Essex Parking Partnership. The financial position of the Partnership had been turned around and a number of local improvements had been implemented. Body Worn Cameras had been introduced for Civil Enforcement Officers in order to reduce violent and aggressive incidents. He paid tribute to the work of the Partnership's officers.

RESOLVED that authority be delegated to the Portfolio Holder for Safer Communities and Licensing to sign up to the four-year extension to the Joint Committee Agreement (JCA) offered by Essex County Council (ECC) at the NEPP Joint Committee meeting in December 2016 thereby extending the agreement until March 2022.

REASONS

To agree the Council's position in relation to the four-year extension to the JCA offered by Essex County Council.

ALTERNATIVE OPTIONS

The Council can choose not to sign up to the four-year extension. However, if other authorities do, and a new lead authority is identified, then on-street enforcement services would still continue in the Borough and the Council would not be able to influence priorities and request new schemes.

113 Contract Award for Liquid Fuels

The Head of Operational Services submitted a report a copy of which had been circulated to each Member.

Councillor Willetts attended and with the consent of the Chairman, addressed the Cabinet and stressed the need to move towards more environmentally friendly fuels such as bio-fuels.

Councillor Graham, Portfolio Holder for Waste and Sustainability, explained that the figure at paragraph 4.1 of the report should read £1,800,000. The proposals would enable the Council to obtain the best possible deal for its fuel, which would enable the fleet to continue to operate and support the Council's services. Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, stressed that the Council was one of the best performing Council's in the country in terms of carbon emissions. Whilst the Council did look to secure the most environmentally friendly vehicles, there was still a need for diesel and this would ensure that the best possible deal for this was secured.

RESOLVED that a contract be awarded to Certas for the supply of liquid fuels (diesel, gas oil and 'adblue' diesel) to be supplied to Shrub End depot for use by the range of vehicles that make up the Council's fleet, across a range of services, for the period 1 November 2016 – 31 October 2019.

REASONS

The current contract for the supply of fuel to the Shrub End Depot for use by the Council's fleet vehicles is due to expire on 1 November 2016 and therefore a new contractual arrangement needs to be put in place. The supply of fuel is critical to the day to day operation of many of the Council services in particular frontline services.

It is proposed to award the contract to Certas, under the National ESPO Liquid Fuels Framework.

ALTERNATIVE OPTIONS

A more time-consuming Official Journal of the European Union (OJEU) compliant tender would be required if the Council did not use the framework agreement.

114 Progress of Responses to the Public

The Assistant Chief Executive submitted a progress sheet a copy of which had been circulated to each Member.

RESOLVED that the contents of the Progress Sheet be noted.

REASONS

The progress sheet was a mechanism by which the Cabinet could ensure that public statements and questions were responded to appropriately and promptly.

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.